

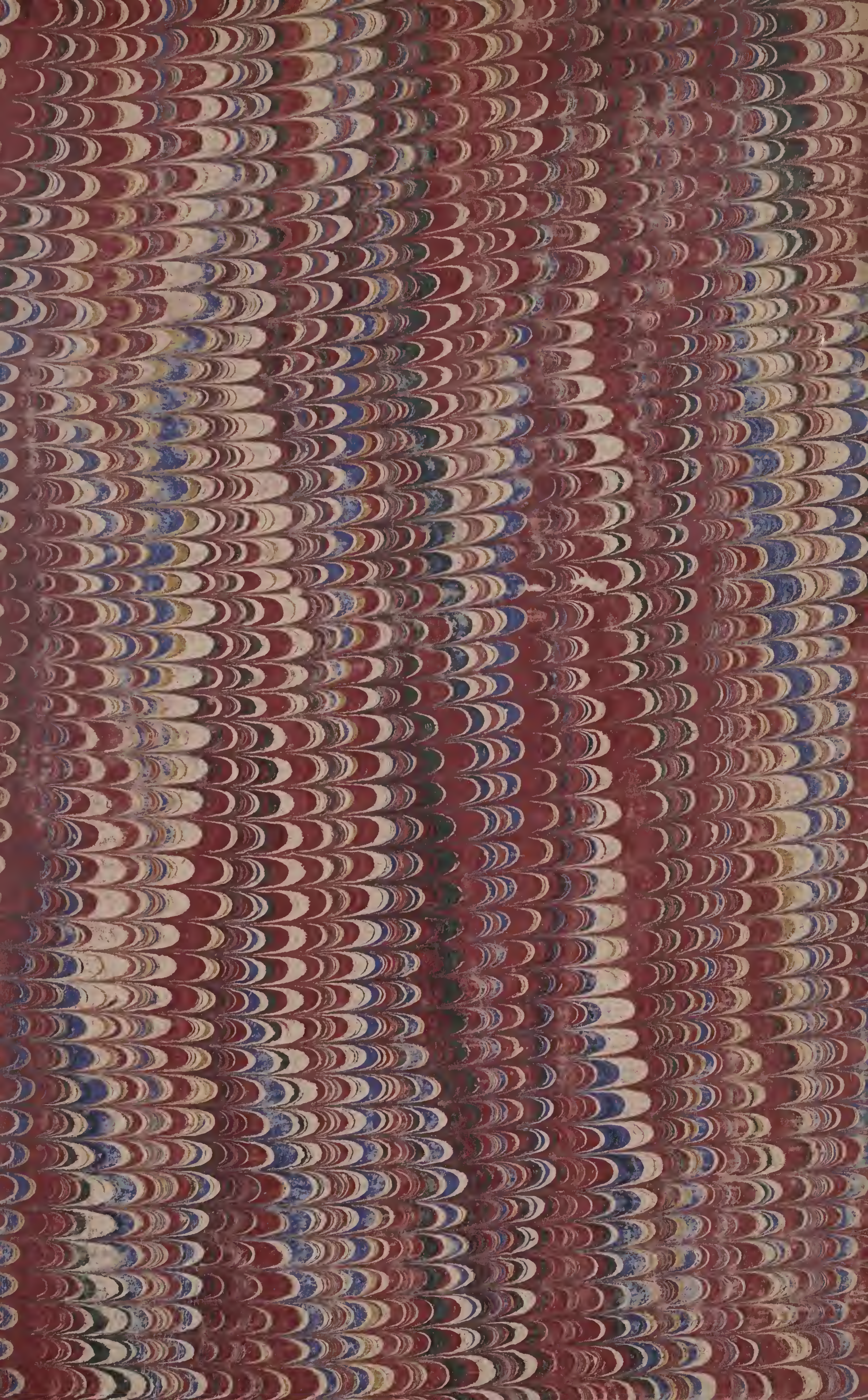


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TO THE

PROPOSITION

THAT ALL AMERICAN CITIZENS SHOULD TAKE AN  
INTEREST IN PUBLIC AFFAIRS.





## PREFACE.

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The writer of this volume, in the pursuit of his profession as an editor, and throughout an active political life, has always felt the need of a volume from which any important fact, theory or record could be found at a moment's glance, and without a search of many records. He has also remarked the singular fact that no history of the political parties of the country, as they have faced each other on all leading issues, has ever been published. These things prompted an undertaking of the work on his own part, and it is herewith presented in the hope that it will meet the wants not only of those connected with politics, but of all who take an interest in public affairs. In this work very material aid has been rendered by the gentleman whose name is also associated with its publication, and by many political friends, who have freely responded during the past year to the calls made upon them for records, which have been liberally employed in the writing and compilation of this work.

THOS. V. COOPER.

MEDIA, PA., MARCH 1, 1882.



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AMERICAN POLITICS.

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BOOK I.

---

HISTORY OF THE POLITICAL PARTIES  
OF THE  
UNITED STATES.



# AMERICAN POLITICS.

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## BOOK I.

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### HISTORY OF THE POLITICAL PARTIES OF THE UNITED STATES.

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#### **Colonial Parties—Whig and Tory.**

The parties peculiar to our Colonial times hardly have a place in American politics. They divided people in sentiment simply, as they did in the mother country, but here there was little or no power to act, and were to gather results from party victories. Men were then Whigs or Tories because they had been prior to their emigration here, or because their parents had been, or because it has ever been natural to show division in individual sentiment. Political contests, however, were unknown, for none enjoyed the pleasures and profits of power; the crown made and unmade rulers. The local self-government which our forefathers enjoyed, were secured to them by their charters, and these were held to be contracts not to be changed without the consent of both parties. All of the inhabitants of the colonies claimed and were justly entitled to the rights guaranteed by the Magna Charta, and in addition to these they insisted upon the supervision of all internal interests and the power to levy and collect taxes. These claims were conceded until their growing prosperity and England's need of additional revenues suggested schemes of indirect taxation. Against these the colony of Plymouth protested as early as 1636, and spasmodic protests from all the colonies followed. These increased in frequency and force with the growing demands of King George III. In 1651 the navigation laws imposed upon the colonies required both exports and imports to be carried in British ships, and all who

traded were compelled to do it with England. In 1672 inter-colonial duties were imposed, and when manufacturing sought to flank this policy, their establishment was forbidden by law.

The passage of the Stamp Act in 1765 caused high excitement, and for the first time parties began to take definite shape and manifest open antagonisms, and the words Whig and Tory then had a plainer meaning in America than in England. The Stamp Act was denounced by the Whigs as direct taxation, since it provided, that stamps previously paid for should be affixed to all legal papers. The colonies resented, and so general were the protests that for a time it seemed that only those who owed their livings to the Crown, or expected aid and comfort from it, remained with the Tories. The Whigs were the patriots. The war for the rights of the colonies began in 1775, and it was supported by majorities in all of the Colonial Assemblies. These majorities were as carefully organized then as now to promote a popular cause, and this in the face of adverse action on the part of the several Colonial Governors. Thus in Virginia, Lord Dunmore had from time to time, until 1773, prorogued the Virginia Assembly, when it seized the opportunity to pass resolves instituting a committee of correspondence, and recommending joint action by the legislatures of the other colonies. In the next year, the same body, under the lead of Henry, Randolph, Lee, Washington, Wythe and other patriots, officially deprecated the closing of the

port of Boston, and set apart a day to implore Divine interposition in behalf of the colonies. The Governor dissolved the House for this act, and the delegates, 89 in number, repaired to a tavern, organized themselves into a committee, signed articles of association, and advised with other colonial committees the expediency of "appointing deputies to meet in a general correspondence"—really a suggestion for a Congress. The idea of a Congress, however, originated with Doctor Franklin the year before, and it had then been approved by town meetings in Providence, Boston and New York. The action of Virginia lifted the proposal above individual advice and the action of town meetings, and called to it the attention of all the colonial legislatures. It was indeed fortunate in the incipency of these political movements, that the people were practically unanimous. Only the far-seeing realized the drift and danger, while nearly all could join their voices against oppressive taxes and imposts.

The war went on for colonial rights, the Whigs wisely insisting that they were willing to remain as colonists if their rights should be guaranteed by the mother country; the Tories, chiefly fed by the Crown, were willing to remain without guarantee—a negative position, and one which in the high excitement of the times excited little attention, save where the holders of such views made themselves odious by the enjoyment of high official position, or by harsh criticism upon, or treatment of the patriots.

The first Continental Congress assembled in Philadelphia in September, 1774, and there laid the foundations of the Republic. While its assemblage was first recommended by home meetings, the cause, as already shown, was taken up by the assemblies of Massachusetts and Virginia. Georgia alone was not represented. The members were called delegates, who declared in their official papers that they were "appointed by the good people of these colonies." It was called the "revolutionary government," because it derived its power from the people, and not from the functionaries of any existing government. In it each colony was allowed but a single vote, regardless of the number of delegates, and here began not only the unit rule, but the practice which obtains in the election of a President when the contest reaches, under the constitution and law, the National House of Representatives. The original object was to give equality to the colonies as colonies.

In 1775, the second Continental Congress assembled at Philadelphia, all the colonies being again represented save Georgia. The delegates were chosen principally by conventions of the people,

though some were sent by the popular branches of the colonial legislatures. In July, and soon after the commencement of hostilities, Georgia entered the Confederacy.

The Declaration of Independence, passed in 1776, drew yet plainer lines between the Whigs and Tories. A gulf of hatred separated the opposing parties, and the Tory was far more despised than the open foe, when he was not such, and was the first sought when he was. Men who contend for liberty ever regard those who are not for them as against them—a feeling which led to the expression of a political maxim of apparent undying force, for it has since found frequent repetition in every earnest campaign. After the adoption of the Declaration by the Continental Congress, the Whigs favored the most direct and absolute separation, while the Tories supported the Crown. On the 7th of June, 1776, Richard Henry Lee, of Virginia, moved the Declaration in these words:

*"Resolved, That these united colonies are, and of right ought to be, free and independent states; that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved."*

Then followed preparations for the formal declaration, which was adopted on the 4th of July, 1776, in the precise language submitted by Thomas Jefferson. All of the state papers of the Continental Congress evince the highest talent, and the evils which led to its exhibition must have been long but very impatiently endured to impel the study of the questions involved. Possibly only the best lives in our memory invite our perusal, but certain it is that higher capacity was never called to the performance of graver political duties in the history of the world.

It has been said that the Declaration is in imitation of that published by the United Netherlands, but whether this be true or false, the liberty-loving world has for more than a century accepted it as the best protest against oppression known to political history. A great occasion conspired with a great author to make it grandly great.

Dr. Franklin, as early as July, 1775, first prepared a sketch of articles of confederation between the colonies, to continue until their reconciliation with Great Britain, and in failure thereof to be perpetual. John Quincy Adams says this plan was never discussed in Congress. June 11, 1776, a committee was appointed to prepare the force of a colonial confederation, and the day following one member from each colony was appointed to perform the duty. The report was submitted, laid aside August 20, 1776, taken up April 7,

1777, and debated from time to time until November 15th, of the same year, when the report was agreed to. It was then submitted to the legislatures of the several states, these being advised to authorize their delegates in Congress to ratify the same. On the 26th of June, 1778, the ratification was ordered to be engrossed and signed by the delegates. Those of New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, Pennsylvania, Virginia and South Carolina signed July 9th, 1778; those of North Carolina July 21st; Georgia July 24th; Jersey November 26th, same year; Delaware February 22d and May 5th, 1779. Maryland refused to ratify until the question of the conflicting claims of the Union and of the separate States to the property of the crown-lands should be adjusted. This was accomplished by the cession of the lands in dispute to the United States, and Maryland signed March 1st, 1781. On the 2d of March, Congress assembled under the new powers, and continued to act for the Confederacy until the 4th of March, 1789, the date of the organization of the government under the Federal constitution. Our political life has therefore three periods, "the revolutionary government," "the confederation," and that of the "federal constitution," which still obtains.

The federal constitution is the result of the labors of a convention called at Philadelphia in May, 1787, at a time when it was feared by many that the Union was in the greatest danger, from inability to pay soldiers who had, in 1783, been disbanded on a declaration of peace and an acknowledgment of independence; from prostration of the public credit and faith of the nation; from the neglect to provide for the payment of even the interest on the public debt; and from the disappointed hopes of many who thought freedom did not need to face responsibilities. A large portion of the convention of 1787 still cling to the confederacy of the states, and advocated as a substitute for the constitution a revival of the old articles of confederation with additional powers to Congress. A long discussion followed, and a most able one, but a constitution for the people, embodying a division of legislative, judicial and executive powers prevailed, and the result is now daily witnessed in the federal constitution. While the revolutionary war lasted but seven years, the political revolution incident to, identified with and directing it, lasted thirteen years. This was completed on the 30th of April, 1789, the day on which Washington was inaugurated as the first President under the federal constitution.

#### The Particularists.

As questions of government were evolved

by the struggles for independence, the Whigs, who of course greatly outnumbered all others during the Revolution, naturally divided in sentiment, though their divisions were not sufficiently serious to excite the establishment of rival parties—something which the great majority of our forefathers were too wise to think of in time of war. When the war closed, however, and the question of establishing the Union was brought clear to the view of all, one class of the Whigs believed that state government should be supreme, and that no central power should have sufficient authority to coerce a state, or keep it to the compact against its will. All accepted the idea of a central government; all realized the necessity of union, but the fear that the states would lose their power, or surrender their independence was very great, and this fear was more naturally shown by both the larger and the smaller states. This class of thinkers were then called Particularists. Their views were opposed by the

#### Strong Government Whigs

who argued that local self-government was inadequate to the establishment and perpetuation of political freedom, and that it afforded little or no power to successfully resist foreign invasion. Some of these went so far as to favor a government patterned after that of England, save that it should be republican in name and spirit. The essential differences, if they can be reduced to two sentences, were these: The Particularist Whigs desired a government republican in form and democratic in spirit, with rights of local self-government and state rights ever uppermost. The Strong Government Whigs desired a government republican in form, with checks upon the impulses or passions of the people; liberty, sternly regulated by law, and that law strengthened and confirmed by central authority—the authority of the national government to be final in appeals.

As we have stated, the weakness of the confederation was acknowledged by many men, and the majority, as it proved to be after much agitation and discussion thought it too imperfect to amend. The power of the confederacy was not acknowledged by the states, its congress not respected by the people. Its requisitions were disregarded, foreign trade could not be successfully regulated; foreign nations refused to bind themselves by commercial treaties, and there was a rapid growth of very dangerous business rivalries and jealousies between the several states. Those which were fortunate enough, independent of congress, to possess or secure ports for domestic or foreign commerce, taxed the imports of their neighbor

states. There was confusion which must soon have approached violence, for no authority beyond the limits of the state was respected, and Congress was notably powerless in its attempts to command aid from the states to meet the payment of the war debt, or the interest thereon. Instead of general respect for, there was almost general disregard of law on the part of legislative bodies, and the people were not slow in imitating their representatives. Civil strife became imminent, and Shay's Rebellion in Massachusetts was the first warlike manifestation of the spirit which was abroad in the land.

Alive to the new dangers, the Assembly of Virginia in 1786, appointed commissioners to invite all the states to take part in a convention for the consideration of questions of commerce, and the propriety of altering the Articles of Confederation. This convention met at Annapolis, Sept. 11th, 1786. But five states sent representatives, the others regarding the movement with jealousy. This convention, however, adopted a report which urged the appointment of commissioners by all the states, "to devise such other provisions as shall, to them seem necessary to render the condition of the Federal government adequate to the exigencies of the Union; and to report such an act for that purpose to the United States in Congress assembled, as, when agreed to by them and afterwards confirmed by the legislatures of every state, will effectually provide for the same." Congress approved this action, and passed resolutions favoring a meeting in convention for the "sole and express purpose of revising the Articles of Confederation, and report to Congress and the State legislatures." The convention met in Philadelphia in May, 1787, and continued its sessions until September 17th, of the same year. The Strong Government Whigs had previously made every possible effort for a full and able representation, and the result did not disappoint them, for instead of simply revising the Articles of Confederation, the convention framed a constitution, and sent it to Congress to be submitted to that body and through it to the several legislatures. The act submitting it provided that, if it should be ratified by nine of the thirteen states, it should be binding upon those ratifying the same. Just here was started the custom which has since passed into law, that amendments to the national constitution shall be submitted after approval by Congress, to the legislatures of the several states, and after approval by three-fourths thereof, it shall be binding upon all—a very proper exercise of constitutional authority, as it seems now, but which would not have won popular approval when Virginia proposed the Annapolis convention in 1786. Indeed, the reader of

our political history must ever be impressed with the fact that changes and reforms ever moved slowly, and that those of slowest growth seem to abide the longest.

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#### The Federal and Anti-Federal Parties.

The Strong Government Whigs, on the submission of the constitution of 1787 to Congress and the legislatures, and indirectly through the latter to the people, who elect the members on this issue, became the Federal party, and all of its power was used to promote the ratification of the instrument. Its ablest men, headed by Alexander Hamilton and James Madison, advocated adoption before the people, and their pens supplied much of the current political literature of that day. Eighty-five essays, still noted and quoted for their ability, under the *nom de plume* of "Publius," were published in "The Federalist." They were written by Hamilton, Madison and Jay, and with irresistible force advocated the Federal constitution, which was ratified by the nine needed states, and Congress was officially informed of the fact July 2d, 1788, and the first Wednesday in March, 1789, was fixed as the time "for commencing proceedings under the constitution."

This struggle for the first time gave the Federalists an admitted majority. The complexion of the State legislature prior to it showed them in fact to be in a minority, and the Particularist Whigs, or Anti-Federalists opposed every preliminary step looking to the abandonment of the Articles of Confederation and the adoption of a Federal constitution. They were called Anti-Federalists because they opposed a federal government and constitution and adhered to the rights of the States and those of local self-government. Doubtless party rancor, then as now, led men to oppose a system of government which it seems they must have approved after fighting for it, but the earlier jealousies of the States and the prevailing ideas of liberty certainly gave the Anti-Federalists a popularity which only a test so sensible as that proposed could have shaken. They were not without popular orators and leaders. Patrick Henry, the earliest of the patriots, and "the-old-man-eloquent," Samuel Adams, took special pride in espousing their cause. The war questions between Whig and Tory must have passed quickly away, as living issues, though the newspapers and contemporaneous history show that the old taunts and battle cries were applied to the new situation with a plainness and virulence that must still be envied by the sensational and more bitterly partisan journals of our own day. To read these now, and some of our facts are gath

ered from such sources, is to account for the frequent use of the saying touching "the ingratitude of republics," for when partisan hatred could deride the still recent utterances of Henry before the startled assembly of Virginians, and of Adams in advocating the adoption of the Declaration, there must at least to every surface view have been rank ingratitude. Their good names, however, survived the struggle, as good names in our republic have ever survived the passions of the law. In politics the Americans then as now, hated with promptness and forgave with generosity.

The Anti-Federalists denied nearly all that the Federalists asserted. The latter had for the first time assumed the aggressive, and had the advantage of position. They showed the deplorable condition of the country, and their opponents had to bear the burdens of denial at a time when nearly all public and private obligations were dishonored; when labor was poorly paid, workmen getting but twenty-five cents a day, with little to do at that; when even the rich in lands were poor in purse, and when commerce on the seas was checked by the coldness of foreign nations and restricted by the action of the States themselves; when manufactures were without protection of any kind, and when the people thought their struggle for freedom was about to end in national poverty. Still Henry, and Adams and Hancock, with hosts of others, claimed that the aspirations of the Anti-Federalists were the freest, that they pointed to personal liberty and local sovereignty. Yet many Anti-Federalists must have accepted the views of the Federalists, who under the circumstances must have presented the better reason, and the result was as stated, the ratification of the Federal constitution of 1787 by three-fourths of the States of the Union. After this the Anti-Federalists were given a new name, that of "Close Constructionists," because they naturally desired to interpret the new instrument in such a way as to bend it to their views. The Federalists became "Broad Constructionists," because they interpreted the constitution in a way calculated to broaden the power of the national government.

The Confederacy once dissolved, the Federal party entered upon the enjoyment of full political power, but it was not without its responsibilities. The government had to be organized upon the basis of the new constitution, as upon the success of that organization would depend not alone the stability of the government and the happiness of its people, but the reputation of the party and the fame of its leaders as statesmen.

Fortunately for all, party hostilities were not manifested in the Presidential election. All bowed to the popularity of Washington, and he was unanimously nominated

by the congressional caucus and appointed by the electoral college. He selected his cabinet from the leading minds of both parties, and while himself a recognized Federalist, all felt that he was acting for the good of all, and in the earlier years of his administration, none disputed this fact.

As the new measures of the government advanced, however, the anti-federalists organized an opposition to the party in power. Immediate danger had passed. The constitution worked well. The laws of Congress were respected; its calls for revenue honored, and Washington devoted much of his first and second messages to showing the growing prosperity of the country, and the respect which it was beginning to excite abroad. But where there is political power, there is opposition in a free land, and the great leaders of that day neither forfeited their reputations as patriots, or their characters as statesmen by the assertion of honest differences of opinion. Washington, Adams, and Hamilton were the recognized leaders of the Federalists, the firm friends of the constitution. The success of this instrument modified the views of the anti-Federalists, and Madison of Virginia, its recognized friend when it was in preparation, joined with others who had been its friends—notably, \* Doctor Williamson, of North Carolina, and Mr. Langdon, of Georgia, in opposing the administration, and soon became recognized leaders of the anti-Federalists. Langdon was the President *pro tem.* of the Senate. Jefferson was then on a mission to France, and not until some years thereafter did he array himself with those opposed to centralized power in the nation. He returned in November, 1789, and was called to Washington's cabinet as Secretary of State in March, 1790. It was a great cabinet, with Jefferson as its premier (if this term is suited to a time when English political nomenclature was anything but popular in the land;) Hamilton, Secretary of the Treasury; Knox, Secretary of War, and Edmund Randolph, Attorney-General. There was no Secretary of the Navy until the administration of the elder Adams, and no Secretary of the Interior.

The first session of Congress under the Federal constitution, held in New York, sat for nearly six months, the adjournment taking place September 29th, 1789. Nearly all the laws framed pointed to the organization of the government, and the discussions were able and protracted. Indeed, these discussions developed opposing views, which could easily find separation on much the same old lines as those which separated the founders of constitutional government

\* Edwin Williams in Statesman's Manual.

from those who favored the old confederate methods. The Federalists, on pivotal questions, at this session, carried their measures only by small majorities.

Much of the second session was devoted to the discussion of the able reports of Hamilton, and their final adoption did much to build up the credit of the nation and to promote its industries. He was the author of the protective system, and at the first session gave definite shape to his theories. He recommended the funding of the war debt, the assumption of the state war debts by the national government, the providing of a system of revenue from the collection of duties on imports, and an internal excise. His advocacy of a protective tariff was plain, for he declared it to be necessary for the support of the government and *the encouragement of manufactures* that duties be laid on goods, wares, and merchandise imported.

The third session of the same Congress was held at Philadelphia, though the seat of the national government had, at the previous one, been fixed on the Potomac instead of the Susquehanna—this after a compromise with Southern members, who refused to vote for the Assumption Bill until the location of the capital in the District of Columbia had been agreed upon; by the way, this was the first exhibition of log-rolling in Congress. To complete Hamilton's financial system, a national bank was incorporated. On this project both the members of Congress and of the cabinet were divided, but it passed, and was promptly approved by Washington. By this time it was well known that Jefferson and Hamilton held opposing views on many questions of government, and these found their way into and influenced the action of Congress, and passed naturally from thence to the people, who were thus early believed to be almost equally divided on the more essential political issues. Before the close of the session, Vermont and Kentucky were admitted to the Union. Vermont was the first state admitted in addition to the original thirteen. True, North Carolina and Rhode Island had rejected the constitution, but they reconsidered their action and came in—the former in November, 1789, and the latter in May, 1790.

The election for members of the Second Congress resulted in a majority in both branches favorable to the administration. It met at Philadelphia in October, 1791. The exciting measure of the session was the excise act, somewhat similar to that of the previous year, but the opposition wanted an issue on which to rally, they accepted this, and this agitation led to violent and in one instance warlike opposition on the part of a portion of the people. Those of western Pennsylvania, largely

interested in distilleries, prepared for armed resistance to the excise, but at the same session a national militia law had been passed, and Washington took advantage of this to suppress the "Whisky Rebellion" in its incipiency. It was a hasty, rash undertaking, yet was dealt with so firmly that the action of the authorities strengthened the law, and the respect for order. The four counties which rebelled did no further damage than to tar and feather a government tax collector and rob him of his horse, though many threats were made and the agitation continued until 1794, when Washington's threatened appearance at the head of fifteen thousand militia settled the whole question.

The first session of the Second Congress also passed the first methodic apportionment bill, which based the congressional representation on the census taken in 1790, the basis being 33,000 inhabitants for each representative. The second session which sat from November, 1792, to March, 1793, was mainly occupied in a discussion of the foreign and domestic relations of the country. No important measures were adopted.

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#### The Republican and Federal Parties.

The most serious objection to the constitution before its ratification was the absence of a distinct bill of rights, which should recognize "the equality of all men, and their rights to life, liberty and the pursuit of happiness," and at the first session of Congress a bill was framed containing twelve articles, ten of which were afterwards ratified as amendments to the constitution. Yet state sovereignty, then imperfectly defined, was the prevailing idea in the minds of the Anti-Federalists, and they took every opportunity to oppose any extended delegation of authority from the states of the Union. They contended that the power of the state should be supreme, and charged the Federalists with monarchical tendencies. They opposed Hamilton's national bank scheme, and Jefferson and Randolph plainly expressed the opinion that it was unconstitutional—that a bank was not authorized by the constitution, and that it would prevent the states from maintaining banks. But when the Bill of Rights had been incorporated in and attached to the constitution as amendments, Jefferson with rare political sagacity withdrew all opposition to the instrument itself, and the Anti-Federalists gladly followed his lead, for they felt that they had labored under many partisan disadvantages. The constitution was from the first too strong for successful resistance, and when opposition was confessedly abandoned the party name was changed, also at the suggestion of Jefferson, to that



of Republican. The Anti-Federalists were at first disposed to call their party the Democratic-Republicans, but finally called it simply Republican, to avoid the opposite of the extreme which they charged against the Federalists. Each party had its taunts in use, the Federalists being denounced as monarchists, the Anti-Federalists as Democrats; the one presumed to be looking forward to monarchy, the other to the rule of the mob.

By 1793 partisan lines under the names of Federalists and Republicans, were plainly drawn, and the schism in the cabinet was more marked than ever. Personal ambition may have had much to do with it, for Washington had previously shown his desire to retire to private life. While he remained at the head of affairs he was unwilling to part with Jefferson and Hamilton, and did all in his power to bring about a reconciliation, but without success. Before the close of the first constitutional Presidency, however, Washington had become convinced that the people desired him to accept a re-election, and he was accordingly a candidate and unanimously chosen. John Adams was re-elected Vice-President, receiving 77 votes to 50 for Geo. Clinton, (5 scattering) the Republican candidate. Soon after the inauguration Citizen Genet, an envoy from the French republic, arrived and sought to excite the sympathy of the United States and involve it in a war with Great Britain. Jefferson and his Republican party warmly sympathized with France, and insisted that gratitude for revolutionary favors commanded aid to France in her struggles. The Federalists, under Washington and Hamilton, favored non-intervention, and insisted that we should maintain friendly relations with Great Britain. Washington showed his usual firmness, and before the expiration of the month in which Genet arrived, had issued his celebrated proclamation of neutrality. This has ever since been the accepted foreign policy of the nation.

Genet, chagrined at the issuance of this proclamation, threatened to appeal to the people, and made himself so obnoxious to Washington that the latter demanded his recall. The French government sent M. Fauchet as his successor, but Genet continued to reside in the United States, and under his inspiration a number of Democratic Societies, in imitation of the French Jacobin clubs, were founded, but like all such organizations in this country, they were short-lived. Secret political societies thrive only under despotisms. In Republics like ours they can only live when the great parties are in confusion and greatly divided. They disappear with the union of sentiment into two great parties. If there were many parties and factions, as in

Mexico and some of the South American republics, there would be even a wider field for them here than there.

The French agitation showed its impress upon the nation as late as 1794, when a resolution to cut off intercourse with Great Britain passed the House, and was defeated in the Senate only by the casting vote of the Vice-President. Many people favored France, and to such silly heights did the excitement run that these insisted on wearing a national cockade. Jefferson had left the cabinet the December previous, and had retired to his plantation in Virginia, where he spent his leisure in writing political essays and organizing the Republican party, of which he was the acknowledged founder. Here he escaped the errors of his party in Congress, but it was a potent fact that his friends in official station not only did not endorse the non-intervention policy of Washington, but that they actively antagonized it in many ways. The Congressional leader in these movements was Mr. Madison. The policy of Britain fed this opposition. The forts on Lake Erie were still occupied by the British soldiery in defiance of the treaty of 1783; American vessels were seized on their way to French ports, and American citizens were impressed. To avoid a war, Washington sent John Jay as special envoy to England. He arrived in June, 1794, and by November succeeded in making a treaty. It was ratified in June, 1795, by the Senate by the constitutional majority of two-thirds, though there was much declamatory opposition, and the feeling between the Federal and Republican parties ran higher than ever before. The Republicans denounced while the Federals congratulated Washington. Under this treaty the British surrendered possession of all American ports, and as Gen'l Wayne during the previous summer had conquered the war-tribes and completed a treaty with them, the country was again on the road to prosperity.

In Washington's message of 1794, he plainly censured all "self-created political societies," meaning the democratic societies formed by Genet, but this part of the message the House refused to endorse, the speaker giving the casting vote in the negative. The Senate was in harmony with the political views of the President. Party spirit had by this time measurably affected all classes of the people, and as subjects for agitation here multiplied, the opposition no longer regarded Washington with that respect and decorum which it had been the rule to manifest. His wisdom as President, his patriotism, and indeed his character as a man, were all hotly questioned by political enemies. He was even charged with corruption in expending more of the public moneys than

had been appropriated—charges which were soon shown to be groundless.

At the first session of Congress in December, 1795, the Senate's administration majority had increased, but in the House the opposing Republicans had also increased their numbers. The Senate by 14 to 8 endorsed the message; the House at first refused but finally qualified its answers.

In March, 1796, a new political issue was sprung in the House by Mr. Livingstone of New York, who offered a resolution requesting of the President a copy of the instructions to Mr. Jay, the envoy who made the treaty with Great Britain. After a debate of several days, more bitter than any which had preceded it, the House passed the resolution by 57 to 35, the Republicans voting aye, the Federals no. Washington in answer, took the position that the House of Representatives was not part of the treaty-making power of the government, and could not therefore be entitled to any papers relating to such treaties. The constitution had placed this treaty making and ratifying power in the hands of the Senate, the Cabinet and the President.

This answer, now universally accepted as the proper one, yet excited the House and increased political animosities. The Republicans charged the Federals with being the "British party," and in some instances hinted that they had been purchased with British gold. Indignation meetings were called, but after much sound and fury, it was ascertained that the people really favored abiding by the treaty in good faith, and finally the House, after more calm and able debates, passed the needed legislation to carry out the treaty by a vote of 51 to 48.

In August, 1796, prior to the meeting of the Congressional caucus which then placed candidates for the Presidency in nomination, Washington issued his celebrated Farewell Address, in which he gave notice that he would retire from public life at the expiration of his term. He had been solicited to be a candidate for reelection (a third term) and told that all the people could unite upon him—a statement which, without abating one jot, our admiration for the man, would doubtless have been called in question by the Republicans, who had become implacably hostile to his political views, and who were encouraged to believe they could win control of the Presidency, by their rapidly increasing power in the House. Yet the address was everywhere received with marks of admiration. Legislatures commended it by resolution and ordered it to be engrossed upon their records; journals praised it, and upon the strength of its plain doctrines the Federalists took new

courage, and prepared to win in the Presidential battle which followed. Both parties were plainly arrayed and confident, and so close was the result that the leaders of both were elected—John Adams, the nominee of the Federalists, to the Presidency, and Thomas Jefferson, the nominee of the Republicans, to the Vice-Presidency. The law which then obtained was that the candidate who received the highest number of electoral votes, took the first place, the next highest, the second. Thomas Pinckney of South Carolina was the Federal nominee for Vice-President, and Aaron Burr of the Republicans. Adams received 71 electoral votes, Jefferson 68, Pinckney 59, Burr 30, scattering 48. Pinckney had lost 12 votes, while Burr lost 38—a loss of popularity which the latter regained four years later. The first impressions which our forefathers had of this man were the best.

John Adams was inaugurated as President in Philadelphia, at Congress Hall, March 4th, 1797, and in his inaugural was careful to deny the charge that the Federal party had any sympathy for England, but reaffirmed his endorsement of the policy of Washington as to strict neutrality. To this extent he sought to soften the asperities of the parties, and measurably succeeded, though the times were still stormy. The French revolution had reached its highest point, and our people still took sides. Adams found he would have to arm to preserve neutrality and at the same time punish the aggression of either of the combatants. This was our first exhibition of "armed neutrality." An American navy was quickly raised, and every preparation made for defending the rights of Americans. An alliance with France was refused, after which the American Minister was dismissed and the French navy began to cripple our trade. In May, 1797, President Adams felt it his duty to call an extra session of Congress, which closed in July. The Senate approved of negotiations for reconciliation with France. They were attempted but proved fruitless; in May, 1798, a full naval armament was authorized, and soon several French vessels were captured before there was any declaration of war. Indeed, neither power declared war, and as soon as France discovered how earnest the Americans were she made overtures for an adjustment of difficulties, and these resulted in the treaty of 1800.

The Republicans, though warmly favoring a contest, did not heartily support that inaugurated by Adams, and contended after this that the militia and a small naval force were sufficient for internal defense. They denounced the position of the Federalists, who favored the enlargement of the army and navy, as measures calculated to

overawe public sentiment in time of peace. The Federalists, however, through their prompt resentment of the aggressions of France, had many adherents to their party. They organized their power and sought to perpetuate it by the passage of the alien and sedition, and a naturalization law.

The alien and sedition law gave the President authority "to order all such aliens as he shall judge dangerous to the peace and safety of the United States, or shall have reasonable grounds to suspect are concerned in any treasonable or secret machinations against the government thereof, to depart out of the territory of the United States, within such time as shall be expressed in such order." The provisions which followed were in keeping with that quoted, the 3d section commanding every master of a ship entering a port of the United States, immediately on his arrival, to make report in writing to the collector of customs, the names of all aliens on board, etc. The act was to continue in force for two years from the date of its passage, and it was approved June 25th, 1798.

A resolution was introduced in the Senate on the 25th of April, 1798, by Mr. Hillhouse of Connecticut, to inquire what provision of law ought to be made, &c., as to the removal of such aliens as may be dangerous to the peace of the country, &c. This resolution was adopted the next day, and Messrs. Hillhouse, Livermore and Read were appointed the committee, and subsequently reported the bill. It passed the Senate by 16 to 7, and the House by 46 to 40, the Republicans in the latter body resisting it warmly. The leading opposing idea was that it lodged with the Executive too much power, and was liable to great abuse. It has frequently since, in arguments against centralized power, been used for illustration by political speakers.

The Naturalization law, favored by the Federalists, because they knew they could acquire few friends either from newly arrived English or French aliens, among other requirements provided that an alien must reside in the United States *fourteen years* before he could vote. The Republicans denounced this law as calculated to check immigration, and dangerous to our country in the fact that it caused too many inhabitants to owe no allegiance. They also asserted, as did those who opposed Americanism later on in our history, that America was properly an asylum for all nations, and that those coming to America should freely share all the privileges and liberties of the government.

These laws and the political resentments which they created gave a new and what eventually proved a dangerous current to

political thought and action. They were the immediate cause of the Kentucky and Virginia resolutions of 1798, Jefferson being the author of the former and Madison of the latter.

These resolutions were full of political significance, and gave tone to sectional discussion up to the close of the war for the Union. They first promulgated the doctrine of nullification or secession, and political writers mistake who point to Calhoun as the father of that doctrine. It began with the old Republicans under the leadership of Jefferson and Madison, and though directly intended as protests against the alien and sedition, and the naturalization laws of Congress, they kept one eye upon the question of slavery—rather that interest was kept in view in their declarations, and yet the authors of both were anything but warm advocates of slavery. They were then striving, however, to reinforce the opposition to the Federal party, which the administration of Adams had thus far apparently weakened, and they had in view the brief agitation which had sprung up in 1793, five years before, on the petition to Congress of a Pennsylvania society "to use its powers to stop the traffic in slaves." On the question of referring this petition to a committee there arose a sectional debate. Men took sides not because of the party to which they belonged, but the section, and for the first time the North and South were arrayed against each other on a question not then treated either as partisan or political, but which most minds then saw must soon become both partisan and sectional. Some of the Southern debaters, in their protests against interference, thus early threatened civil war. With a view to better protect their rights to slave property, they then advocated and succeeded in passing the first fugitive slave law. This was approved February 12, 1793.

The resolutions of 1798 will be found in the book devoted to political platforms. So highly were these esteemed by the Republicans of that day, and by the interests whose support they so shrewdly invited, that they more than counterbalanced the popularity acquired by the Federalists in their resistance to France, and by 1800 they caused a rupture in the Cabinet of Adams.

In the Presidential election of 1800 John Adams was the nominee for President and C. C. Pinckney for Vice-President. A "Congressional Convention" of Republicans, held in Philadelphia, nominated Thomas Jefferson and Aaron Burr as candidates for these offices. On the election which followed the Republicans chose 73 electors and the Federalists 65. Each elector voted for two persons, and the Republicans so voted that they unwisely gave Jefferson and Burr each 73 votes. Neither being highest, it was not legally determined

which should be President or Vice-President, and the election had to go to the House. The Federalists threw 65 votes to Adams and 64 to Pinckney. The Republicans could have done the same, but Burr's intrigue and ambition prevented this, and the result was a protracted contest in the House, and one which put the country in great peril, but which plainly pointed out some of the imperfections of the electoral features of the Constitution. The Federalists proposed to confess the inability of the House to agree through the vote by States, but to this proposition the Republicans threatened armed resistance. The Federalists next attempted a combination with the friends of Aaron Burr, but this specimen of bargaining to deprive a nominee of the place to which it was the plain intention of his party to elect him, really contributed to Jefferson's popularity, if not in that Congress, certainly before the people. He was elected on the 36th ballot.

The bitterness of this strife, and the dangers which similar ones threatened, led to an abandonment of the system of each Elector voting for two, the highest to be President, the next highest Vice-President, and an amendment was offered to the Constitution, and fully ratified by September 25, 1804, requiring the electors to ballot separately for President and Vice-President.

Jefferson was the first candidate nominated by a Congressional caucus. It convened in 1800 at Philadelphia, and nominated Jefferson for President and Burr for Vice-President. Adams and Pinckney were not nominated, but ran and were accepted as natural leaders of their party, just as Washington and Adams were before them.

#### Downfall of the Federal Party.

This contest broke the power of the Federal party. It had before relied upon the rare sagacity and ability of its leaders, but the contest in the House developed such attempts at intrigue as disgusted many and caused all to quarrel, Hamilton having early showed his dislike to Adams. As a party the Federal had been peculiarly brave at times when high bravery was needed. It had framed the Federal Government and stood by the powers given it until they were too firmly planted for even newer and triumphant partisans to recklessly trifle with. It stood for non-interference with foreign nations against the eloquence of adventurers, the mad impulses of mobs, the generosity of new-born freemen, the harangues of demagogues, and best of all against those who sought to fan these popular breezes to their own comfort. It provided for the payment of the debt, had the courage to raise revenues both

from internal and external sources, and to increase expenditures, as the growth of the country demanded. Though it passed out of power in a cloud of intrigue and in a vain grasp at the "flesh-pots," it yet had a glorious history, and one which none untinged with the better prejudices of that day, can avoid admiring.

The defeat of Adams was not unexpected by him, yet it was greatly regretted by his friends, for he was justly regarded as second to no other civilian in the establishment of the liberties of the colonies. He was eloquent to a rare degree, possessed natural eloquence, and made the most famous speech in advocacy of the Declaration. Though the proceedings of the Revolutionary Congress were secret, and what was said never printed, yet Webster gives his version of the noted speech of Adams, and we reproduce it in Book III. of this volume as one of the great speeches of noted American orators.

Mr. Jefferson was inaugurated the third President, in the new capitol at Washington, on the 4th of March, 1801, and Vice-President Burr took his seat in the Senate the same day. Though Burr distinctly disavowed any participancy in the House contest, he was distrusted by Jefferson's warm friends, and jealousies rapidly cropped out. Jefferson endeavored through his inaugural to smooth factious and party asperities, and so well were his words chosen that the Federalists indulged, the hope that they would not be removed from office because of their political views.

Early in June, however, the first question of civil service was raised. Mr. Jefferson then removed Elizur Goodrich, a Federalist, from the Collectorship of New Haven, and appointed Samuel Bishop, a Republican, to the place. The citizens remonstrated, saying that Goodrich was prompt, reliable and able, and showed that his successor was 78 years old, and too infirm for the duties of the office. To these remonstrances Mr. Jefferson, under date of July 12th, replied in language which did not then, as he did later on, plainly assert the right of every administration to have its friends in office. We quote the following:

"Declarations by myself, in favor of political tolerance, exhortations to harmony and affection in social intercourse, and respect for the equal rights of the minority, have, on certain occasions, been quoted and misconstrued into assurances that the tenure of office was not to be disturbed. But could candor apply such a construction? When it is considered that, during the late administration, those who were not of a particular sect of politics were excluded from all office; when, by a steady pursuit of this measure, nearly the whole offices of the United States were

monopolized by that sect; when the public sentiment at length declared itself, and burst open the doors of honor and confidence to those whose opinions they approved; was it to be imagined that this monopoly of office was to be continued in the hands of the minority? Does it violate their equal rights to assert some rights in the majority also? Is it political intolerance to claim a proportionate share in the direction of the public affairs? If a due participation of office is a matter of right, how are vacancies to be obtained? Those by death are few, by resignation none. Can any other mode than that of removal be proposed? This is a painful office; but it is made my duty, and I meet it as such. I proceed in the operation with deliberation and inquiry, that it may injure the best men least, and effect the purposes of justice and public utility with the least private distress, that it may be thrown as much as possible on delinquency, on oppression, on intolerance, on ante-revolutionary adherence to our enemies.

"I lament sincerely that unessential differences of opinion should ever have been deemed sufficient to interdict half the society from the rights and the blessings of self-government, to proscribe them as unworthy of every trust. It would have been to me a circumstance of great relief, had I found a moderate participation of office in the hands of the majority. I would gladly have left to time and accident to raise them to their just share. But their total exclusion calls for prompt corrections. I shall correct the procedure; but that done, return with joy to that state of things when the only questions concerning a candidate shall be: Is he honest? Is he capable? Is he faithful to the constitution?"

Mr. Adams had made few removals, and none because of the political views held by the incumbents, nearly all of whom had been appointed by Washington and continued through good behavior. At the date of the appointment of most of them, Jefferson's Republican party had no existence; so that the reasons given in the quotation do not comport with the facts. Washington's rule was integrity and capacity, for he could have no regard for politics where political lines had been obliterated in his own selection. Doubtless these office-holders were human, and adhered with warmth to the administration which they served, and this fact, and this alone, must have angered the Republicans and furnished them with arguments for a change.

Mr. Jefferson's position, however, made his later conduct natural. He was the acknowledged leader of his party, its founder indeed, and that party had carried him into power. He desired to keep it intact, to strengthen its lines with whatever pa-

tronage he had at his disposal, and he evidently regarded the cause of Adams in not rewarding his friends as a mistake. It was, therefore, Jefferson, and not Jackson, who was the author of the theory that "to the victors belong the spoils." Jackson gave it a sharp and perfectly defined shape by the use of these words, but the spirit and principle were conceived by Jefferson, who throughout his life showed far greater originality in politics than any of the early patriots. It was his acute sense of just what was right for a growing political party to do, which led him to turn the thoughts of his followers into new and popular directions. Seeing that they were at grave disadvantage when opposing the attitude of the government in its policy with foreign nations; realizing that the work of the Federalists in strengthening the power of the new government, in providing revenues and ways and means for the payment of the debt, were good, he changed the character of the opposition by selecting only notoriously arbitrary measures for assault—and changed it even more radically than this. He early saw that simple opposition was not progress, and that it was both wise and popular to be progressive, and in all his later political papers he sought to make his party the party favoring personal freedom, the one of liberal ideas, the one which, instead of shirking, should anticipate every change calculated to enlarge the liberties and the opportunities of citizens. These things were not inconsistent with his strong views in favor of local self-government; indeed, in many particulars they seemed to support that theory, and by the union of the two ideas he shrewdly arrayed political enthusiasm by the side of political interest. Political sagacity more profound than this it is difficult to imagine. It has not since been equalled in the history of our land, nor do we believe in the history of any other.

After the New Haven episode, so jealous was Jefferson of his good name, that while he confided all new appointments to the hands of his political friends, he made few removals, and these for apparent cause. The mere statement of his position had proved an invitation to the Federalists in office to join his earlier friends in the support of his administration. Many of them did it, so many that the clamorings of truer friends could not be hushed. With a view to create a new excuse, Jefferson declared that all appointments made by Adams after February 14th, when the House began its balloting for President, were void, these appointments belonging of right to him, and from this act of Adams we date the political legacies which some of our Presidents have since handed down to their successors. One of the

magistrates whose commission had been made out under Adams, sought to compel Jefferson to sign it by a writ of mandamus before the Supreme Court, but a "profound investigation of constitutional law" induced the court not to grant the motion. All commissions signed by Adams after the date named were suppressed.

Jefferson's apparent bitterness against the Federalists is mainly traceable to the contest in the House, and his belief that at one time they sought a coalition with Burr. This coalition he regarded as a violation of the understanding when he was nominated, and a supposed effort to appoint a provisional office he regarded as an usurpation in fact. In a letter to James Monroe, dated February 15th, speaking of this contest, he says:

"Four days of balloting have produced not a single change of a vote. Yet it is confidently believed that to-morrow there is to be a coalition. I know of no foundation for this belief. If they could have been permitted to pass a law for putting the government in the hands of an officer, they would certainly have prevented an election. But we thought it best to declare openly and firmly, one and all, that the day such an act passed, the Middle States would arm, and that no such usurpation, even for a single day, should be submitted to."

It is but fair to say that the Federalists denied all such intentions, and that James A. Bayard, of Delaware, April 3, 1806, made formal oath to this denial. In this he says that three States, representing Federalist votes, offered to withdraw their opposition if John Nicholas, of Virginia, and the personal friend of Jefferson, would secure pledges that the public credit should be supported, the navy maintained, and that subordinate public officers, employed only in the execution of details, established by law, should not be removed from office on the ground of their public character, nor without complaint against their conduct. The Federalists then went so far as to admit that officers of "high discretion and confidence," such as members of the cabinet and foreign ministers, should be known friends of the administration. This proposition goes to show that there is nothing very new in what are called our modern politics; that the elder Bayard, as early as 1800, made a formal proposal to bargain. Mr. Nicholas offered *his* assurance that these things would prove acceptable to and govern the conduct of Jefferson's administration, but he declined to consult with Jefferson on the points. General Smith subsequently engaged to do it, and Jefferson replied that the points given corresponded with his views and intentions, and that Mr. Bayard and his friends might confide in him accordingly. The

opposition of Vermont, Maryland and Delaware was then immediately withdrawn, and Mr Jefferson was made President. Gen'l Smith, twelve days later, made an affidavit which substantially confirmed that of Bayard. Latimer, the collector of the port of Philadelphia, and M'Lane, collector of Wilmington, (Bayard's special friend) were retained in office. He had cited these two as examples of his opposition to any change, and Jefferson seemed to regard the pledges as not sacred beyond the parties actually named in Bayard's negotiations with Gen'l Smith.

This misunderstanding or misconstruction of what in these days would be plainly called a bargain, led to considerable political criticism, and Jefferson felt it necessary to defend his cause. This he did in letters to friends which both then and since found their way into the public prints. One of these letters, written to Col. Monroe, March 7th, shows in every word and line the natural politician. In this he says:

"Some (removals) I know must be made. They must be as few as possible, done gradually, and bottomed on some malversation or inherent disqualification. Where we shall draw the line between all and none, is not yet settled, and will not be till we get our administration together; and perhaps even then we shall proceed *à talons*, balancing our measures according to the impression we perceive them to make. This may give you a general view of our plan."

A little later on, March 28, he wrote to Elbridge Gerry:

"Officers who have been guilty of gross abuses of office, such as marshals packing juries, etc., I shall now remove, as my predecessor ought in justice to have done. The instances will be few, and governed by strict rule, not party passion. The right of opinion shall suffer no invasion from me."

Jefferson evidently tired of this subject, and gradually modified his views, as shown in his letter to Levi Lincoln, July 11, wherein he says:

"I am satisfied that the heaping of abuse on me personally, has been with the design and the hope of provoking me to make a general sweep of all Federalists out of office. But as I have carried no passion into the execution of this disagreeable duty, I shall suffer none to be excited. The clamor which has been raised will not provoke me to remove one more, nor deter me from removing one less, than if not a word had been said on the subject. In the course of the summer, all which is necessary will be done; and we may hope that, this cause of offence being at an end, the measures we shall pursue and propose for the amelioration of the public affairs, will

be so confessedly salutary as to unite all men not monarchists in principle." In the same letter he warmly berates the monarchical federalists, saying, "they are incurables, to be taken care of in a mad-house if necessary, and on motives of charity."

The seventh Congress assembled. Political parties were at first nearly equally divided in the Senate, but eventually there was a majority for the administration. Jefferson then discontinued the custom established by Washington of delivering in person his message to Congress. The change was greatly for the better, as it afforded relief from the requirement of immediate answers on the subjects contained in the message. It has ever since been followed.

The seventh session of Congress, pursuant to the recommendation of President Jefferson, established a uniform system of naturalization, and so modified the law as to make the required residence of aliens five years, instead of fourteen, as in the act of 1798, and to permit a declaration of intention to become a citizen at the expiration of three years. By his recommendation also was established the first sinking fund for the redemption of the public debt. It required the setting apart annually for this purpose the sum of seven millions and three hundred thousand dollars. Other measures, more partisan in their character, were proposed, but Congress showed an aversion to undoing what had been wisely done. A favorite law of the Federalists establishing circuit courts alone was repealed, and this only after a sharp debate, and a close vote. The provisional army had been disbanded by a law of the previous Congress. A proposition to abolish the naval department was defeated, as was that to discontinue the mint establishment.

At this session the first law in relation to the slave trade was passed. It was to prevent the importation of negroes, mulattoes and other persons of color into any port of the United States within a state which had prohibited by law the admission of any such person. The penalty was one thousand dollars and the forfeiture of the vessel. The slave trade was not then prohibited by the constitution, nor was the subject then generally agitated, though it had been as early as 1793, when, as previously stated, an exciting sectional debate followed the presentation of a petition from Pennsylvania to abolish the slave trade.

Probably the most important occurrence under the first administration of Jefferson was that relating to the purchase and admission of Louisiana. There had been apprehensions of a war with Spain, and with a view to be ready Congress had passed an act authorizing the President to call upon the executives of such of the states as he

might deem expedient, for detachments of militia not exceeding eighty thousand, or to accept the services of volunteers for a term of twelve months. The disagreement arose over the south-western boundary line and the right of navigating the Mississippi. Our government learned in the spring of 1802, that Spain had by a secret treaty made in October, 1800, actually ceded Louisiana to France. Our government had in 1795 made a treaty with Spain which gave us the right of deposit at New Orleans for three years, but in October, 1802, the Spanish authorities gave notice by proclamation that this right was withdrawn. Excitement followed all along the valley of the Mississippi, and it was increased by the belief that the withdrawal of the privilege was made at the suggestion of France, though Spain still retained the territory, as the formalities of ceding it had not been gone through with. Jefferson promptly took the ground that if France took possession of New Orleans, the United States would immediately become allies of England, but suggested to Minister Livingston at Paris that France might be induced to cede the island of New Orleans and the Floridas to the United States. It was his belief, though a mistaken one, that France had also acquired the Floridas. Louisiana then comprised much of the territory west of the Mississippi and south of the Missouri.

The Federalists in Congress seized upon this question as one upon which they could make an aggressive war against Jefferson's administration, and resolutions were introduced asking information on the subject. Jefferson, however, wisely avoided all entangling suggestions, and sent Monroe to aid Livingston in effecting a purchase. The treaty was formed in April, 1803, and submitted by Jefferson to the Senate in October following. The Republicans rallied in favor of this scheme of annexation, and claimed that it was a constitutional right in the government to acquire territory—a doctrine widely at variance with their previous position, but occasions are rare where parties quarrel with their administrations on pivotal measures. There was also some latitude here for endorsement, as the direct question of territorial acquisition had not before been presented, but only hypothetically stated in the constitutional disputations then in great fashion. Jefferson would not go so far as to say that the constitution warranted the acquisition to foreign territory, but the scheme was nevertheless his, and he stood in with his friends in the political battle which followed.

The Federalists claimed that we had no power to acquire territory, and that the acquirement of Louisiana would give the South a preponderance which would "continue for all time (poor prophets they!),

since southern would be more rapid than northern development;" that states created west of the Mississippi would injure the commerce of New England, and they even went so far as to say that the "admission of the Western World into the Union would compel the Eastern States to establish an eastern empire." Doubts were also raised as to the right of Louisianians, when admitted to citizenship under our laws, as their lineage, language and religion were different from our own. Its inhabitants were French and descendants of French, with some Spanish creoles, Americans, English and Germans—in all about 90,000, including 40,000 slaves. There were many Indians of course, in a territory then exceeding a million of square miles—a territory which, in the language of First Consul Napoleon, "strengthens forever the power of the United States," and which will give to England a maritime rival that will sooner or later humble her pride"—a military view of the change fully justified by subsequent history. Napoleon sold because of needed preparations for war with England, and while he had previously expressed a willingness to take fifty million francs for it, he got sixty through the shrewd diplomacy of his ministers, who hid for the time their fear of the capture of the port of New Orleans by the English navy.

Little chance was afforded the Federalists for adverse criticism in Congress, for the purchase proved so popular that the people greatly increased the majority in both branches of the eighth Congress, and Jefferson called it together earlier for the purpose of ratification. The Senate ratified the treaty on the 20th of October, 1803, by a vote of 24 to 7, while the House adopted a resolution for carrying the treaty into effect by a vote of 90 to 25. Eleven million dollars of the purchase money was appropriated, the remaining four millions being reserved for the indemnity of American citizens who had sustained losses by French assaults upon our commerce—from which fact subsequently came what is known as the French Spoliation Bill.

Impeachment trials were first attempted before the eighth Congress in 1803. Judge Pickering, of the district court of the United States for New Hampshire, was impeached for occasional drunkenness, and dismissed from office. Judge Chase of the U. S. Supreme Court, and Judge Peters of the district court of Pennsylvania, both Federalists, were charged by articles proposed in the House with illegal and arbitrary conduct in the trial of parties charged with political offenses. The Federalists took alarm at these proceedings, and so vehement were their charges against the Republicans of a desire to de-

stroy the judiciary that their impeachments were finally abandoned.

The Republicans closed their first national administration with high prestige. They had met several congressional reverses on questions where defeat proved good fortune, for the Federalists kept a watchful defence, and were not always wrong. The latter suffered numerically, and many of their best leaders had fallen in the congressional contest of 1800 and 1802, while the Republicans maintained their own additions in talent and number.

In 1804, the candidates of both parties were nominated by congressional caucuses. Jefferson and Clinton were the Republican nominees; Charles C. Pinckney and Rufus King, the nominees of the Federalists, but they only received 14 out of 176 electoral votes.

The struggle of Napoleon in Europe with the allied powers now gave Jefferson an opportunity to inaugurate a foreign policy. England had forbidden all trade with the French and their allies, and France had in return forbidden all commerce with England and her colonies. Both of these decrees violated our neutral rights, and were calculated to destroy our commerce, which by this time had become quite imposing.

Congress acted promptly, and on the 21st of December passed what is known as the Embargo Act, under the inspiration of the Republican party, which claimed that the only choice of the people lay between the embargo and war, and that there was no other way to obtain redress from England and France. But the promised effects of the measure were not realized, and so soon as any dissatisfaction was manifested by the people, the Federalists made the question a political issue. They declared it unconstitutional because it was not limited as to time; that it helped England as against France (a cunning assertion in view of the early love of the Republicans for the cause of the French), and that it laid violent hands on our home commerce and industries. Political agitation increased the discontent, and public opinion at one time turned so strongly against the law that it was openly resisted on the eastern coast, and treated with almost as open contempt on the Canadian border. The bill had passed the House by 87 to 35, the Senate by 19 to 9. In January, 1809, the then closing administration of Jefferson had to change front on the question, and the law was repealed on the 18th of March. The Republicans when they changed, went all the way over, and advocated full protection by the use of a navy, of all our rights on the high seas. If the Federalists could have recalled their old leaders, or retained even a considerable portion of their power, the opportunity



presented by the embargo issue could have brought them back to full political power, but lacking these leaders, the opportunity passed

#### Democrats and Federalists.

During the ninth Congress, which assembled on the second of December, 1805, the Republicans dropped their name and accepted that of "Democrats." In all their earlier strifes they had been charged by their opponents with desiring to run to the extremes of the democratic or "mob rule," and fear of too general a belief in the truth of the charge led them to denials and rejection of a name which the father of their party had ever shown a fondness for. The earlier dangers which had threatened their organization, and the recollection of defeats suffered in their attempts to establish a government anti-federal and confederate in their composition, had been greatly modified by later successes, and with a characteristic cuteness peculiar to Americans they accepted an epithet and sought to turn it to the best account. In this they imitated the patriots who accepted the epithets in the British satirical song of "Yankee Doodle," and called themselves Yankees. From the ninth Congress the Jeffersonian Republicans called themselves Democrats, and the word Republican passed into disuse until later on in the history of our political parties, the opponents of the Democracy accepted it as a name which well filled the meaning of their attitude in the politics of the country.

Mr. Randolph of Roanoke, made the first schism in the Republican party under Jefferson, when he and three of his friends voted against the embargo act. He resisted its passage with his usual earnestness, and all attempts at reconciling him to the measure were unavailing. Self-willed, strong in argument and sarcasm, it is believed that his cause made it even more desirable for the Republicans to change name in the hope of recalling some of the more wayward "Democrats" who had advocated Jacobin democracy in the years gone by. The politicians of that day were never short of expedients, and no man so abounded in them as Jefferson himself.

Randolph improved his opportunities by getting most of the Virginia members to act with him against the foreign policy of the administration, but he was careful not to join the Federalists, and quickly denied any leaning that way. The first fruit of his faction was to bring forth Monroe as a candidate for President against Madison—a movement which proved to be quite popular in Virginia, but which Jefferson flanked by bringing about a reconciliation

between Monroe and Madison. The now usual Congressional caucus followed at Washington, and although the Virginia Legislature in its caucus previously held had been unable to decide between Madison and Monroe, the Congressional body chose Madison by 83 to 11, the minority being divided between Clinton and Monroe, though the latter could by that time hardly be considered as a candidate. This action broke up Randolph's faction in Virginia, but left so much bitterness behind it that a large portion attached themselves to the Federalists. In the election which followed Madison received 122 electoral votes against 47 for C. C. Pinckney, of South Carolina, and 6 for Geo. Clinton of New York.

Before Jefferson's administration closed he recommended the passage of an act to prohibit the African slave trade after January 1st, 1808, and it was passed accordingly. He had also rejected the form of a treaty received from the British minister Erskine, and did this without the formality of submitting it to the Senate—first, because it contained no provision on the objectionable practice of impressing our seamen; second, \* because it was accompanied by a note from the British ministers, by which the British government reserved to itself the right of releasing itself from the stipulations in favor of neutral rights, if the United States submitted to the British decree, or other invasion of those rights by France." This rejection of the treaty by Jefferson caused public excitement, and the Federalists sought to arouse the commercial community against his action, and cited the fact that his own trusted friends, Monroe and Pinckney had negotiated it. The President's party stood by him, and they agreed that submission to the Senate was immaterial, as its advice could not bind him. This refusal to consider the treaty was the first step leading to the war of 1812, for embargoes followed, and Britain openly claimed the right to search American vessels for her deserting seamen. In 1807 this question was brought to issue by the desertion of five British seamen from the *Halifax*, and their enlistment on the U. S. frigate *Chesapeake*. Four separate demands were made for these men, but all of the commanders, knowing the firm attitude of Jefferson's administration against the practice, refused, as did the Secretary of State refuse a fifth demand on the part of the British minister. On the 23d of June following, while the *Chesapeake* was near the capes of Virginia, Capt. Humphreys of the British ship *Leopard* attempted to search her for deserters. Capt. Barron denied the right of search, but on being fired into, lowered his flag,

\* From the Statesman's Manual, Vol. 1., by Edwin Williams.

Humphreys then took four men from the *Chesapeake*, three of whom had previously entered the British service, but were Americans by birth, and had been formally demanded by Washington. The act was a direct violation of the international law, for a nation's ship at sea like its territory is inviolable. The British government disavowed the act of its officer and offered apology and reparation, which were accepted. This event, however, strengthened Jefferson's rejection of the Monroe-Pinckney treaty, and quickly stopped adverse political criticism at home. Foreign affairs remained, however, in a complicated state, owing to the wars between England and the then successful Napoleon, but they in no wise shook the firm hold which Jefferson had upon the people, nor the prestige of his party. He stands in history as one of the best politicians our land has ever seen, and then as now no one could successfully draw the line between the really able politician and the statesman. He was accepted as both. His administration closed on the 3d of March, 1809, when he expressed great gratification at being able to retire to private life.

Mr. Madison succeeded at a time when the country, through fears of foreign aggression and violence, was exceedingly gloomy and despondent—a feeling not encouraged in the least by the statements of the Federalists, some of whom then thought political criticism in hours of danger not unpatriotic. They described our agriculture as discouraged, our fisheries abandoned, our commerce restrained, our navy dismantled, our revenues destroyed at a time when war was at any moment probable with either France, England or Spain.

Madison, representing as he did the same party, from the first resolved to follow the policy of Jefferson, a fact about which there was no misunderstanding. He desired to avert war as long as possible with England, and sought by skilful diplomacy to avert the dangers presented by both France and England in their attitude with neutrals. England had declared that a man who was once a subject always remained a subject, and on this plea based her determination to impress again into her service all deserters from her navy. France, because of refusal to accede to claims equally at war with our rights, had authorized the seizure of all American vessels entering the ports of France. In May, 1810, when the non-intercourse act had expired, Madison caused proposals to be made to both belligerents, that if either would revoke its hostile edict, the non-intercourse act should be revived and enforced against the other nation. This act had been passed by the tenth Congress as a substitute for the embargo. France quickly accepted Madison's

proposal, and received the benefits of the act, and the direct result was to increase the growing hostility of England. From this time forward the negotiations had more the character of a diplomatic contest than an attempt to maintain peace. Both countries were upon their mettle, and early in 1811, Mr. Pinckney, the American minister to Great Britain, was recalled, and a year later a formal declaration of war was made by the United States.

Just prior to this the old issue, made by the Republicans against Hamilton's scheme for a National Bank, was revived by the fact that the charter of the bank ceased on the 4th of March, 1811, and an attempt was made to recharter it. A bill for this purpose was introduced into Congress, but on the 11th of January, 1811, it was indefinitely postponed in the House, by a vote of 65 to 64, while in the Senate it was rejected by the casting vote of the Vice-President, Geo. Clinton, on the 5th of February, 1811—this notwithstanding its provisions had been framed or approved by Gallatin, the Secretary of the Treasury. The Federalists were all strong advocates of the measure, and it was so strong that it divided some of the Democrats who enjoyed a loose rein in the contest so far as the administration was concerned, the President not specially caring for political quarrels at a time when war was threatened with a powerful foreign nation. The views of the Federalists on this question descended to the Whigs some years later, and this fact led to the charges that the Whigs were but Federalists in disguise.

The eleventh Congress continued the large Democratic majority, as did the twelfth, which met on the 4th of November, 1811, Henry Clay, then an ardent supporter of the policy of Madison, succeeding to the House speakership. He had previously served two short sessions in the U. S. Senate, and had already acquired a high reputation as an able and fluent debater. He preferred the House, at that period of life, believing his powers better calculated to win fame in the more popular representative hall. Calhoun was also in the House at this time, and already noted for the boldness of his views and their assertion.

In this Congress jealousies arose against the political power of Virginia, which had already named three of the four Presidents, each for two terms, and De Witt Clinton, the well-known Governor of New York, sought through these jealousies to create a division which would carry him into the Presidency. His efforts were for a time warmly seconded by several northern and southern states. A few months later the Legislature of New York formally opened the ball by nominating DeWitt Clinton for the Presidency. An address

was issued by his friends, August 17th, 1812, which has since become known as the Clintonian platform, and his followers were known as Clintonian Democrats. The address contained the first public protest against the nomination of Presidential candidates by Congressional caucuses. There was likewise declared opposition to that "official regency which prescribed tenets of political faith." The efforts of particular states to monopolize the principal offices was denounced, as was the continuance of public men for long periods in office.

Madison was nominated for a second term by a Congressional caucus held at Washington, in May, 1812. John Langdon was nominated for Vice-President, but as he declined on account of age, Elbridge Gerry of Massachusetts, took his place. In September of the same year a *convention* of the opposition, representing eleven states, was held in the city of New York, which nominated De Witt Clinton, with Jared Ingersoll for Vice-President. This was the first national convention, partisan in character, and the Federalists have the credit of originating and carrying out the idea. The election resulted in the success of Madison, who received 128 electoral votes to 89 for Clinton.

Though factious strife had been somewhat rife, less attention was paid to politics than to the approaching war. There were new Democratic leaders in the lower House, and none were more prominent than Clay of Kentucky, Calhoun, Cheves and Lowndes, all of South Carolina. The policy of Jefferson in reducing the army and navy was now greatly deplored, and the defenceless condition in which it left the country was the partial cause, at least a stated cause of the factious feuds which followed. Madison sought to change this policy, and he did it at the earnest solicitation of Clay, Calhoun and Lowndes, who were the recognized leaders of the war party. They had early determined that Madison should be directly identified with them, and before his second nomination had won him over to their more decided views in favor of war with England. He had held back, hoping that diplomacy might avert a contest, but when once convinced that war was inevitable and even desirable under the circumstances, his official utterances were bold and free. In the June following the caucus which re-nominated him, he declared in a message that our flag was continually insulted on the high seas; that the right of searching American vessels for British seamen was still in practice, and that thousands of American citizens had in this way been impressed in service on foreign ships; that peaceful efforts at adjustment of the difficulties had proved abortive, and that the British ministry and British emissaries

had actually been intriguing for the dismemberment of the Union.

The act declaring war was approved by the President on the 18th of June, 1812, and is remarkably short and comprehensive. It was drawn by the attorney-general of the United States, William Pinckney, and is in the words following:—

*"An act declaring war between the United Kingdom of Great Britain and Ireland, and the dependencies thereof, and the United States of America and their territories.*

*"Be it enacted, &c. That war be, and the same is hereby declared to exist between the United Kingdom of Great Britain and Ireland, and the dependencies thereof, and the United States of America, and their territories; and that the President of the United States is hereby authorized to use the whole land and naval force of the United States to carry the same into effect, and to issue to private armed vessels of the United States commissions, or letters of marque and general reprisal, in such form as he shall think proper, and under the seal of the United States, against the vessels, goods, and effects, of the government of the United Kingdom of Great Britain and Ireland and the subjects thereof."*

This was a soul-stirring message, but it did not rally all the people as it should have done. Political jealousies were very great, and the frequent defeats of the Federalists, while they tended to greatly reduce their numbers and weaken their power, seemed to strengthen their animosity, and they could see nothing good in any act of the administration. They held, especially in the New England states, that the war had been declared by a political party simply, and not by the nation, though nearly all of the Middle, and all of the Southern and Western States, warmly supported it. Clay estimated that nine-tenths of the people were in favor of the war, and under the inspiration of his eloquence and the strong state papers of Madison, they doubtless were at first. Throughout they felt their political strength, and they just as heartily returned the bitterness manifested by those of the Federalists who opposed the war, branding them as enemies of the republic, and monarchists who preferred the reign of Britain.

Four Federalist representatives in Congress went so far as to issue an address, opposing the war, the way in which it had been declared, and denouncing it as unjust. Some of the New England states refused the order of the President to support it with their militia, and Massachusetts sent peace memorials to Congress.

A peace party was formed with a view to array the religious sentiment of the country against the war, and societies with similar objects were organized by the more radical of the Federalists. To such an ex-

treme was this opposition carried, that some of the citizens of New London, Conn., made a practice of giving information to the enemy, by means of blue lights, of the departure of American vessels.

#### The Hartford Convention.

This opposition finally culminated in the assembling of a convention at Hartford, at which delegates were present from all of the New England states. They sat for three weeks with closed doors, and issued an address which will be found in this volume in the book devoted to political platforms. It was charged by the Democrats that the real object of the convention was to negotiate a separate treaty of peace, on behalf of New England, with Great Britain, but this charge was as warmly denied. The exact truth has not since been discovered, the fears of the participants of threatened trials for treason, closing their mouths, if their professions were false. The treaty of Ghent, which was concluded on December 14th, 1814, prevented other action by the Hartford convention than that stated. It had assembled nine days before the treaty, which is as follows :

#### Treaty of Ghent.

This treaty was negotiated by the Right Honorable James Lord Gambier, Henry Goulburn, Esq., and William Adams, Esq., on the part of Great Britain, and John Quincy Adams, James A. Bayard, Henry Clay, Jonathan Russell, and Albert Gallatin, on behalf of the United States.

The treaty can be found on p. 218, vol. 8, of Little & Brown's Statutes at Large. The first article provided for the restoration of all archives, records, or property taken by either party from the other during the war. This article expressly provides for the restoration of "slaves or other private property." The second article provided for the cessation of hostilities and limitation of time of capture. The third article provided for the restoration of prisoners of war.

The fourth article defined the boundary established by the treaty of 1783, and provided for commissioners to mark the same.

The fifth, sixth, seventh, and eighth articles established rules to govern the proceedings of the commissioners.

The ninth article bound the United States and His Britannic Majesty to end all hostilities with Indian tribes, with whom they were then respectively at war.

The tenth article reads as follows :—

"Whereas the traffic in slaves is irreconcilable with the principles of humanity and justice; and, whereas, both His Ma-

esty and the United States are desirous of continuing their efforts to promote its entire abolition, it is hereby agreed that both the contracting parties shall use their best endeavors to accomplish so desirable an object."

The eleventh and last article provides for binding effect of the treaty, upon the exchange of ratifications.

The position of New England in the war is explained somewhat by her exposed position. Such of the militia as served endured great hardships, and they were almost constantly called from their homes to meet new dangers. Distrusting their loyalty, the general government had withheld all supplies from the militia of Massachusetts and Connecticut for the year 1814, and these States were forced to bear the burden of supporting them, at the same time contributing their quota of taxes to the general government—hardships, by the way, not greater than those borne by Pennsylvania and Ohio in the late war for the Union, nor half as hard as those borne by the border States at the same time. True, the coast towns of Massachusetts were subjected to constant assault from the British navy, and the people of these felt that they were defenceless. It was on their petition that the legislature of Massachusetts finally, by a vote of 226 to 67, adopted the report favoring the calling of the Hartford Convention. A circular was then addressed to the Governors of the other States, with a request that it be laid before their legislatures, inviting them to appoint delegates, and stating that the object was to deliberate upon the dangers to which the eastern section was exposed, "and to devise, if practicable, means of security and defence which might be consistent with the preservation of their resources from total ruin, *and not repugnant to their obligations as members of the Union.*" The italicized portion shows that there was at least then no design of forming a separate treaty, or of promoting disunion. The legislatures of Connecticut and Rhode Island endorsed the call and sent delegates. Those of New Hampshire and Vermont did not, but delegates were sent by local conventions. These delegates, it is hardly necessary to remark, were all members of the Federal party, and their suspected designs and action made the "Hartford Convention" a bye-word and reproach in the mouths of Democratic orators for years thereafter. It gave to the Democrats, as did the entire history of the war, the prestige of superior patriotism, and they profited by it as long as the memory of the war of 1812 was fresh. Indeed, directly after the war, all men seemed to keep in constant view the reluctance of the Federalists to support the war, and their almost open hostility to it in New England. Peace brought pros-

perity and plenty, but not oblivion of the old political issues, and this was the beginning of the end of the Federal party. Its decay thereafter was rapid and constant.

The eleventh, twelfth and thirteenth Congresses had continued Democratic. The fourteenth began Dec. 4, 1815, with the Democratic majority in the House increased to 30. Clay had taken part in negotiating the treaty, and on his return was again elected to the House, and was for the third time elected speaker. Though 65 Federalists had been elected, but 10 were given to Federal candidates for speaker, this party now showing a strong, and under the circumstances, a very natural desire to rub out party lines. The internal taxes and the postage rates were reduced.

#### The Protective Tariff.

President Madison, in his message, had urged upon Congress a revision of the tariff, and pursuant to his recommendation what was at the time called a protective tariff was passed. Even Calhoun then supported it, while Clay proclaimed that protection must no longer be secondary to revenue, but of primary importance. The rates fixed, however, were insufficient, and many American manufactures were soon frustrated by excessive importations of foreign manufactures. The position of Calhoun and Lowndes, well known leaders from South Carolina, is explained by the fact that just then the proposal of a protective tariff was popular in the south, in view of the heavy duties upon raw cotton which England then imposed. The Federalists in weakness changed their old position when they found the Democrats advocating a tariff, and the latter quoted and published quite extensively Alexander Hamilton's early report in favor of it. Webster, in the House at the time and a leading Federalist, was against the bill. The parties had exchanged positions on the question.

Peace brought with it another exchange of positions. President Madison, although he had vetoed a bill to establish a National Bank in 1815, was now (in 1816) anxious for the establishment of such an institution. Clay had also changed his views, and claimed that the experiences of the war showed the necessity for a national currency. The bill met with strong opposition from a few Democrats and nearly all of the Federalists (the latter having changed position on the question since 1811), but it passed and was signed by the President.

A bill to promote internal improvements, advocated by Clay, was at first favored by Madison, but his mind changed and he vetoed the measure—the first of its kind passed by Congress.

The Democratic members of Congress, before the adjournment of the first session, held a caucus for the nomination of candidates to succeed Madison and Gerry. It was understood that the retiring officers and their confidential friends favored James Monroe of Virginia. Their wishes were carried out, but not without a struggle, Wm. H. Crawford of Georgia receiving 54 votes against 65 for Monroe. The Democrats opposed to Virginia's domination in the politics of the country, made a second effort, and directed it against Monroe in the caucus. Aaron Burr denounced him as an improper and incompetent candidate, and joined in the protest then made against any nomination by a Congressional caucus; he succeeding in getting nineteen Democrats to stay out of the caucus. Later he advised renewed attempts to break down the Congressional caucus system, and before the nomination favored Andrew Jackson as a means to that end. Daniel B. Tompkins was nominated by the Democrats for Vice-President. The Federalists named Rufus King of New York, but in the election which followed he received but 24 out of 217 electoral votes. The Federalists divided their votes for Vice-President.

Monroe was inaugurated on the 14th of March, 1817, the oath being administered by Chief Justice Marshall. The inaugural address was so liberal in its tone that it seemed to give satisfaction to men of all shades of political opinion. The questions which had arisen during the war no longer had any practical significance, while the people were anxious to give the disturbing ones which ante-dated at least a season of rest. Two great and opposing policies had previously obtained, and singularly enough each seemed exactly adapted to the times when they were triumphant. The Federal power had been asserted in a government which had gathered renewed strength during what was under the circumstances a great and perilous war, and the exigencies of that war in many instances compelled the Republicans or Democrats, or the Democratic-Republicans as some still called them, to concede points which had theretofore been in sharp dispute, and they did it with that facility which only Americans can command in emergencies: yet as a party they kept firm hold of the desire to enlarge the scope of liberty in its application to the citizens, and just here kept their original landmark.

It is not singular then that the administration of Monroe opened what has ever since been known in politics as the "Era of Good Feeling." Party differences rapidly subsided, and political serenity was the order of the day. Monroe made a tour of the States, with the direct object of inspecting fortifications and means of de-

fence, and in this way spread the good feeling, without seeming to have any such object. He was everywhere favorably greeted by the people, and received by delegations which in many instances were specially made up of all shades of opinion.

The Cabinet was composed of men of rare political distinction, even in that day of great men. It was probably easier to be great then than now, just as it is easier to be a big political hero in the little State of Delaware than it is in the big States of New York or Pennsylvania. Yet these men were universally accepted as great without regard to their localities. All were Republicans or Democrats, with John Quincy Adams as Secretary of State, Wm. H. Crawford (Monroe's competitor for the nomination) as Secretary of the Treasury, John C. Calhoun as Secretary of War, William Wirt as Attorney General. All of these united with the President in the general desire to call a halt upon the political asperities which were then recognized as a public evil. On one occasion, during his tour, the citizens of Kennebec and its vicinity, in Maine, having in their address alluded to the prospects of a political union among the people in support of the administration, the President said in reply:

"You are pleased to express a confident hope that a spirit of mutual conciliation may be one of the blessings which may result from my administration. This indeed would be an eminent blessing, and I pray it may be realized. Nothing but union is waiting to make us a great people. The present time affords the happiest presage that this union is fast consummating. It cannot be otherwise; I daily see greater proofs of it. The further I advance in my progress in the country, the more I perceive that we are all Americans—that we compose but one family—that our republican institutions will be supported and perpetuated by the united zeal and patriotism of all. Nothing could give me greater satisfaction than to behold a perfect union among ourselves—a union which is necessary to restore to social intercourse its former charms, and to render our happiness, as a nation, unmixed and complete. To promote this desirable result requires no compromise of principle, and I promise to give it my continued attention, and my best endeavors."

Even General Jackson, since held up to public view by historians as the most austere and "stalwart" of all politicians, caught the sweet infection of peace, and thus advised President Monroe:—

"Now is the time to exterminate that monster, called party spirit. By selecting [for cabinet officers] characters most conspicuous for their probity, virtue, capacity, and firmness, without regard to

party, you will go far to, if not entirely, eradicate those feelings, which, on former occasions, threw so many obstacles in the way of government. The chief magistrate of a great and powerful nation should never indulge in party feelings. His conduct should be liberal and disinterested; always bearing in mind, that he acts for the whole and not a part of the community."

This advice had been given with a view to influence the appointment of a mixed political Cabinet, but while Monroe professed to believe that a free government could exist without political parties, he nevertheless sought to bring all of the people into one political fold, and that the Democratic. Yet he certainly and plainly sought to allay factions in his own party, and with this view selected Crawford for the Treasury—the gentleman who had been so warmly supported in the nominating struggle by the Clintonians and by all who objected to the predominating influence of Virginia in national politics.

Monroe, like his immediate predecessor, accepted and acted upon the doctrines of the new school of Republicans as represented by Clay and Calhoun, both of whom still favored a tariff, while Clay had become a warm advocate of a national system of internal improvements. These two statesmen thus early differed on some questions, but they were justly regarded as the leading friends and advisers of the administration, for to both still clung the patriotic recollections of the war which they had so warmly advocated and supported, and the issue of which attested their wisdom. Clay preferred to be called a Republican; Calhoun preferred to be called a Democrat, and just then the terms were so often exchanged and mingled that history is at fault in the exact designation, while tradition is colored by the bias of subsequent events and lives.

Monroe's first inaugural leaned toward Clay's scheme of internal improvements, but questioned its constitutionality. Clay was next to Jefferson the most original of all our statesmen and politicians. He was prolific in measures, and almost resistless in their advocacy. From a political standpoint he was the most direct author of the war of 1812, for his advocacy mainly brought it to the issue of arms, which through him and Calhoun were substituted for diplomacy. And Calhoun then stood in broader view before the country than since. His sectional pride and bias had been rarely aroused, and like Clay he seemed to act for the country as an entirety. Subsequent sectional issues changed the views held of him by the people of both the North and South.

We have said that Monroe leaned toward internal improvements, but he thought Congress was not clothed by the

Constitution with the power to authorize measures supporting it, and when the opportunity was presented (May 4, 1822) he vetoed the bill "for the preservation and repair of the Cumberland road," and accompanied the veto with a most elaborate message in which he discussed the constitutional aspects of the question. A plain majority of the friends of the administration, under the leadership of Clay, supported the theory of internal improvements from the time the administration began, but were reluctant to permit a division of the party on the question.

Mississippi and Illinois were admitted to the Union during the "Era of Good Feeling," without serious political disturbance, while Alabama was authorized to form a state constitution and government, and Arkansas was authorized as a separate territorial government from part of Missouri. In 1819 President Monroe made a tour through the Southern States to examine their defenses and see and get acquainted with the people. From the first inauguration of Monroe up to 1819 party lines can hardly be said to have existed, but in the sixteenth session of Congress, which continued until May, 1820, new questions of national interest arose, prominent among which were additional protective duties for our manufactures; internal improvements by the government; acknowledgments of the independence of the South American States.

#### The Monroe Doctrine.

Upon the question of recognizing the independence of the South American States, the President made a record which has ever since been quoted and denominated "The Monroe Doctrine." It is embodied in the following abstract of his seventh annual message, under date of Dec. 2d, 1823:

"It was stated, at the commencement of the last session, that a great effort was then making in Spain and Portugal to improve the condition of the people of those countries, and that it appeared to be conducted with extraordinary moderation. It need scarcely be remarked that the result has been, so far, very different from what was then anticipated. Of events in that quarter of the globe, with which we have so much intercourse, and from which we derive our origin, we have always been anxious and interested spectators. The citizens of the United States cherish sentiments the most friendly in favor of the liberty and happiness of their fellow men on that side of the Atlantic. In the wars of the European powers, in matters relating to themselves, we have never taken any part, nor does it comport with our policy

to do so. It is only when rights are invaded or seriously menaced, that we resent injuries, or make preparation for our defense. With the movements in this hemisphere we are of necessity more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective governments. And to the defense of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it, therefore, to candor, and to the amicable relations existing between the United States and those powers, to declare, that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered, and shall not interfere. But with the governments who have declared their independence, and maintained it, and whose independence we have, on great consideration, and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power, in any other light than as the manifestation of an unfriendly disposition toward the United States. In the war between those new governments and Spain, we declared our neutrality at the time of their recognition, and to this we have adhered, and shall continue to adhere, provided no change shall occur which, in the judgment of the competent authorities of this government, shall make a corresponding change on the part of the United States indispensable to their security.

The late events in Spain and Portugal show that Europe is still unsettled. Of this important fact no stronger proof can be adduced, than that the allied powers should have thought it proper, on a principle satisfactory to themselves, to have interposed by force in the internal concerns of Spain. To what extent such interposition may be carried, on the same principle, is a question to which all independent powers, whose governments differ from theirs, are interested; even those most remote, and surely none more so than the United States. Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers; to consider the government,

*de facto*, as the legitimate government for us: to cultivate friendly relations with it, and to preserve those relations by a frank, firm, and manly policy; meeting, in all instances, the just claims of every power, submitting to injuries from none. But in regard to these continents, circumstances are eminently and conspicuously different. It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness; nor can any one believe, that our southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition, in any form, with indifference. If we look to the comparative strength and resources of Spain and those new governments, and their distance from each other, it must be obvious that she can never subdue them. It is still the true policy of the United States to leave the parties to themselves, in the hope that other powers will pursue the same course."

The second election of Monroe, in 1820, was accomplished without a contest. Out of 231 electoral votes, but one was cast against him, and that for John Quincy Adams. Mr. Tompkins, the candidate for Vice-President, was only a little less fortunate, there being 14 scattering votes against him. Neither party, if indeed there was a Federalist party left made any nominations.

#### The Missouri Compromise.

The second session of the 17th Congress opened on the 4th day of March, 1820, with James Monroe at the head of the Executive Department of the Government, and the Democratic party in the majority in both branches of the Federal Legislature. The Cabinet at that time was composed of the most brilliant minds of the country, indeed as most justly remarked by Senator Thomas H. Benton in his published review of the events of that period, it would be difficult to find in any government, in any country, at any time, more talent and experience, more dignity and decorum, more purity of private life, a larger mass of information, and more addiction to business, than was comprised in the list of celebrated names then constituting the executive department of the government. The legislative department was equally impressive. The exciting and agitating question then pending before Congress was on the admission of the State of Missouri into the Federal Union, the subject of the issue being the attempted tacking on of conditions restricting slavery within her limits. She was admitted without conditions under the so-called compromise, which abolished it in certain

portions of the then province of Louisiana. In this controversy, the compromise was sustained and carried entirely by the Democratic Senators and members from the Southern and slave-holding States aided and sanctioned by the Executive, and it was opposed by fifteen Senators from non-slave-holding States, who represented the opposite side on the political questions of the day. It passed the House by a close vote of 86 to 82. It has been seriously questioned since whether this act was constitutional. The real struggle was political, and for the balance of power. For a while it threatened the total overthrow of all political parties upon principle, and the substitution of geographical parties discriminated by the slave line, and thus destroying the proper action of the Federal government, and leading to a separation of the States. It was a federal movement, accruing to the benefit of that party, and at first carried all the Northern democracy in its current, giving the supremacy to their adversaries. When this effect was perceived, democrats from the northern non-slave-holding States took early opportunity to prevent their own overthrow, by voting for the admission of the States on any terms, and thus prevent the eventual separation of the States in the establishment of geographical parties divided by a slavery and anti-slavery line.

The year 1820 marked a period of financial distress in the country, which soon became that of the government. The army was reduced, and the general expenses of the departments cut down, despite which measures of economy the Congress deemed it necessary to authorize the President to contract for a loan of five million dollars. Distress was the cry of the day; relief the general demand, the chief demand coming from debtors to the Government for public lands purchased under the then credit system, this debt at that time aggregating twenty-three millions of dollars. The banks failed, money vanished, instalments were coming due which could not be met; and the opening of Congress in November, 1820, was saluted by the arrival of memorials from all the new States praying for the relief to the purchaser of the public lands. The President referred to it in his annual message of that year, and Congress passed a measure of relief by changing the system to cash sales instead of credit, reducing the price of the lands, and allowing present debtors to apply payments already made to portions of the land purchased, relinquishing the remainder. Applications were made at that time for the establishment of the preemptive system, but without effect; the new States continued to press the question and finally prevailed, so that now the preemptive principle has become a fixed part



of our land system, permanently incorporated with it, and to the equal advantage of the settler and the government.

The session of 1820-21, is remarkable as being the first at which any proposition was made in Congress for the occupation and settlement of our territory on the Columbia river—the only part then owned by the United States on the Pacific coast. It was made by Dr. Floyd, a representative from Virginia, who argued that the establishment of a civilized power on the American coast of the Pacific could not fail to produce great and wonderful benefits not only to our own country, but to the people of Eastern Asia, China and Japan on the opposite side of the Pacific Ocean, and that the valley of the Columbia might become the granary of China and Japan. This movement suggested to Senator Benton, to move, for the first time publicly in the United States, a resolution to send ministers to the Oriental States.

At this time treaties with Mexico and Spain were ratified, by which the United States acquired Florida and ceded Texas; these treaties, together with the Missouri compromise—a measure contemporaneous with them—extinguished slave soil in all the United States territory west of the Mississippi, except in that portion which was to constitute the State of Arkansas; and, including the extinction in Texas consequent upon its cession to a non-slaveholding power, constituted the largest territorial abolition of slavery that was ever up to that period effected by any political power of any nation.

The outside view of the slave question in the United States, at this time, is that the extension of slavery was then arrested, circumscribed, and confined within narrow territorial limits, while free States were permitted an almost unlimited expansion.

In 1822 a law passed Congress abolishing the Indian factory system, which had been established during Washington's administration, in 1796, under which the Government acted as a factor or agent for the sale of supplies to the Indians and the purchase of furs from them; this branch of the service then belonged to the department of the Secretary of War. The abuses discovered in it led to the discontinuance of that system.

The Presidential election of 1824 was approaching, the candidates were in the field, their respective friends active and busy, and popular topics for the canvass in earnest requisition. Congress was full of projects for different objects of internal improvement, mainly in roads and canals, and the friends of each candidate exerted themselves in rivalry of each other, under the supposition that their opinions would stand for those of their principals. An act for the preservation of the Cumberland

Road, which passed both houses of Congress, met with a veto from President Monroe, accompanied by a state paper in exposition of his opinions upon the whole subject of Federal interference in matters of inter state commerce and roads and canals. He discussed the measure in all its bearings, and plainly showed it to be unconstitutional. After stating the question, he examined it under every head of constitutional derivation under which its advocates claimed the power, and found it to be granted by no one of them and virtually prohibited by some of them. This was then and has since been considered to be the most elaborate and thoroughly considered opinion upon the general question which has ever been delivered by any American statesman. This great state paper, delivered at a time when internal improvement by the federal government had become an issue in the canvass for the Presidency and was ardently advocated by three of the candidates and qualified by two others, had an immense current in its power, carrying with it many of the old strict constructionists.

The revision of the tariff, with a view to the protection of home industry, and to the establishment of what was then called "The American System," was one of the large subjects before Congress at the session of 1823-24, and was the regular commencement of the heated debates on that question which afterwards ripened into a serious difficulty between the federal government and some of the Southern States. The presidential election being then depending, the subject became tinged with party politics, in which so far as that ingredient was concerned, and was not controlled by other considerations, members divided pretty much on the line which always divided them on a question of constructive powers. The protection of domestic industry not being among the powers granted, was looked for in the incidental; and denied by the strict constructionists to be a substantive term, to be exercised for the direct purpose of protection; but admitted by all at that time and ever since the first tariff act of 1789, to be an incident to the revenue raising power, and an incident to be regarded in the exercise of that power. Revenue the object, protection the incident, had been the rule in the earlier tariffs; now that rule was sought to be reversed, and to make protection the object of the law, and revenue the incident. Mr. Henry Clay was the leader in the proposed revision and the champion of the American system; he was ably supported in the House by many able and effective speakers; who based their argument on the general distress then alleged to be prevalent in the country. Mr. Daniel Webster was the leading speaker on the

other side, and disputed the universality of the distress which had been described; and contested the propriety of high or prohibitory duties, in the present active and intelligent state of the world, to stimulate industry and manufacturing enterprise.

The bill was carried by a close vote in both Houses. Though brought forward avowedly for the protection of domestic manufactures, it was not entirely supported on that ground; an increase of revenue being the motive with some, the public debt then being nearly ninety millions. An increased protection to the products of several States, as lead in Missouri and Illinois, hemp in Kentucky, iron in Pennsylvania, wool in Ohio and New York, commanded many votes for the bill; and the impending presidential election had its influence in its favor.

Two of the candidates, Messrs. Adams and Clay, voted for and avowedly supported General Jackson, who voted for the bill, was for it, as tending to give a home supply of the articles necessary in time of war, and as raising revenue to pay the public debt; Mr. Crawford was opposed to it, and Mr. Calhoun had withdrawn as a Presidential candidate. The Southern planting States were dissatisfied, believing that the new burdens upon imports which it imposed, fell upon the producers of the exports, and tended to enrich one section of the Union at the expense of another. The attack and support of the bill took much of a sectional aspect; Virginia, the two Carolinas, Georgia, and some others, being unanimous against it. Pennsylvania, New York, Ohio, and Kentucky being unanimous for it. Massachusetts, which up to this time had no small influence in commerce, voted, with all, except one member, against it. With this sectional aspect, a tariff for protection, also began to assume a political aspect, being taken under the care of the party, afterwards denominated as Whig. The bill was approved by President Monroe; a proof that that careful and strict constructionist of the constitution did not consider it as deprived of its revenue character by the degree of protection which it extended.

A subject which at the present time is exciting much criticism, viz: proposed amendments to the constitution relative to the election of President and Vice-President, had its origin in movements in that direction taken by leading Democrats during the campaign of 1824. The electoral college has never been since the early elections, an independent body free to select a President and Vice-President; though in theory they have been vested with such powers, in practice they have no such practical power over the elections, and have had none since their institution. In every case the elector has been an instrument,

bound to obey a particular impulsion, and disobedience to which would be attended with infamy, and with every penalty which public indignation could inflict. From the beginning they have stood pledged to vote for the candidate indicated by the public will; and have proved not only to be useless, but an inconvenient intervention between the people and the object of their choice. Mr. McDuffie in the House of Representatives and Mr. Benton in the Senate, proposed amendments; the mode of taking the direct vote to be in districts, and the persons receiving the greatest number of votes for President or Vice-President in any district, to count one vote for such office respectively which is nothing but substituting the candidates themselves for their electoral representatives.

In the election of 1824 four candidates were before the people for the office of President, General Jackson, John Quincy Adams, William H. Crawford and Henry Clay. None of them received a majority of the 261 electoral votes, and the election devolved upon the House of Representatives. John C. Calhoun had a majority of the electoral votes for the office of Vice-President, and was elected. Mr. Adams was elected President by the House of Representatives, although General Jackson was the choice of the people, having received the greatest number of votes at the general election. The election of Mr. Adams was perfectly constitutional, and as such fully submitted to by the people; but it was a violation of the *demos krateo* principle; and that violation was equally rebuked. All the representatives who voted against the will of their constituents, lost their favor, and disappeared from public life. The representation in the House of Representatives was largely changed at the first general election, and presented a full opposition to the new President. Mr. Adams himself was injured by it, and at the ensuing presidential election was beaten by General Jackson more than two to one.

Mr. Clay, who took the lead in the House for Mr. Adams, and afterwards took upon himself the mission of reconciling the people to his election in a series of public speeches, was himself crippled in the effort, lost his place in the democratic party, and joined the Whigs (then called the national republicans). The democratic principle was victor over the theory of the Constitution, and beneficial results ensued. It vindicated the people in their right and their power. It re-established parties upon the basis of principle, and drew anew party lines, then almost obliterated under the fusion of parties during the "era of good feeling," and the efforts of leading men to make personal parties for themselves. It showed the conservative power

of our government to lie in the people, more than in its constituted authorities. It showed that they were capable of exercising the function of self-government, and lastly, it assumed the supremacy of the democracy for a long time, and until lost by causes to be referred to hereafter. The Presidential election of 1824 is remarkable under another aspect—its results cautioned all public men against future attempts to govern presidential elections in the House of Representatives; and it put an end to the practice of caucus nominations for the Presidency by members of Congress. This mode of concentrating public opinion began to be practiced as the eminent men of the Revolution, to whom public opinion awarded a preference, were passing away, and when new men, of more equal pretensions, were coming upon the stage. It was tried several times with success and general approbation, because public sentiment was followed—not led—by the caucus. It was attempted in 1824 and failed; all the opponents of Mr. Crawford, by their joint efforts, succeeded, and justly in the fact though not in the motive, in rendering these Congress caucus nominations odious to the people, and broke them down. They were dropped, and a different mode adopted—that of party nominations by conventions of delegates from the States.

The administration of Mr. Adams commenced with his inaugural address, in which the chief topic was that of internal national improvement by the federal government. This declared policy of the administration furnished a ground of opposition against Mr. Adams, and went to the reconstruction of parties on the old line of strict, or latitudinous, construction of the Constitution. It was clear from the beginning that the new administration was to have a settled and strong opposition, and that founded in principles of government—the same principles, under different forms, which had discriminated parties at the commencement of the federal government. Men of the old school—survivors of the contest of the Adams and Jefferson times, with some exceptions, divided accordingly—the federalists going for Mr. Adams, the republicans against him, with the mass of the younger generation. The Senate by a decided majority, and the House by a strong minority, were opposed to the policy of the new President.

In 1826 occurred the famous debates in the Senate and the House, on the proposed Congress of American States, to contract alliances to guard against and prevent the establishment of any future European colony within its borders. The mission though sanctioned was never acted upon or carried out. It was authorized by very nearly a party vote, the democracy as a party being against it. The President, Mr.

Adams, stated the objects of the Congress to be as follows: “An agreement between all the parties represented at the meeting, that each will guard, by its own means, against the establishment of any future European colony within its own borders, may be advisable. This was, more than two years since, announced by my predecessor to the world, as a principle resulting from the emancipation of both the American continents. It may be so developed to the new southern nations, that they may feel it as an essential appendage to their independence.”

Mr. Adams had been a member of Mr. Monroe’s cabinet, filling the department from which the doctrine would emanate. The enunciation by him as above of this “Monroe Doctrine,” as it is called, is very different from what it has of late been supposed to be, as binding the United States to guard all the territory of the New World from European colonization. The message above quoted was written at a time when the doctrine as enunciated by the former President through the then Secretary was fresh in the mind of the latter, and when he himself in a communication to the American Senate was laying it down for the adoption of all the American nations in a general congress of their deputies. According to President Adams, this “Monroe Doctrine” (according to which it has been of late believed that the United States were to stand guard over the two Americas, and repulse all intrusive colonists from their shores), was entirely confined to our own borders; that it was only proposed to get the other States of the New World to agree that, each for itself, and by its own means, should guard its own territories; and, consequently, that the United States, so far from extending gratuitous protection to the territories of other States, would neither give, nor receive, aid in any such enterprise, but that each should use its own means, within its own borders, for its own exemption from European colonial intrusion.

No question in its day excited more intemperate discussion, excitement, and feeling between the Executive and the Senate, and none died out so quickly, than this, relative to the proposed congress of American nations. The chief advantage to be derived from its retrospect—and it is a real one—is a view of the firmness with which the minority maintained the old policy of the United States, to avoid entangling alliances and interference with the affairs of other nations; and the exposition, by one so competent as Mr. Adams, of the true scope and meaning of the Monroe doctrine.

At the session of 1825–26 attempt was again made to procure an amendment to the Constitution, in relation to the mode

of election of President and Vice-President, so as to do away with all intermediate agencies, and give the election to the direct vote of the people. In the Senate the matter was referred to a committee who reported amendments dispensing with electors, providing for districts equal in number to the whole number of Senators and Representatives to which the State was entitled in Congress, and obviating all excuses for caucuses and conventions to concentrate public opinion by providing that in the event of no one receiving a majority of the whole number of district votes cast, that a second election should be held limited to the two persons receiving the highest number of votes; and in case of an equal division of votes on the second election then the House of Representatives shall choose one of them for President, as is prescribed by the Constitution. The idea being that the first election, if not resulting in any candidate receiving a majority, should stand for a popular nomination—a nomination by the people themselves, out of which the election is almost sure to be made on the second trial. The same plan was suggested for choosing a Vice-President, except that the Senate was to finally elect, in case of failure to choose at first and second elections. The amendments did not receive the requisite support of two-thirds of either the Senate or the House. This movement was not of a partisan character; it was equally supported and opposed respectively by Senators and Representatives of both parties. Substantially the same plan was recommended by President Jackson in his first annual message to Congress, December 8, 1829.

It is interesting to note that at this Session of 1825 and '26, attempt was made by the Democrats to pass a tenure of office bill, as applicable to government employees and office-holders; it provided "that in all nominations made by the President to the Senate, to fill vacancies occasioned by an exercise of the President's power to remove from office, the fact of the removal shall be stated to the Senate at the same time that the nomination is made, with a statement of the reasons for which such officer may have been removed." It was also sought at the same time to amend the Constitution to prohibit the appointment of any member of Congress to any federal office of trust or profit, during the period for which he was elected; the design being to make the members wholly independent of the Executive, and not subservient to the latter, and incapable of receiving favors in the form of bestowals of official patronage.

The tariff of 1828 is an era in our political legislation; from it the doctrine of "nullification" originated, and from that date began a serious division between the

North and the South. This tariff law was projected in the interest of the woolen manufacturers, but ended by including all manufacturing interests. The passage of this measure was brought about not because it was favored by a majority, but because of political exigencies. In the then approaching presidential election, Mr. Adams, who was in favor of the "American System," supported by Mr. Clay (his Secretary of State) was opposed by General Jackson. This tariff was made an administration measure, and became an issue in the canvass. The New England States, which had formerly favored free trade, on account of their commercial interests, changed their policy, and, led by Mr. Webster, became advocates of the protective system. The question of protective tariff had now not only become political, but sectional. The Southern States as a section, were arrayed against the system, though prior to 1816 had favored it, not merely as an incident to revenue, but as a substantive object. In fact these tariff bills, each exceeding the other in its degree of protection, had become a regular appendage of our presidential elections—carrying round in every cycle of four years, with that returning event; starting in 1816 and followed up in 1820-24, and now in 1828, with successive augmentations of duties; the last being often pushed as a party measure, and with the visible purpose of influencing the presidential election. General Jackson was elected, having received 178 electoral votes to 83 received by John Quincy Adams. Mr. Richard Rush, of Pennsylvania, who was on the ticket with Mr. Adams, was defeated for the office of Vice-President, and John C. Calhoun, of South Carolina, was elected to that office.

The election of General Jackson was a triumph of democratic principle, and an assertion of the people's right to govern themselves. That principle had been violated in the presidential election in the House of Representatives in the session of 1824-25; and the sanction, or rebuke, of that violation was a leading question in the whole canvass. It was also a triumph over the high protective policy, and the federal internal improvement policy, and the latitudinous construction of the Constitution; and of the democracy over the federalists, then called national republicans; and was the re-establishment of parties on principle, according to the landmarks of the early years of the government. For although Mr. Adams had received confidence and office from Mr. Madison and Mr. Monroe, and had classed with the democratic party during the "era of good feeling," yet he had previously been federal; and on the re-establishment of old party lines which began to take place

after the election of Mr. Adams in the House of Representatives, his affinities and policy became those of his former party; and as a party, with many individual exceptions, they became his supporters and his strength. General Jackson, on the contrary, had always been democratic, so classing when he was a Senator in Congress under the administration of the first Mr. Adams; and when party lines were most straightly drawn, and upon principle, and as such now receiving the support of men and States which took this political position at that time, and maintained it for years afterwards; among the latter, notably the States of Virginia and Pennsylvania.

The short session of 1829-30 was rendered famous by the long and earnest debates in the Senate on the doctrine of nullification, as it was then called. It started by a resolution of inquiry introduced by Mr. Foot of Connecticut; it was united with a proposition to limit the sales of the public lands to those then in the market—to suspend the surveys of the public lands—and to abolish the office of Surveyor-General. The effect of such a resolution, if sanctioned upon inquiry and carried into legislative effect, would have been to check emigration to the new States in the West, and to check the growth and settlement of these States and Territories. It was warmly opposed by Western members. The debate spread and took an acrimonious turn, and sectional, imputing to the quarter of the Union from which it came an old and early policy to check the growth of the West at the outset by proposing to limit the sale of the Western lands, by selling no tract in advance until all in the rear was sold out; and during the debate Mr. Webster referred to the famous ordinance of 1787 for the government of the north-western territory, and especially the anti-slavery clause which it contained.

Closely connected with this subject to which Mr. Webster's remarks, during the debate, related, was another which excited some warm discussion—the topic of slavery—and the effect of its existence or non-existence in different States. Kentucky and Ohio were taken for examples, and the superior improvement and population of Ohio were attributed to its exemption from the evils of slavery. This was an excitable subject, and the more so because the wounds of the Missouri controversy in which the North was the undisputed aggressor, were still tender. Mr. Hayne from South Carolina answered with warmth and resented as a reflection upon the Slave States this disadvantageous comparison. Mr. Benton of Missouri followed on the same side, and in the course of his remarks said, "I regard with admiration, that is to say, with wonder, the sublime morality of those who cannot bear the ab-

stract contemplation of slavery, at the distance of five hundred or a thousand miles off." This allusion to the Missouri controversy, and invective against the free States for their part in it, by Messrs. Hayne and Benton, brought a reply from Mr. Webster, showing what their conduct had been at the first introduction of the slavery topic in the Congress of the United States, and that they totally refused to interfere between master and slave in any way whatever. But the topic which became the leading feature of the whole debate, and gave it an interest which cannot die, was that of nullification—the assumed right of a State to annul an act of Congress—then first broached in the Senate—and in the discussion of which Mr. Webster and Mr. Hayne were the champion speakers on opposite sides—the latter voicing the sentiments of the Vice-President, Mr. Calhoun. This turn in the debate was brought about, by Mr. Hayne having made allusion to the course of New England during the war of 1812, and especially to the assemblage known as the Hartford Convention, and to which designs unfriendly to the Union had been attributed. This gave Mr. Webster an opportunity to retaliate, and he referred to the public meetings which had just then taken place in South Carolina on the subject of the tariff, and at which resolves were passed, and propositions adopted significant of resistance to the act; and consequently of disloyalty to the Union. He drew Mr. Hayne into their defence and into an avowal of what has since obtained the current name of "*Nullification.*" He said, "I understand the honorable gentleman from South Carolina to maintain, that it is a right of the State Legislature to interfere, whenever, in their judgment, this government transcends its constitutional limits, and to arrest the operation of its laws, \* \* \* \* that the States may lawfully decide for themselves, and each State for itself, whether, in a given case, the act of the general government transcends its powers, \* \* \* \* that if the exigency of the case, in the opinion of any State government require it, such State government may, by its own sovereign authority, annul an act of the general government, which it deems plainly and palpably unconstitutional." Mr. Hayne was evidently unprepared to admit, or fully deny, the propositions as so laid down, but contented himself with stating the words of the Virginia Resolution of 1798, as follows: "That this assembly doth explicitly and peremptorily declare, that it views the powers of the federal government as resulting from the compact, to which the States are parties, as limited by the plain sense and intention of the instrument constituting that compact, as no farther valid than they

are authorized by the grants enumerated in that compact, and that, in case of a deliberate, palpable and dangerous exercise of other powers, not granted by the said compact, the States who are parties thereto have the right, and are in duty bound, to interpose, for arresting the progress of the evil, and for maintaining, within their respective limits, the authorities, rights, and liberties appertaining to them."

This resolution came to be understood by Mr. Hayne and others on that side of the debate, in the same sense that Mr. Webster stated, as above, he understood the gentleman from the South to interpret it. On the other side of the question, he argued that the doctrine had no foundation either in the Constitution, or on the Virginia resolutions—that the Constitution makes the federal government act upon citizens within the States, and not upon the States themselves, as in the old confederation: that within their Constitutional limits the laws of Congress were supreme—and that it was treasonable to resist them with force: and that the question of their constitutionality was to be decided by the Supreme Court: with respect to the Virginia resolutions, on which Mr. Hayne relied, Mr. Webster disputed the interpretation put upon them—claimed for them an innocent and justifiable meaning—and exempted Mr. Madison from the suspicion of having framed a resolution asserting the right of a State legislature to annul an Act of Congress, and thereby putting it in the power of one State to destroy a form of government which he had just labored so hard to establish.

Mr. Hayne on his part gave (as the practical part of his doctrine) the pledge of forcible resistance to any attempt to enforce unconstitutional laws. He said, "The gentleman has called upon us to carry out our scheme practically. Now, sir, if I am correct in my view of this matter, then it follows, of course, that the right of a State being established, the federal government is bound to acquiesce in a solemn decision of a State, acting in its sovereign capacity, at least so far as to make an appeal to the people for an amendment to the Constitution. This solemn decision of a State binds the federal government, under the highest constitutional obligation, not to resort to any means of coercion against the citizens of the dissenting State. \* \* \* Suppose Congress should pass an agrarian law, or a law emancipating our slaves, or should commit any other gross violation of our constitutional rights, will any gentlemen contend that the decision of every branch of the federal government, in favor of such laws, could prevent the States from declaring them null and void, and protecting their citizens from their operation? \* \* \* Let me assure the gentlemen that, when-

ever any attempt shall be made from any quarter, to enforce unconstitutional laws, clearly violating our essential rights, our leaders (whoever they may be) will not be found reading black letter from the musty pages of old law books. They will look to the Constitution, and when called upon by the sovereign authority of the State, to preserve and protect the rights secured to them by the charter of their liberties, they will succeed in defending them, or 'perish in the last ditch.'"

These words of Mr. Hayne seem almost prophetic in view of the events of thirty years later. No one then believed in anything serious in the new interpretation given to the Virginia resolutions—nor in anything practical from nullification—nor in forcible resistance to the tariff laws from South Carolina—nor in any scheme of disunion.

Mr. Webster's closing reply was a fine piece of rhetoric, delivered in an elaborate and artistic style, and in an apparent spirit of deep seriousness. He concluded thus—"When my eyes shall be turned to behold, for the last time, the sun in heaven, may I not see him shining on the broken and disfigured fragments of a once glorious Union; on States dissevered, discordant, belligerent; on a land rent with civil feuds, or drenched, it may be, in fraternal blood. Let their last feeble and lingering glance, rather, behold the gorgeous ensign of the Republic, now known and honored throughout the earth, still full high advanced, its arms and trophies streaming in their original lustre, not a stripe erased or polluted, nor a single star obscured, bearing for its motto no such miserable interrogatory as, What is all this worth? nor those other words of delusion and folly, Liberty first and Union afterwards; but everywhere, spread all over in characters of living light, blazing in all its ample folds, as they float over the sea and over the land, and in every wind under the whole heavens, that other sentiment, dear to every true American heart—Liberty and Union, now and forever, one and inseparable!"

President Jackson in his first annual message to Congress called attention to the fact of expiration in 1836 of the charter of incorporation granted by the Federal government to a moneyed institution called The Bank of the United States, which was originally designed to assist the government in establishing and maintaining a uniform and sound currency. He seriously doubted the constitutionality and expediency of the law creating the bank, and was opposed to a renewal of the charter. His view of the matter was that if such an institution was deemed a necessity it should be made a national one, in the sense of being founded on the credit of the government and its revenues, and not a corpora-

tion independent from and not a part of the government. The House of Representatives was strongly in favor of the renewal of the charter, and several of its committees made elaborate, ample and argumentative reports upon the subject. These reports were the subject of newspaper and pamphlet publication; and lauded for their power and excellence, and triumphant refutation of all the President's opinions. Thus was the "war of the Bank" commenced at once in Congress, and in the public press; and openly at the instance of the Bank itself, which, forgetting its position as an institution of the government, for the convenience of the government, set itself up as a power, and struggled for continued existence, by demand for renewal of its charter. It allied itself at the same time to the political power opposed to the President, joined in all their schemes of protective tariff, and national internal improvement, and became the head of the American system. Its moneyed and political power, numerous interested affiliations, and control over other banks and fiscal institutions, was truly great and extensive, and a power which was exercised and made to be felt during the struggle to such a degree that it threatened a danger to the country and the government almost amounting to a national calamity.

The subject of renewal of the charter was agitated at every succeeding session of Congress down to 1836, and many able speeches made for and against it.

In the month of December, 1831, the National Republicans, as the party was then called which afterward took the name of "whig," held its convention in Baltimore, and nominated candidates for President and Vice-President, to be voted for at the election in the autumn of the ensuing year. Henry Clay was the candidate for the office of President, and John Sergeant for that of Vice-President. The platform or address to the people presented the party issues which were to be settled at the ensuing election, the chief subjects being the tariff, internal improvement, removal of the Cherokee Indians, and the renewal of the United States Bank charter. Thus the bank question was fully presented as an issue in the election by that part of its friends who classed politically against President Jackson. But it had also Democratic friends without whose aid the re-charter could not be got through Congress, and they labored assiduously for it. The first Bank of the United States, chartered in 1791, was a federal measure, favored by General Hamilton, opposed by Mr. Jefferson, Mr. Madison, and the Republican party; and became a great landmark of party, not merely for the bank itself, but for the latitudinarian construction of the constitution in which it was founded, and

the precedent it established that Congress might in its discretion do what it pleased, under the plea of being "necessary" to carry into effect some granted power. The non-renewal of the charter in 1811, was the act of the Republican party, then in possession of the government, and taking the opportunity to terminate, upon its own limitation, the existence of an institution whose creation they had not been able to prevent. The charter of the second bank, in 1816, was the act of the Republican party, and to aid them in the administration of the government, and, as such, was opposed by the Federal party—not seeming then to understand that, by its instincts, a great moneyed corporation was in sympathy with their own party, and would soon be with it in action—which the bank soon was—and now struggled for a continuation of its existence under the lead of those who had opposed its creation and against the party which effected it. Mr. Webster was a Federal leader on both occasions—against the charter in 1816; for the re-charter in 1832. The bill passed the Senate after a long and arduous contest; and afterwards passed the House, quickly and with little or no contest at all.

It was sent to the President, and vetoed by him July 10, 1832; the message stating his objections being an elaborate review of the subject; the veto being based mainly on the unconstitutionality of the measure. The veto was sustained. Following this the President after the adjournment removed from the bank the government deposits, and referred to that fact in his next annual message on the second day of December, 1833, at the opening of the first session of the twenty-third Congress. Accompanying it was the report of the Secretary of the Treasury, Hon. Roger B. Taney, afterwards Chief Justice of the Supreme Court of the United States, giving the reasons of the government for the withdrawal of the public funds. Long and bitter was the contest between the President on the one side and the Bank and its supporters in the Senate on the other side. The conduct of the Bank produced distress throughout the country, and was so intended to coerce the President. Distress petitions flooded Congress, and the Senate even passed resolutions of censure of the President. The latter, however, held firm in his position. A committee of investigation was appointed by the House of Representatives to inquire into the causes of the commercial embarrassment and the public distress complained of in the numerous distress memorials presented to the two Houses during the session; and whether the Bank had been instrumental, through its management of money, in producing the distress and embarrassment of which so much complaint was made; to

inquire whether the charter of the Bank had been violated, and what corruptions and abuses, if any, existed in its management; and to inquire whether the Bank had used its corporate power or money to control the press, to interpose in politics, or to influence elections. The committee were granted ample powers for the execution of these inquiries. It was treated with disdain and contempt by the Bank management; refused access to the books and papers, and the directors and president refused to be sworn and testify. The committee at the next session made report of their proceedings, and asked for warrants to be issued against the managers to bring them before the Bar of the House to answer for contempt; but the friends of the Bank in the House were able to check the proceedings and prevent action being taken. In the Senate, the President was sought to be punished by a declination by that body to confirm the President's nomination of the four government directors of the Bank, who had served the previous year; and their re-nomination after that rejection again met with a similar fate. In like manner his re-nomination of Roger B. Taney to be Secretary of the Treasury was rejected, for the action of the latter in his support of the President and the removal of the public deposits. The Bank had lost much ground in the public estimation by resisting the investigation ordered and attempted by the House of Representatives, and in consequence the Finance Committee of the Senate made an investigation, with so weak an attempt to varnish over the affairs and acts of the corporation that the odious appellation of "white-washing committee" was fastened upon it. The downfall of the Bank speedily followed; it soon afterwards became a total financial wreck, and its assets and property were seized on executions. With its financial failure it vanished from public view, and public interest in it and concern with it died out.

About the beginning of March, 1831, a pamphlet was issued in Washington, by Mr. John C. Calhoun, the Vice-President, and addressed to the people of the United States, explaining the cause of a difference which had taken place between himself and the President, General Jackson, instigated as the pamphlet alleged, by Mr. Van Buren, and intended to make trouble between the first and second officers of the government, and to effect the political destruction of himself (Mr. Calhoun) for the benefit of the contriver of the quarrel, the then Secretary of State, and indicated as a candidate for the presidential succession upon the termination of Jackson's term. The differences grew out of certain charges against General Jackson respecting his conduct during the Seminole war which oc-

curred in the administration of President Monroe. The President justified himself in published correspondence, but the inevitable result followed—a rupture between the President and Vice-President—which was quickly followed by a breaking up and reconstructing the Cabinet. Some of its members classed as the political friends of Mr. Calhoun, and could hardly be expected to remain as ministers to the President. Mr. Van Buren resigned; a new Cabinet was appointed and confirmed. This change in the Cabinet made a great figure in the party politics of the day, and filled all the opposition newspapers, and had many sinister reasons assigned to it—all to the prejudice of General Jackson and Mr. Van Buren.

It is interesting to note here that during the administration of President Jackson,—in the year 1833,—the Congress of the United States, as the consequence of the earnest efforts in that behalf, of Col. R. M. Johnson, of Kentucky, aided by the recommendation and support of the President, passed the first laws, abolishing imprisonment for debt, under process from the Courts of the United States: the only extent to which an act of Congress could go, by force of its enactments; but by force of example and influence, has led to the cessation of the practice of imprisoning debtors, in all, or nearly all, of the States and Territories of the Union; and without the evil consequences which had been dreaded from the loss of this remedy over the person. The act was a total abolition of the practice, leaving in full force all the remedies against fraudulent evasions of debt.

The American system, and especially its prominent feature of a high protective tariff was put in issue, in the Presidential canvass of 1832; and the friends of that system labored diligently in Congress in presenting its best points to the greatest advantage; and staking its fate upon the issue of the election. It was lost; not only by the result of the main contest, but by that of the congressional election which took place simultaneously with it. All the States dissatisfied with that system, were satisfied with the view of its speedy and regular extinction, under the legislation of the approaching session of Congress, excepting only South Carolina. She has held aloof from the Presidential contest, and cast her electoral votes for persons who were not candidates—doing nothing to aid the election of General Jackson, with whom her interests were apparently identified. On the 24th November, 1832, two weeks after the election which decided the fate of the tariff, that State issued an "Ordinance to nullify certain acts of the Congress of the United States, purporting to be laws laying duties and imposts on the importation



of foreign commodities." It declared that the Congress had exceeded its constitutional powers in imposing high and excessive duties on the theory of "protection," had unjustly discriminated in favor of one class or employment, at the expense and to the injury and oppression of other classes and individuals; that said laws were in consequence not binding on the State and its citizens; and declaring its right and purpose to enact laws to prevent the enforcement and arrest the operation of said acts and parts of the acts of the Congress of the United States within the limits of that State after the first day of February following. This ordinance placed the State in the attitude of forcible resistance to the laws of the United States, to take effect on the first day of February next ensuing—a date prior to the meeting of the next Congress, which the country naturally expected would take some action in reference to the tariff laws complained of. The ordinance further provided that if, in the meantime, any attempt was made by the federal government to enforce the obnoxious laws, except through the tribunals, all the officers of which were sworn against them, the fact of such attempt was to terminate the continuance of South Carolina in the Union—to absolve her from all connection with the federal government—and to establish her as a separate government, wholly unconnected with the United States or any State. The ordinance of nullification was certified by the Governor of South Carolina to the President of the United States, and reached him in December of the same year; in consequence of which he immediately issued a proclamation, exhorting the people of South Carolina to obey the laws of Congress; pointing out and explaining the illegality of the procedure; stating clearly and distinctly his firm determination to enforce the laws as became him as Executive, even by resort to force if necessary. As a state paper, it is important as it contains the views of General Jackson regarding the nature and character of our federal government, expressed in the following language: "The people of the United States formed the constitution, acting through the State Legislatures in making the compact, to meet and discuss its provisions, and acting in separate conventions when they ratified those provisions; but, the terms used in the constitution show it to be a government in which the people of all the States collectively are represented. We are one people in the choice of President and Vice-President. Here the States have no other agency than to direct the mode in which the votes shall be given.

\* \* \* The people, then, and not the States, are represented in the executive branch. \* \* \* In the House

of Representatives the members are all representatives of the United States, not representatives of the particular States from which they come. They are paid by the United States, not by the State, nor are they accountable to it for any act done in the performance of their legislative functions. \* \* \* \* \*

The constitution of the United States, then, forms a government, not a league; and whether it be formed by a compact between the States, or in any other manner, its character is the same. It is a government in which all the people are represented, which operates directly on the people individually, not upon the States—they retained all the power they did not grant. But each State, having expressly parted with so many powers as to constitute, jointly with the other States, a single nation, cannot, from that period, possess any right to secede, because such secession does not break a league, but destroys the unity of the nation, and any injury to that unity, is not only a breach which could result from the contravention of a compact, but it is an offence against the whole Union. To say that any State may at pleasure secede from the Union, is to say that the United States are not a nation; because it would be a solecism to contend that any part of a nation might dissolve its connection with the other parts, to their injury or ruin, without committing any offence."

Without calling on Congress for extraordinary powers, the President in his annual message, merely adverted to the attitude of the State, and proceeded to meet the exigency by the exercise of the powers he already possessed. The proceedings in South Carolina not ceasing, and taking daily a more aggravated form in the organization of troops, the collection of arms and of munitions of war, and in declarations hostile to the Union, he found it necessary early in January to report the facts to Congress in a special message, and ask for extraordinary powers. Bills for the reduction of the tariff were early in the Session introduced into both houses, while at the same time the President, though not relaxing his efforts towards a peaceful settlement of the difficulty, made steady preparations for enforcing the law. The result of the bills offered in the two Houses of Congress, was the passage of Mr. Clay's "compromise" bill on the 12th of February 1833, which radically changed the whole tariff system.

The President in his message on the South Carolina proceedings had recommended to Congress the revival of some acts, heretofore in force, to enable him to execute the laws in that State; and the Senate's committee on the judiciary had reported a bill accordingly early in the

session. It was immediately assailed by several members as violent and unconstitutional, tending to civil war, and denounced as "the bloody bill"—the "force bill," &c. The bill was vindicated in the Senate, by its author, who showed that it contained no novel principle; was substantially a revival of laws previously in force; with the authority superadded to remove the office of customs from one building or place to another in case of need. The bill was vehemently opposed, and every effort made to render it odious to the people, and even extend the odium to the President, and to every person urging or aiding in its passage. Mr. Webster justly rebuked all this vituperation, and justified the bill, both for the equity of its provisions, and the necessity for enacting them. He said, that an unlawful combination threatened the integrity of the Union; that the crisis called for a mild, temperate, forbearing but inflexibly firm execution of the laws; and finally, that public opinion sets with an irresistible force in favor of the Union, in favor of the measures recommended by the President, and against the new doctrines which threatened the dissolution of the Union. The support which Mr. Webster gave to these measures was the regular result of the principles which he laid down in his first speeches against nullification in the debate with Mr. Hayne, and he could not have done less without being derelict to his own principles then avowed. He supported with transcendent ability, the cause of the constitution and of the country, in the person of a President to whom he was politically opposed, whose gratitude and admiration he earned for his patriotic endeavors. The country, without distinction of party, felt the same; and the universality of the feeling was one of the grateful instances of popular applause and justice when great talents are seen exerting themselves for the good of the country. He was the colossal figure on the political stage during that eventful time; and his labors, splendid in their day, survive for the benefit of distant posterity.

During the discussion over the re-charter of the Bank of the United States, which as before mentioned, occupied the attention of Congress for several years, the country suffered from a money panic, and a general financial depression and distress was generally prevalent. In 1834 a measure was introduced into the House, for equalizing the value of gold and silver, and legalizing the tender of foreign coin, of both metals. The good effects of the bill were immediately seen. Gold began to flow into the country through all the channels of commerce, foreign and domestic; the mint was busy; and specie pay-

ment, which had been suspended in the country for thirty years, was resumed, and gold and silver became the currency of the land; inspiring confidence in all the pursuits of industry.

As indicative of the position of the democratic party at that date, on the subject of the kind of money authorized by the Constitution, Mr. Benton's speech in the Senate is of interest. He said: "In the first place, he was one of those who believed that the government of the United States was intended to be a hard money government; that it was the intention and the declaration of the Constitution of the United States, that the federal currency should consist of gold and silver, and that there is no power in Congress to issue, or to authorize any company of individuals to issue, any species of federal paper currency whatsoever. Every clause in the Constitution (said Mr. B.) which bears upon the subject of money—every early statute of Congress which interprets the meaning of these clauses—and every historic recollection which refers to them, go hand in hand in giving to that instrument the meaning which this proposition ascribes to it. The power granted to Congress to coin money is an authority to stamp metallic money, and is not an authority for emitting slips of paper containing promises to pay money. The authority granted to Congress to regulate the value of coin, is an authority to regulate the value of the metallic money, not of paper. The prohibition upon the States against making anything but gold and silver a legal tender, is a moral prohibition, founded in virtue and honesty, and is just as binding upon the Federal Government as upon the State Governments; and that without a written prohibition; for the difference in the nature of the two governments is such, that the States may do all things which they are not forbid to do; and the Federal Government can do nothing which it is not authorized by the Constitution to do. The framers of the Constitution (said Mr. B.) created a hard money government. They intended the new government to recognize nothing for money but gold and silver; and every word admitted into the Constitution, upon the subject of money, defines and establishes that sacred intention.

Legislative enactment came quickly to the aid of constitutional intention and historic recollection. The fifth statute passed at the first session of the first Congress that ever sat under the present Constitution was full and explicit on this head. It declared, "that the fees and duties payable to the federal government shall be received in gold and silver coin only." It was under General Hamilton, as Secretary of the Treasury, in 1791, that the policy

of the government underwent a change. In the act constituting the Bank of the United States, he brought forward his celebrated plan for the support of the public credit—that plan which unfolded the entire scheme of the paper system and immediately developed the great political line between the federalists and the republicans. The establishment of a national bank was the leading and predominant feature of that plan; and the original report of the secretary, in favor of establishing the bank, contained this fatal and deplorable recommendation: "The bills and notes of the bank, originally made payable, or which shall have become payable, on demand, in gold and silver coin, shall be receivable in all payments to the United States." From the moment of the adoption of this policy, the moneyed character of the government stood changed and reversed. Federal bank notes took the place of hard money; and the whole edifice of the government slid, at once, from the solid rock of gold and silver money, on which its framers had placed it, into the troubled and tempestuous ocean of paper currency.

The first session of the 35th Congress opened December 1835. Mr. James K. Polk was elected Speaker of the House by a large majority over Mr. John Bell, the previous Speaker; the former being supported by the administration party, and the latter having become identified with those who, on siding with Mr. Hugh L. White as a candidate for the presidency, were considered as having divided from the democratic party. The chief subject of the President's message was the relations of our country with France relative to the continued non-payment of the stipulated indemnity provided for in the treaty of 1831 for French spoliations of American shipping. The obligation to pay was admitted, and the money even voted for that purpose; but offense was taken at the President's message, and payment refused until an apology should be made. The President commented on this in his message, and the Senate had under consideration measures authorizing reprisals on French shipping. At this point Great Britain offered her services as mediator between the nations, and as a result the indemnity was shortly afterwards paid.

Agitation of the slavery question in the United States really began about this time. Evil-disposed persons had largely circulated through the Southern states, pamphlets and circulars tending to stir up strife and insurrection; and this had become so intolerable that it was referred to by the President in his message. Congress at the session of 1836 was flooded with petitions and memorials urging federal interference to abolish slavery in the States; beginning with the petition of the Society

of Friends of Philadelphia, urging the abolition of slavery in the District of Columbia. These petitions were referred to Committees after an acrimonious debate as to whether they should be received or not. The position of the government at that time is embodied in the following resolution which was adopted in the House of Representatives as early as 1790, and substantially re-affirmed in 1836, as follows: "That Congress have no authority to interfere in the emancipation of slaves, or in the treatment of them within any of the States; it remaining with the several States to provide any regulations therein which humanity and true policy may require."

In the Summer preceding the Presidential election of 1836, a measure was introduced into Congress, which became very nearly a party measure, and which in its results proved disastrous to the Democratic party in after years. It was a plan for distributing the public land money among the States either in the shape of credit distribution, or in the disguise of a deposit of surplus revenue; and this for the purpose of enhancing the value of the State stocks held by the United States Bank, which institution, aided by the party which it favored, led by Mr. Clay, was the prime mover in the plan. That gentleman was the author of the scheme, and great calculations were made by the party which favored the distribution upon its effect in adding to their popularity. The Bill passed the Senate in its original form, but met with less favor in the House where it was found necessary. To effectuate substantially the same end, a Senate Bill was introduced to regulate the keeping of the public money in the deposit banks, and this was turned into distribution of the surplus public moneys with the States, in proportion to their representation in Congress, to be returned when Congress should call for it; and this was called a deposit with the States, and the faith of the States pledged for a return of the money. It was stigmatized by its opponents in Congress, as a distribution in disguise—as a deposit never to be reclaimed; as a miserable evasion of the Constitution; as an attempt to debauch the people with their own money; as plundering instead of defending the country. The Bill passed both houses, mainly by the efforts of a half dozen aspirants to the Presidency, who sought to thus increase their popularity. They were doomed to disappointment in this respect. Politically, it was no advantage to its numerous and emulous supporters, and of no disservice to its few determined opponents. It was a most unfortunate act, a plain evasion of the Constitution for a bad purpose; and it soon gave a sad overthrow to the democracy and disap-

printed every calculation made upon it. To the States it was no advantage, raising expectations which were not fulfilled, and upon which many of them acted as realities. The Bill was signed by the President, but it is simple justice to him to say that he did it with a repugnance of feeling, and a recoil of judgment, which it required great efforts of his friends to overcome, and with a regret for it afterwards which he often and publicly expressed. In a party point of view, the passage of this measure was the commencement of calamities, being an efficient cause in that general suspension of specie payments, which quickly occurred, and brought so much embarrassment on the Van Buren administration, ending in the great democratic defeat of 1840.

The presidential election of 1835 resulted in the choice of the democratic candidate, Mr. Van Buren, who was elected by 170 electoral votes; his opponent, General Harrison, receiving seventy-three electoral votes. Scattering votes were given for Mr. Webster, Mr. Mangum, and Mr. Hugh L. White, the last named representing a fragment of the democracy who, in a spirit of disaffection, attempted to divide the democratic party and defeat Mr. Van Buren. At the opening of the second session of the twenty-fourth Congress, December, 1836, President Jackson delivered his last annual message, under circumstances exceedingly gratifying to him. The powerful opposition in Congress had been broken down, and he had the satisfaction of seeing full majorities of ardent and tried friends in each House. The country was in peace and friendship with all the world; all exciting questions quieted at home; industry in all its branches prosperous, and the revenue abundant. And as a happy sequence of this state of affairs, the Senate on the 16th of March, 1837, expunged from the Journal the resolution, adopted three years previously, censuring the President for ordering the removal of the deposits of public money in the United States Bank. He retired from the presidency with high honors, and died eight years afterwards at his home, the celebrated "Hermitage," in Tennessee, in full possession of all his faculties, and strong to the last in the ruling passion of his soul—love of country.

The 4th of March, 1837, ushered in another Democratic administration—the beginning of the term of Martin Van Buren as President of the United States. In his inaugural address he commented on the prosperous condition of the country, and declared it to be his policy to strictly abide by the Constitution as written—no latitudinarian constructions permitted, or doubtful powers assumed; that his political chart should be the doctrines of the demo-

cratic school, as understood at the original formation of parties.

The President, however, was scarcely settled in his new office when a financial panic struck the country with irresistible force. A general suspension of the banks, a depreciated currency, and insolvency of the federal treasury were at hand. The public money had been placed in the custody of the local banks, and the notes of all these banks, and of all others in the country, were received in payment of public dues. On the 10th of May, 1837, the banks throughout the country suspended specie payments. The stoppage of the deposit banks was the stoppage of the Treasury. Non-payment by the government was an excuse for non-payment by others. The suspension was now complete; and it was evident, and as good as admitted by those who had made it, that it was the effect of contrivance on the part of politicians and the so-called Bank of the United States (which, after the expiration of its national charter, had become a State corporation chartered by the Legislature of Pennsylvania in January, 1836) for the purpose of restoring themselves to power. The whole proceeding became clear to those who could see nothing while it was in progress. Even those of the democratic party whose votes had helped to do the mischief, could now see that the attempt to deposit forty millions with the States was destruction to the deposit banks; that the repeal of President Jackson's order, known as the "specie circular"—requiring payment for public lands to be in coin—was to fill the treasury with paper money, to be found useless when wanted; that distress was purposely created to throw blame of it upon the party in power; that the promptitude with which the Bank of the United States had been brought forward as a remedy for the distress, showed that it had been held in reserve for that purpose; and the delight with which the whig party saluted the general calamity, showed that they considered it their own passport to power. Financial embarrassment and general stagnation of business diminished the current receipts from lands and customs, and actually caused an absolute deficit in the public treasury. In consequence, the President found it an inexorable necessity to issue his proclamation convening Congress in extra session.

The first session of the twenty-fifth Congress met in extra session, at the call of the President, on the first Monday of September, 1837. The message was a review of the events and causes which had brought about the panic; a defense of the policy of the "specie circular," and a recommendation to break off all connection with any bank of issue in any form; looking to the establishment of an Independent Treasury,

and that the Government provide for the deficit in the treasury by the issue of treasury notes and by withholding the deposit due to the States under the act then in force. The message and its recommendations were violently assailed both in the Senate and House by able and effective speakers, notably by Messrs. Clay and Webster, and also by Mr. Caleb Cushing, of Massachusetts, who made a formal and elaborate reply to the whole document under thirty-two distinct heads, and reciting therein all the points of accusation against the democratic policy from the beginning of the government down to that day. The result was that the measures proposed by the Executive were in substance enacted; and their passage marks an era in our financial history—making a total and complete separation of Bank and State, and firmly establishing the principle that the government revenues should be receivable in coin only.

The measures of consequence discussed and adopted at this session, were the graduation of price of public lands under the pre-emption system, which was adopted; the bill to create an independent Treasury, which passed the Senate, but failed in the House; and the question of the re-charter of the district banks, the proportion for reserve, and the establishment of such institutions on a specie basis. The slavery question was again agitated in consequence of petitions from citizens and societies in the Northern States, and a memorial from the General Assembly of Vermont, praying for the abolition of slavery in the District of Columbia and territories, and for the exclusion of future slave states from the Union. These petitions and memorials were disposed of adversely; and Mr. Calhoun, representing the ultra-Southern interest, in several able speeches, approved of the Missouri compromise, he urged and obtained of the Senate several resolutions declaring that the federal government had no power to interfere with slavery in the States; and that it would be inexpedient and impolitic to interfere, abolish or control it in the District of Columbia and the territories. These movements for and against slavery in the session of 1837–38 deserve to be noticed, as of disturbing effect at the time, and as having acquired new importance from subsequent events.

The first session of the twenty-sixth Congress opened December, 1839. The organization of the House was delayed by a closely and earnestly contested election from the State of New Jersey. Five Democrats claiming seats as against an equal number of Whigs. Neither set was admitted until after the election of Speaker, which resulted in the choice of Robert M. T. Hunter, of Virginia, the Whig candi-

date, who was elected by the full Whig vote with the aid of a few democrats—friends of Mr. Calhoun, who had for several previous sessions been acting with the Whigs on several occasions. The House excluding the five contested seats from New Jersey, was really Democratic; having 122 members, and the Whigs 113 members. The contest for the Speakership was long and arduous, neither party adhering to its original caucus candidate. Twenty scattering votes, eleven of whom were classed as Whigs, and nine as Democrats, prevented a choice on the earlier ballots, and it was really Mr. Calhoun's Democratic friends uniting with a solid Whig vote on the final ballot that gained that party the election. The issue involved was a vital party question as involving the organization of the House. The chief measure, of public importance, adopted at this session of Congress was an act to provide for the collection, safe-keeping, and disbursing of the public money. It practically revolutionized the system previously in force, and was a complete and effectual separation of the federal treasury and the Government, from the banks and moneyed corporations of the States. It was violently opposed by the Whig members, led by Mr. Clay, and supported by Mr. Cushing, but was finally passed in both Houses by a close vote.

At this time, and in the House of Representatives, was exhibited for the first time in the history of Congress, the present practice of members "*pairing off*," as it is called; that is to say, two members of opposite political parties, or of opposite views on any particular subject, agreeing to absent themselves from the duties of the House, for the time being. The practice was condemned on the floor of the House by Mr. John Quincy Adams, who introduced a resolution: "That the practice, first openly avowed at the present session of Congress, of pairing off, involves, on the part of the members resorting to it, the violation of the Constitution of the United States, of an express rule of this House, and of the duties of both parties in the transaction, to their immediate constituents, to this House, and to their country." This resolution was placed in the calendar to take its turn, but not being reached during the session, was not voted on. That was the first instance of this justly condemned practice, fifty years after the establishment of the Government; but since then it has become common, even inveterate, and is now carried to great lengths.

The last session of the twenty-sixth Congress was barren of measures, and necessarily so, as being the last of our administration superseded by the popular voice, and soon to expire; and therefore restricted by a sense of propriety, during the

brief remainder of its existence, to the details of business and the routine of service. The cause of this was the result of the presidential election of 1840. The same candidates who fought the battle of 1836 were again in the field. Mr. Van Buren was the Democratic candidate. His administration had been satisfactory to his party, and his nomination for a second term was commended by the party in the different States in appointing their delegates; so that the proceedings of the convention which nominated him were entirely harmonious and formal in their nature. Mr. Richard M. Johnson, the actual Vice-President, was also nominated for Vice-President.

On the Whig ticket, General William Henry Harrison, of Ohio, was the candidate for President, and Mr. John Tyler, of Virginia, for Vice-President. The leading statesmen of the Whig party were again put aside, to make way for a military man, prompted by the example in the nomination of General Jackson, the men who managed presidential elections believing then as now that military renown was a passport to popularity and rendered a candidate more sure of election. Availability—for the purpose—was the only ability asked for. Mr. Clay, the most prominent Whig in the country, and the acknowledged head of the party, was not deemed available; and though Mr. Clay was a candidate before the convention, the proceedings were so regulated that his nomination was referred to a committee, ingeniously devised and directed for the afterwards avowed purpose of preventing his nomination and securing that of General Harrison; and of producing the intended result without showing the design, and without leaving a trace behind to show what was done. The scheme (a modification of which has since been applied to subsequent national conventions, and out of which many bitter dissensions have again and again arisen) is embodied and was executed in and by means of the following resolution adopted by the convention: "*Ordered*, That the delegates from each State be requested to assemble as a delegation, and appoint a committee, not exceeding three in number, to receive the views and opinions of such delegation, and communicate the same to the assembled committees of all the delegations, to be by them respectively reported to their principals; and that thereupon the delegates from each State be requested to assemble as a delegation, and ballot for candidates for the offices of President and Vice-President, and having done so, to commit the ballot designating the votes of each candidate, and by whom given, to its committee, and thereupon all the committees shall assemble and compare the several

ballots, and report the result of the same to their several delegations, together with such facts as may bear upon the nomination; and said delegation shall forthwith re-assemble and ballot again for candidates for the above offices, and again commit the result to the above committees, and if it shall appear that a majority of the ballots are for any one man for candidate for President, said committee shall report the result to the convention for its consideration; but if there shall be no such majority, then the delegation shall repeat the balloting until such a majority shall be obtained, and then report the same to the convention for its consideration. That the vote of a majority of each delegation shall be reported as the vote of that State; and each State represented here shall vote its full electoral vote by such delegation in the committee." This was a sum in political algebra, whose quotient was known, but the quantity unknown except to those who planned it; and the result was—for General Scott, 16 votes; for Mr. Clay, 90 votes; for General Harrison, 148 votes. And as the law of the convention impliedly requires the absorption of all minorities, the 106 votes were swallowed up by the 148 votes and made to count for General Harrison, presenting him as the unanimity candidate of the convention, and the defeated candidates and all their friends bound to join in his support. And in this way the election of 1840 was effected—a process certainly not within the purview of those framers of the constitution who supposed they were giving to the nation the choice of its own chief magistrate.

The contest before the people was a long and bitter one, the severest ever known in the country, up to that time, and scarcely equalled since. The whole Whig party and the large league of suspended banks, headed by the Bank of the United States making its last struggle for a new national charter in the effort to elect a President friendly to it, were arrayed against the Democrats, whose hard-money policy and independent treasury schemes, met with little favor in the then depressed condition of the country. Meetings were held in every State, county and town; the people thoroughly aroused; and every argument made in favor of the respective candidates and parties, which could possibly have any effect upon the voters. The canvass was a thorough one, and the election was carried for the Whig candidates, who received 234 electoral votes coming from 19 States. The remaining 60 electoral votes of the other 9 States, were given to the Democratic candidate; though the popular vote was not so unevenly divided; the actual figures being 1,275,611 for the Whig ticket, against 1,135,761 for the Democratic ticket. It was a complete rout

of the Democratic party, but without the moral effect of victory.

On March 4, 1841, was inaugurated as President, Gen'l Wm. H. Harrison, the first Chief Magistrate elected by the Whig party, and the first President who was not a Democrat, since the installation of Gen'l Jackson, March 4, 1829. His term was a short one. He issued a call for a special session of Congress to convene the 31st of May following, to consider the condition of the revenue and finances of the country, but did not live to meet it. Taken ill with a fatal malady during the last days of March, he died on the 4th of April following, having been in office just one month. He was succeeded by the Vice-President, John Tyler. Then, for the first time in our history as a government, the person elected to the Vice-Presidency of the United States, by the happening of a contingency provided for in the constitution, had devolved upon him the Presidential office.

The twenty-seventh Congress opened in extra session at the call of the late President, May 31, 1841. A Whig member—Mr. White of Kentucky—was elected Speaker of the House of Representatives. The Whigs had a majority of forty-seven in the House and of seven in the Senate, and with the President and Cabinet of the same political party presented a harmony of aspect frequently wanting during the three previous administrations. The first measure of the new dominant party was the repeal of the independent treasury act passed at the previous session; and the next in order were bills to establish a system of bankruptcy, and for distribution of public land revenue. The former was more than a bankrupt law; it was practically an insolvent law for the abolition of debts at the will of the debtor. It applied to all persons in debt, allowed them to institute the proceedings in the district where the petitioner resided, allowed constructive notices to creditors in newspapers—declared the abolition of the debt where effects were surrendered and fraud not proved; and gave exclusive jurisdiction to the federal courts, at the will of the debtor. It was framed upon the model of the English insolvent debtors' act of George the Fourth, and embodied most of the provisions of that act, but substituting a release from the debt instead of a release from imprisonment. The bill passed by a close vote in both Houses.

The land revenue distribution bill of this session had its origin in the fact that the States and corporations owed about two hundred millions to creditors in Europe. These debts were in stocks, much depreciated by the failure in many instances to pay the accruing interest—in some instances failure to provide for the principal.

These creditors, becoming uneasy, wished the federal government to assume their debts. The suggestion was made as early as 1838, renewed in 1839, and in 1840 became a regular question mixed up with the Presidential election of that year, and openly engaging the active exertions of foreigners. Direct assumption was not urged; indirect by giving the public land revenue to the States was the mode pursued, and the one recommended in the message of President Tyler. Mr. Calhoun spoke against the measure with more than usual force and clearness, claiming that it was unconstitutional and without warrant. Mr. Benton on the same side called it a squandering of the public patrimony, and pointed out its inexpediency in the depleted state of the treasury, apart from its other objectionable features. It passed by a party vote.

This session is remarkable for the institution of the hour rule in the House of Representatives—a very great limitation upon the freedom of debate. It was a Whig measure, adopted to prevent delay in the enactment of pending bills. It was a rigorous limitation, frequently acting as a bar to profitable debate and checking members in speeches which really impart information valuable to the House and the country. No doubt the license of debate has been frequently abused in Congress, as in all other deliberative assemblies, but the incessant use of the previous question, which cuts off all debate, added to the hour rule which limits a speech to sixty minutes (constantly reduced by interruptions) frequently results in the transaction of business in ignorance of what they are about by those who are doing it.

The rule worked so well in the House, for the purpose for which it was devised—made the majority absolute master of the body—that Mr. Clay undertook to have the same rule adopted in the Senate; but the determined opposition to it, both by his political opponents and friends, led to the abandonment of the attempt in that chamber.

Much discussion took place at this session, over the bill offered in the House of Representatives, for the relief of the widow of the late President—General Harrison—appropriating one year's salary. It was strenuously opposed by the Democratic members, as unconstitutional, on account of its principle, as creating a private pension list, and as a dangerous precedent. Many able speeches were made against the bill, both in the Senate and House; among others, the following extract from the speech of an able Senator contains some interesting facts. He said: "Look at the case of Mr. Jefferson, a man than whom no one that ever existed on God's earth were the human family more indebted to.

His furniture and his estate were sold to satisfy his creditors. His posterity was driven from house and home, and his bones now lay in soil owned by a stranger. His family are scattered: some of his descendants are married in foreign lands. Look at Monroe—the able, the patriotic Monroe, whose services were revolutionary, whose blood was spilt in the war of Independence, whose life was worn out in civil service, and whose estate has been sold for debt, his family scattered, and his daughter buried in a foreign land. Look at Madison, the model of every virtue, public or private, and he would only mention in connection with this subject, his love of order, his economy, and his systematic regularity in all his habits of business. He, when his term of eight years had expired, sent a letter to a gentleman (a son of whom is now on this floor) [Mr. Preston], enclosing a note of five thousand dollars, which he requested him to endorse, and raise the money in Virginia, so as to enable him to leave this city, and return to his modest retreat—his patrimonial inheritance—in that State. General Jackson drew upon the consignee of his cotton crop in New Orleans for six thousand dollars to enable him to leave the seat of government without leaving creditors behind him. These were honored leaders of the republican party. They had all been Presidents. They had made great sacrifices, and left the presidency deeply embarrassed; and yet the republican party who had the power and the strongest disposition to relieve their necessities, felt they had no right to do so by appropriating money from the public Treasury. Democracy would not do this. It was left for the era of federal rule and federal supremacy—who are now rushing the country with steam power into all the abuses and corruptions of a monarchy, with its pensioned aristocracy—and to entail upon the country a civil pension list.”

There was an impatient majority in the House in favor of the passage of the bill. The circumstances were averse to deliberation—a victorious party, come into power after a heated election, seeing their elected candidate dying on the threshold of his administration, poor and beloved: it was a case for feeling more than of judgment, especially with the political friends of the deceased—but few of whom could follow the counsels of the head against the impulses of the heart.

The bill passed, and was approved; and as predicted, it established a precedent which has since been followed in every similar case.

The subject of naval pensions received more than usual consideration at this session. The question arose on the discussion of the appropriation bill for that purpose.

A difference about a navy—on the point of how much and what kind—had always been a point of difference between the two great political parties of the Union, which, under whatsoever names, are always the same, each preserving its identity in principles and policy, but here the two parties divided upon an abuse which no one could deny or defend. A navy pension fund had been established under the act of 1832, which was a just and proper law, but on the 3d of March, 1837, an act was passed entitled “An act for the more equitable distribution of the Navy Pension Fund.” That act provided: I. That Invalid naval pensions should commence and date back to the time of receiving the inability, instead of completing the proof. II. It extended the pensions for death to all cases of death, whether incurred in the line of duty or not. III. It extended the widow’s pensions for life, when five years had been the law both in the army and navy. IV. It adopted the English system of pensioning children of deceased marines, until they attained their majority.

The effect of this law was to absorb and bankrupt the navy pension fund, a meritorious fund created out of the government share of prize money, relinquished for that purpose, and to throw the pensions, arrears as well as current and future, upon the public treasury, where it was never intended they were to be. It was to repeal this act, that an amendment was introduced at this session on the bringing forward of the annual appropriation bill for navy pensions, and long and earnest were the debates upon it. The amendment was lost, the Senate dividing on party lines, the Whigs against and the Democrats for the amendment. The subject is instructive, as then was practically ratified and re-enacted the pernicious practice authorized by the act of 1837, of granting pensions to date from the time of injury and not from the time of proof; and has grown up to such proportions in recent years that the last act of Congress appropriating money for arrears of pensions, provided for the payment of such an enormous sum of money that it would have appalled the original projectors of the act of 1837 could they have seen to what their system has led.

Again, at this session, the object of the tariff occupied the attention of Congress. The compromise act, as it was called, of 1833, which was composed of two parts—one to last nine years, for the benefit of manufactures; the other to last for ever, for the benefit of the planting and consuming interest—was passed, as hereinbefore stated, in pursuance of an agreement between Mr. Clay and Mr. Calhoun and their respective friends, at the time the former was urging the necessity for a



continuance of high tariff for protection and revenue, and the latter was presenting and justifying before Congress the nullification ordinance adopted by the Legislature of South Carolina. To Mr. Clay and Mr. Calhoun it was a political necessity, one to get rid of a stumbling-block (which protective tariff had become); the other to escape a personal peril which his nullifying ordinance had brought upon him, and with both, it was a piece of policy, to enable them to combine against Mr. Van Buren, by postponing their own contention; and a device on the part of its author (Mr. Clayton, of Delaware) and Mr. Clay to preserve the protective system. It provided for a reduction of a certain percentage each year, on the duties for the ensuing nine years, until the revenue was reduced to 20 per cent. ad valorem on all articles imported into the country. In consequence the revenue was so reduced that in the last year, there was little more than half what the exigencies of the government required, and different modes, by loans and otherwise, were suggested to meet the deficiency. The Secretary of the Treasury had declared the necessity of loans and taxes to carry on the government; a loan bill for twelve millions had been passed; a tariff bill to raise fourteen millions was depending; and the chairman of the Committee of Ways and Means, Mr. Millard Fillmore, defended its necessity in an able speech. His bill proposed twenty per cent. additional to the existing duty on certain specified articles, sufficient to make up the amount wanted. This encroachment on a measure so much vaunted when passed, and which had been kept inviolate while operating in favor of one of the parties to it, naturally excited complaint and opposition from the other, and Mr. Gilmer, of Virginia, in a speech against the new bill, said: "In referring to the compromise act, the true characteristics of that act which recommended it strongly to him, were that it contemplated that duties were to be levied for revenue only, and in the next place to the amount only necessary to the supply of the economical wants of the government. He begged leave to call the attention of the committee to the principle recognized as the language of the compromise, a principle which ought to be recognized in all time to come by every department of the government. It is, that duties to be raised for revenue are to be raised to such an amount only as is necessary for an economical administration of the government. Some incidental protection must necessarily be given, and he, for one, coming from an anti-tariff portion of the country, would not object to it."

The bill went to the Senate where it found Mr. Clay and Mr. Calhoun in posi-

tions very different from what they occupied when the compromise act was passed—then united, now divided—then concurrent, now antagonistic, and the antagonism general, upon all measures, was to be special upon this one. Their connection with the subject made it their function to lead off in its consideration; and their antagonist positions promised sharp encounters, which did not fail to come. Mr. Clay said that he "observed that the Senator from South Carolina based his abstractions on the theories of books on English authorities, and on the arguments urged in favor of free trade by a certain party in the British Parliament. Now he, (Mr. Clay,) and his friends would not admit of these authorities being entitled to as much weight as the universal practice of nations, which in all parts of the world was found to be in favor of protecting home manufactures to an extent sufficient to keep them in a flourishing condition. This was the whole difference. The Senator was in favor of book theory and abstractions: he (Mr. Clay) and his friends, were in favor of the universal practice of nations, and the wholesome and necessary protection of domestic manufactures."

Mr. Calhoun in reply, referring to his allusion to the success in the late election of the tory party in England, said: "The interests, objects, and aims of the tory party there and the whig party here, are identical. The identity of the two parties is remarkable. The tory party are the patrons of corporate monopolies; *and are not you?* They are advocates of a high tariff; *and are not you?* They are supporters of a national bank; *and are not you?* They are for corn-laws—laws oppressive to the masses of the people, and favorable to their own power; *and are not you?* Witness this bill. \* \* \* The success of that party in England, and of the whig party here, is the success of the great money power, which concentrates the interests of the two parties, and identifies their principles."

The bill was passed by a large majority, upon the general ground that the government must have revenue.

The chief measure of the session, and the great object of the whig party—the one for which it had labored for ten years—was for the re-charter of a national bank. Without this all other measures would be deemed to be incomplete, and the victorious election itself but little better than a defeat. The President, while a member of the Democratic party, had been opposed to the United States Bank; and to overcome any objections he might have the bill was carefully prepared, and studiously contrived to avoid the President's objections, and save his consistency—a point upon which he was exceedingly sensitive.

The democratic members resisted strenuously, in order to make the measure odious, but successful resistance was impossible. It passed both houses by a close vote; and contrary to all expectation the President disapproved the act, but with such expressions of readiness to approve another bill which should be free from the objections which he named, as still to keep his party together, and to prevent the resignation of his cabinet. In his veto message the President fell back upon his early opinions against the constitutionality of a national bank, so often and so publicly expressed.

The veto caused consternation among the whig members; and Mr. Clay openly gave expression to his dissatisfaction, in the debate on the veto message, in terms to assert that President Tyler had violated his faith to the whig party, and had been led off from them by new associations. He said: "And why should not President Tyler have suffered the bill to become a law without his signature? Without meaning the slightest possible disrespect to him (nothing is further from my heart than the exhibition of any such feeling towards that distinguished citizen, long my personal friend), it cannot be forgotten that he came into his present office under peculiar circumstances. The people did not foresee the contingency which has happened. They voted for him as Vice President. They did not, therefore, scrutinize his opinions with the care which they probably ought to have done, and would have done, if they could have looked into futurity. If the present state of the fact could have been anticipated—if at Harrisburg, or at the polls, it had been foreseen that General Harrison would die in one short month after the commencement of his administration; so that Vice President Tyler would be elevated to the presidential chair; that a bill passed by decisive majorities of the first whig Congress, chartering a national bank, would be presented for his sanction; and that he would veto the bill, do I hazard anything when I express the conviction that he would not have received a solitary vote in the nominating convention, nor one solitary electoral vote in any State in the Union?"

The vote was taken on the bill over again, as required by the constitution, and so far from receiving a two-thirds vote, it received only a bare majority, and was returned to the House with a message stating his objections to it, where it gave rise to some violent speaking, more directed to the personal conduct of the President than to the objections to the bill stated in his message. The veto was sustained; and so ended the second attempt to resuscitate the old United States Bank under a new name. This second movement to establish the bank has a secret history. It almost caused

the establishment of a new party, with Mr. Tyler as its head; earnest efforts having been made in that behalf by many prominent Whigs and Democrats. The entire cabinet, with the exception of Mr. Webster, resigned within a few days after the second veto. It was a natural thing for them to do, and was not unexpected. Indeed Mr. Webster had resolved to tender his resignation also, but on reconsideration determined to remain and publish his reasons therefor in a letter to the *National Intelligencer*, in the following words:

"Lest any misapprehension should exist, as to the reasons which led me to differ from the course pursued by my late colleagues, I wish to say that I remain in my place, first, because I have seen no sufficient reasons for the dissolution of the late Cabinet, by the voluntary act of its own members. I am perfectly persuaded of the absolute necessity of an institution, under the authority of Congress, to aid revenue and financial operations, and to give the country the blessings of a good currency and cheap exchanges. Notwithstanding what has passed, I have confidence that the President will co-operate with the legislature in overcoming all difficulties in the attainment of these objects; and it is to the union of the Whig party—by which I mean the whole party, the Whig President, the Whig Congress, and the Whig people—that I look for a realization of our wishes. I can look nowhere else. In the second place if I had seen reasons to resign my office, I should not have done so, without giving the President reasonable notice, and affording him time to select the hands to which he should confide the delicate and important affairs now pending in this department."

The conduct of the President in the matter of the vetoes of the two bank bills produced revolt against him in the party; and the Whigs of the two Houses of Congress held several formal meetings to consider what they should do in the new condition of affairs. An address to the people of the United States was resolved upon. The rejection of the bank bill gave great vexation to one side, and equal exultation to the other. The subject was not permitted to rest, however; a national bank was the life—the vital principle—of the Whig party, without which it could not live as a party; it was the power which was to give them power and the political and financial control of the Union. A second attempt was made, four days after the veto, to accomplish the end by amendments to a bill relating to the currency, which had been introduced early in the session. Mr. Sargeant of Pennsylvania, moved to strike out all after the enacting clause, and insert his amendments, which were substantially the same as the vetoed

bill, except changing the amount of capital and prohibiting discounts on notes other than bills of exchange. The bill was pushed to a vote with astonishing rapidity, and passed by a decided majority. In the Senate the bill went to a select committee which reported it back without alteration, as had been foreseen, the committee consisting entirely of friends of the measure; and there was a majority for it on final passage. Concurred in by the Senate without alteration, it was returned to the House, and thence referred to the President for his approval or disapproval. It was disapproved and it was promulgated in language intended to mean a repudiation of the President, a permanent separation of the Whig party from him, and to wash their hands of all accountability for his acts. An opening paragraph of the address set forth that, for twelve years the Whigs had carried on a contest for the regulation of the currency, the equalization of exchanges, the economical administration of the finances, and the advancement of industry—all to be accomplished by means of a national bank—declaring these objects to be misunderstood by no one and the bank itself held to be secured in the Presidential election, and its establishment the main object of the extra session. The address then proceeds to state how these plans were frustrated:

“It is with profound and poignant regret that we find ourselves called upon to invoke your attention to this point. Upon the great and leading measure touching this question, our anxious endeavors to respond to the earnest prayers of the nation have been frustrated by an act as unlooked for as it is to be lamented. We grieve to say to you that by the exercise of that power in the constitution which has ever been regarded with suspicion, and often with odium, by the people—a power which we had hoped was never to be exhibited on this subject, by a Whig President—we have been defeated in two attempts to create a fiscal agent, which the wants of the country had demonstrated to us, in the most absolute form of proof to be eminently necessary and proper in the present emergency. Twice have we with the utmost diligence and deliberation matured a plan for the collection, safe-keeping and disbursing of the public moneys through the agency of a corporation adapted to that end, and twice has it been our fate to encounter the opposition of the President, through the application of the veto power. \* \* \* We are constrained to say that we find no ground to justify us in the conviction that the veto of the President has been interposed on this question solely upon conscientious and well-considered opinions of constitutional scruple as to his duty in the case presented.

On the contrary, too many proofs have been forced upon our observation to leave us free from the apprehension that the President has permitted himself to be beguiled into an opinion that by this exhibition of his prerogative he might be able to divert the policy of his administration into a channel which should lead to new political combinations, and accomplish results which must overthrow the present divisions of party in the country; and finally produce a state of things which those who elected him, at least, have never contemplated.

\* \* \* \* \*

In this state of things, the Whigs will naturally look with anxiety to the future, and inquire what are the actual relations between the President and those who brought him into power; and what, in the opinion of their friends in Congress, should be their course hereafter. \* \* \* The President by his withdrawal of confidence from his real friends in Congress and from the members of his cabinet; by his bestowal of it upon others notwithstanding their notorious opposition to leading measures of his administrations has voluntarily separated himself from those by whose exertions and suffrage he was elevated to that office through which he has reached his present exalted station. \* \* \* \* \* The consequence is, that those who brought the President into power can be no longer, in any manner or degree, justly held responsible or blamed for the administration of the executive branch of the government; and the President and his advisers should be exclusively hereafter deemed accountable. \* \* \* The conduct of the President has occasioned bitter mortification and deep regret. Shall the party, therefore, yielding to sentiments of despair, abandon its duty, and submit to defeat and disgrace? Far from suffering such dishonorable consequences, the very disappointment which it has unfortunately experienced should serve only to redouble its exertions, and to inspire it with fresh courage to persevere with a spirit unsubdued and a resolution unshaken, until the prosperity of the country is fully re-established, and its liberties firmly secured against all danger from the abuses, encroachments or usurpations of the executive department of the government.”

This was the manifesto, so far as it concerns the repudiation of President Tyler, which Whig members of Congress put forth: it was answered (under the name of an address to his constituents) by Mr. Cushing, in a counter special plea—counter to it on all points—especially on the main question of which party the President was to belong to; the manifesto of the Whigs assigning him to the democracy—the address of Mr. Cushing, claiming him for the Whigs. It was es-

pecially severe on Mr. Clay, as setting up a caucus dictatorship to coerce the President; and charged that the address emanated from this caucus, and did not embody or represent the sentiments of all Whig leaders; and referred to Mr. Webster's letter, and his remaining in the cabinet as proof of this. But it was without avail against the concurrent statements of the retiring senators, and the confirmatory statements of many members of Congress. The Whig party recoiled from the President, and instead of the unity predicted by Mr. Webster, there was diversity and widespread dissension. The Whig party remained with Mr. Clay; Mr. Webster retired, Mr. Cushing was sent on a foreign mission, and the President, seeking to enter the democratic ranks, was refused by them, and left to seek consolation in privacy, for his political errors and omissions.

The extra session, called by President Harrison, held under Mr. Tyler, dominated by Mr. Clay, commenced May 31, and ended Sept. 13, 1841—and was replete with disappointed calculations, and nearly barren of permanent results. The purposes for which it was called into being, failed. The first annual message of President Tyler, at the opening of the regular session in December, 1841, coming in so soon after the termination of the extra session, was brief and meagre of topics, with few points of interest.

In the month of March, 1842, Mr. Henry Clay resigned his place in the Senate, and delivered a valedictory address to that body. He had intended this step upon the close of the previous presidential campaign, but had postponed it to take personal charge of the several measures which would be brought before Congress at the special session—the calling of which he foresaw would be necessary. He resigned not on account of age, or infirmity, or disinclination for public life; but out of disgust—profound and inextinguishable. He had been basely defeated for the Presidential nomination, against the wishes of the Whig party, of which he was the acknowledged head—he had seen his leading measures vetoed by the President whom his party had elected—the downfall of the Bank for which he had so often pledged himself—and the insolent attacks of the petty adherents of the administration in the two Houses: all these causes acting on his proud and lofty spirit, induced this withdrawal from public life for which he was so well fitted.

The address opened with a retrospect of his early entrance into the Senate, and a grand encomium upon its powers and dignity as he had found it, and left it. Memory went back to that early year, 1806, when just past thirty years of age, he entered the United States Senate, and com-

menced his high career—a wide and luminous horizon before him, and will and talent to fill it. He said: "From the year 1806, the period of my entering upon this noble theatre of my public service, with but short intervals, down to the present time, I have been engaged in the service of my country. Of the nature and value of those services which I may have rendered during my long career of public life, it does not become me to speak. History, if she deigns to notice me, and posterity—if a recollection of any humble service which I may have rendered, shall be transmitted to posterity—will be the best, truest, and most impartial judges; and to them I defer for a decision upon their value. But, upon one subject, I may be allowed to speak. As to my public acts and public conduct, they are for the judgment of my fellow citizens; but my private motives of action—that which prompted me to take the part which I may have done, upon great measures during their progress in the national councils, can be known only to the Great Searcher of the human heart and myself; and I trust I shall be pardoned for repeating again a declaration which I made thirty years ago: that whatever error I may have committed—and doubtless I have committed many during my public service—I may appeal to the Divine Searcher of hearts for the truth of the declaration which I now make, with pride and confidence, that I have been actuated by no personal motives—that I have sought no personal aggrandizement—no promotion from the advocacy of those various measures on which I have been called to act—that I have had an eye, a single eye, a heart, a single heart, ever devoted to what appeared to be the best interests of the country."

Mr. Clay led a great party, and for a long time, whether he dictated to it or not, and kept it well bound together, without the usual means of forming and leading parties. It was surprising that, without power and patronage, he was able so long and so undividedly to keep so great a party together, and lead it so unresistingly. He had great talents, but not equal to some whom he led. He had eloquence—superior in popular effect, but not equal in high oratory to that of some others. But his temperament was fervid, his will was strong, and his courage daring; and these qualities, added to his talents, gave him the lead and supremacy in his party, where he was always dominant. The farewell address made a deep impression upon the Senators present; and after its close, Mr. Preston brought the ceremony to a conclusion, by moving an adjournment, which was agreed to.

Again at this session was the subject of the tariff considered, but this time, as a

matter of absolute necessity, to provide a revenue. Never before were the coffers and the credit of the treasury at so low an ebb. A deficit of fourteen millions in the treasury—a total inability to borrow, either at home or abroad, the amount of the loan of twelve millions authorized the year before—the treasury notes below par, and the revenues from imports inadequate and decreasing.

The compromise act of 1833 in reducing the duties gradually through nine years, to a fixed low rate; the act of 1837 in distributing the surplus revenue; and the continual and continued distribution of the land revenue, had brought about this condition of things. The remedy was sought in a bill increasing the tariff, and suspending the land revenue distribution. Two such bills were passed in a single month, and both vetoed by the President. It was now near the end of August. Congress had been in session for an unprecedentedly long time. Adjournment could not be deferred, and could not take place without providing for the Treasury. The compromise act and the land distribution were the stumbling-blocks: it was resolved to sacrifice them together; and a bill was introduced raising the duties above the fixed rate of twenty per cent., and that breach of the mutual assurance in relation to the compromise, immediately in terms of the assurance, suspended the land revenue distribution—to continue it suspended while duties above the compromise limit continued to be levied. And as that has been the case ever since, the distribution of the land revenue has been suspended ever since. The bill was passed, and approved by the President, and Congress thereupon adjourned.

The subject of the navy was also under consideration at this session. The naval policy of the United States was a question of party division from the origin of parties in the early years of the government—the Federal party favoring a strong and splendid navy, the Republican a moderate establishment, adapted to the purposes of defense more than of offense. And this line of division has continued. Under the Whig regime the policy for a great navy developed itself. The Secretary of the Navy recommended a large increase of ships, seamen and officers, involving a heavy expense, though the government was not in a condition to warrant any such expenditure, and no emergency required an increase in that branch of the public service. The vote was taken upon the increase proposed by the Secretary of the Navy, and recommended by the President; and it was carried, the yeas and nays being well defined by the party line.

The first session of the twenty-eighth Congress, which convened December 1843,

exhibited in its political complexion, serious losses in the Whig following. The Democratic candidate for Speaker of the House of Representatives, was elected over the Whig candidate—the vote standing 128 to 59. Thus an adverse majority of more than two to one was the result to the Whig party at the first election after the extra session of 1841. The President's message referred to the treaty which had lately been concluded with Great Britain relative to the northwestern territory extending to the Columbia river, including Oregon and settling the boundary lines; and also to a pending treaty with Texas for her annexation to the United States; and concluded with a recommendation for the establishment of a paper currency to be issued and controlled by the Federal government.

For more than a year before the meeting of the Democratic Presidential Convention in Baltimore, in May 1844, it was evident to leading Democrats that Martin Van Buren was the choice of the party. To overcome this popular current and turn the tide in favor of Mr. Calhoun, who desired the nomination, resort was had to the pending question of the annexation of Texas. Mr. Van Buren was known to be against it, and Mr. Calhoun for it. To gain time, the meeting of the convention was postponed from December previous, which had been the usual time for holding such elections, until the following May. The convention met, and consisted of two hundred and sixty-six delegates, a decided majority of whom were for Mr. Van Buren, and cast their votes accordingly on the first ballot. But a chairman had been selected, who was adverse to his nomination; and aided by a rule adopted by the convention, which required a concurrence of two-thirds to effect a nomination, the opponents of Mr. Van Buren were able to accomplish his defeat. Mr. Calhoun had, before the meeting of the convention, made known his determination, in a public address, not to suffer his name to go before that assemblage as a candidate for the presidency, and stated his reasons for so doing, which were founded mainly on the manner in which the convention was constituted; his objections being to the mode of choosing delegates, and the manner of their giving in their votes—he contending for district elections, and the delegates to vote individually. South Carolina was not represented in the convention. After the first ballot Mr. Van Buren's vote sensibly decreased, until finally, Mr. James K. Polk, who was a candidate for the Vice Presidency, was brought forward and nominated unanimously for the chief office. Mr. Geo. M. Dallas was chosen as his colleague for the Vice Presidency. The nomination of these gentlemen, neither of whom had

been mentioned until late in the proceedings of the convention, for the offices for which they were finally nominated, was a genuine surprise to the country. No voice in favor of it had been heard; and no visible sign in the political horizon had announced it.

The Whig convention nominated Henry Clay, for President; and Theodore Frelinghuysen for Vice-President.

The main issues in the election which ensued, were mainly the party ones of Whig and Democrat, modified by the tariff and Texas questions. It resulted in the choice of the Democratic candidates, who received 170 electoral votes as against 105 for their opponents; the popular majority for the Democrats being 238,284, in a total vote of 2,834,108. Mr. Clay received a larger popular vote than had been given at the previous election for the Whig candidate, showing that he would have been elected had he then been the nominee of his party; though the popular vote at this election was largely increased over that of 1840. It is conceded that the 36 electoral votes of New York State gave the election to Mr. Polk. It was carried by a bare majority; due entirely to the Gubernatorial candidacy of Mr. Silas Wright, who had been mentioned for the vice-presidential nomination in connection with Mr. Van Buren, but who declined it after the sacrifice of his friend and colleague; and resigning his seat in the Senate, became a candidate for Governor of New York. The election being held at the same time as that for president, his name and popularity brought to the presidential ticket more than enough votes to make the majority that gave the electoral vote of the State to the Democrats.

President Tyler's annual and last message to Congress, in December 1844, contained, (as did that of the previous year) an elaborate paragraph on the subject of Texas and Mexico; the idea being the annexation of the former to the Union, and the assumption of her causes of grievance against the latter; and a treaty was pending to accomplish these objects. The scheme for the annexation of Texas was framed with a double aspect—one looking to the then pending presidential election, the other to the separation of the Southern States; and as soon as the rejection of the treaty was foreseen, and the nominating convention had acted, the disunion aspect manifested itself over many of the Southern States—beginning with South Carolina. Before the end of May, a great meeting took place at Ashley, in that State, to combine the slave States in a convention to unite the Southern States to Texas, if Texas should not be received into the Union; and to invite the President to convene Congress to arrange the terms of

the dissolution of the Union if the rejection of the annexation should be persevered in. Responsive resolutions were adopted in several States, and meetings held. The opposition manifested, brought the movement to a stand, and suppressed the disunion scheme for the time being—only to lie in wait for future occasions. But it was not before the people only that this scheme for a Southern convention with a view to the secession of the slave States was a matter of discussion; it was the subject of debate in the Senate; and there it was further disclosed that the design of the secessionists was to extend the new Southern republic to the Californias.

The treaty of annexation was supported by all the power of the administration, but failed; and it was rejected by the Senate by a two-thirds vote against it. Following this, a joint resolution was early brought into the House of Representatives for the admission of Texas as a State of the Union, by legislative action; it passed the House by a fair majority, but met with opposition in the Senate unless coupled with a proviso for negotiation and treaty, as a condition precedent. A bill authorizing the President and a commissioner to be appointed to agree upon the terms and conditions of said admission, the question of slavery within its limits, its debts, the fixing of boundaries, and the cession of territory, was coupled or united with the resolution; and in this shape it was finally agreed to, and became a law, with the concurrence of the President, March 3, 1845. Texas was then in a state of war with Mexico, though at that precise point of time an armistice had been agreed upon, looking to a treaty of peace. The House resolution was for an unqualified admission of the State; the Senate amendment or bill was for negotiation; and the bill actually passed would not have been concurred in except on the understanding that the incoming President (whose term began March 4, 1845, and who was favorable to negotiation) would act under the bill, and appoint commissioners accordingly.

Contrary to all expectation, the outgoing President, on the last day of his term, at the instigation of his Secretary of State, Mr. Calhoun, assumed the execution of the act providing for the admission of Texas—adopted the legislative clause—and sent out a special messenger with instructions. The danger of this had been foreseen, and suggested in the Senate; but close friends of Mr. Calhoun, speaking for the administration, and replying to the suggestion, indignantly denied it for them, and declared that they would not have the "audacity" to so violate the spirit and intent of the act, or so encroach upon the

rights of the new President. These statements from the friends of the Secretary and President that the plan by negotiation would be adopted, quieted the apprehension of those Senators opposed to legislative annexation or admission, and thus secured their votes, without which the bill would have failed of a majority. Thus was Texas incorporated into the Union. The legislative proposition sent by Mr. Tyler was accepted: Texas became incorporated with the United States, and in consequence the state of war was established between the United States and Mexico; it only being a question of time and chance when the armistice should end and hostilities begin. Although Mr. Calhoun was not in favor of war with Mexico—he believing that a money payment would settle the differences with that country—the admission of Texas into the Union under the legislative annexation clause of the statute, was really his act and not that of the President's; and he was, in consequence, afterwards openly charged in the Senate with being the real author of the war which followed.

The administration of President Polk opened March 4, 1845; and on the same day, the Senate being convened for the purpose, the cabinet ministers were nominated and confirmed. In December following the 29th Congress was organized. The House of Representatives, being largely Democratic, elected the Speaker, by a vote of 120, against 70 for the Whig candidate. At this session the "American" party—a new political organization—first made its appearance in the National councils, having elected six members of the House of Representatives, four from New York and two from Pennsylvania. The President's first annual message had for its chief topic, the admission of Texas, then accomplished, and the consequent dissatisfaction of Mexico; and referring to the preparations on the part of the latter with the apparent intention of declaring war on the United States, either by an open declaration, or by invading Texas. The message also stated causes which would justify this government in taking the initiative in declaring war—mainly the non-compliance by Mexico with the terms of the treaty of indemnity of April 11, 1839, entered into between that State and this government relative to injuries to American citizens during the previous eight years. He also referred to the fact of a minister having been sent to Mexico to endeavor to bring about a settlement of the differences between the nations, without a resort to hostilities. The message concluded with a reference to the negotiations with Great Britain relative to the Oregon boundary; a statement of the finances and the public debt, showing the

latter to be slightly in excess of seventeen millions; and a recommendation for a revision of the tariff, with a view to revenue as the object, with protection to home industry as the incident.

At this session of Congress, the States of Florida and Iowa were admitted into the Union; the former permitting slavery within its borders, the latter denying it. Long before this, the free and the slave States were equal in number, and the practice had grown up—from a feeling of jealousy and policy to keep them evenly balanced—of admitting one State of each character at the same time. Numerically the free and the slave States were thus kept even: in political power a vast inequality was going on—the increase of population being so much greater in the northern than in the southern region.

The Ashburton treaty of 1842 omitted to define the boundary line, and permitted, or rather did not prohibit, the joint occupation of Oregon by British and American settlers. This had been a subject of dispute for many years. The country on the Columbia River had been claimed by both. Under previous treaties the American northern boundary extended "to the latitude of 49 degrees north of the equator, and along that parallel indefinitely to the west." Attempts were made in 1842 and continuing since to 1846, to settle this boundary line, by treaty with Great Britain. It had been assumed that we had a dividing line, made by previous treaty, along the parallel of 54 degrees 40 minutes from the sea to the Rocky mountains. The subject so much absorbed public attention, that the Democratic National convention of 1844 in its platform of principles declared for that boundary line, or war as the consequence. It became known as the 54-40 plank, and was a canon of political faith. The negotiations between the governments were resumed in August, 1844. The Secretary of State, Mr. Calhoun, proposed a line along the parallel of 49 degrees of north latitude to the summit of the Rocky mountains and continuing that line thence to the Pacific Ocean; and he made this proposition notwithstanding the fact that the Democratic party—to which he belonged—were then in a high state of exultation for the boundary of 54 degrees 40 minutes, and the presidential canvass, on the Democratic side, was raging upon that cry.

The British Minister declined this proposition in the part that carried the line to the ocean, but offered to continue it from the summit of the mountains to the Columbia River, a distance of some three hundred miles, and then follow the river to the ocean. This was declined by Mr. Calhoun. The President had declared in his inaugural address in favor of the 54-40

line. He was in a dilemma; to maintain that position meant war with Great Britain; to recede from it seemed impossible. The proposition for the line of 49 degrees having been withdrawn by the American government on its non-acceptance by the British, had appeased the Democratic storm which had been raised against the President. Congress had come together under the loud cry of war, in which Mr. Cass was the leader, but followed by the body of the democracy, and backed and cheered by the whole democratic newspaper press. Under the authority and order of Congress notice had been served on Great Britain which was to abrogate the joint occupation of the country by the citizens of the two powers. It was finally resolved by the British Government to propose the line of 49 degrees, continuing to the ocean, as originally offered by Mr. Calhoun; and though the President was favorable to its acceptance, he could not, consistently with his previous acts, accept and make a treaty, on that basis. The Senate, with whom lies the power, under the constitution, of confirming or restricting all treaties, being favorable to it, without respect to party lines, resort was had, as in the early practice of the Government, to the President, asking the advice of the Senate upon the articles of a treaty before negotiation. A message was accordingly sent to the Senate, by the President, stating the proposition, and asking its advice, thus shifting the responsibility upon that body, and making the issue of peace or war depend upon its answer. The Senate advised the acceptance of the proposition, and the treaty was concluded.

The conduct of the Whig Senators, without whose votes the advice would not have been given nor the treaty made, was patriotic in preferring their country to their party—in preventing a war with Great Britain—and saving the administration from itself and its party friends.

The second session of the 29th Congress was opened in December, 1846. The President's message was chiefly in relation to the war with Mexico, which had been declared by almost a unanimous vote in Congress. Mr. Calhoun spoke against the declaration in the Senate, but did not vote upon it. He was sincerely opposed to the war, although his conduct had produced it. Had he remained in the cabinet, to do which he had not concealed his wish, he would, no doubt, have labored earnestly to have prevented it. Many members of Congress, of the same party with the administration, were extremely averse to the war, and had interviews with the President, to see if it was inevitable, before it was declared. Members were under the impression that the war could not last above three months.

The reason for these impressions was that an intrigue was laid, with the knowledge of the Executive, for a peace, even before the war was declared, and a special agent dispatched to bring about a return to Mexico of its exiled President, General Santa Anna, and conclude a treaty of peace with him, on terms favorable to the United States. And for this purpose Congress granted an appropriation of three millions of dollars to be placed at the disposal of the President, for negotiating for a boundary which should give the United States additional territory.

While this matter was pending in Congress, Mr. Wilmot of Pennsylvania introduced and moved a proviso, "*that no part of the territory to be acquired should be open to the introduction of slavery.*" It was a proposition not necessary for the purpose of excluding slavery, as the only territory to be acquired was that of New Mexico and California, where slavery was already prohibited by the Mexican laws and constitution. The proviso was therefore nugatory, and only served to bring on a slavery agitation in the United States. For this purpose it was seized upon by Mr. Calhoun and declared to be an outrage upon and menace to the slave-holding States. It occupied the attention of Congress for two sessions, and became the subject of debate in the State Legislatures, several of which passed disunion resolutions. It became the watchword of party—the synonym of civil war, and the dissolution of the Union. Neither party really had anything to fear or to hope from the adoption of the proviso—the soil was free, and the Democrats were not in a position to make slave territory of it, because it had just enunciated as one of its cardinal principles, that there was "*no power in Congress to legislate upon slavery in Territories.*" Never did two political parties contend more furiously about nothing. Close observers, who had been watching the progress of the slavery agitation since its inauguration in Congress in 1835, knew it to be the means of keeping up an agitation for the benefit of the political parties—the abolitionists on one side and the disunionists or nullifiers on the other—to accomplish their own purposes. This was the celebrated Wilmot Proviso, which for so long a time convulsed the Union; assisted in forcing the issue between the North and South on the slavery question, and almost caused a dissolution of the Union. The proviso was defeated; that chance of the nullifiers to force the issue was lost; another had to be made, which was speedily done, by the introduction into the Senate on the 19th February, 1847, by Mr. Calhoun of his new slavery resolutions, declaring the Territories to be the common property of the several States; denying



the right of Congress to prohibit slavery in a Territory, or to pass any law which would have the effect to deprive the citizens of any slave State from emigrating with his property (slaves) into such Territory. The introduction of the resolutions was prefaced by an elaborate speech by Mr. Calhoun, who demanded an immediate vote upon them. They never came to a vote; they were evidently introduced for the mere purpose of carrying a question to the slave States on which they could be formed into a unit against the free States; and so began the agitation which finally led to the abrogation of the Missouri Compromise line, and arrayed the States of one section against those of the other.

The Thirtieth Congress, which assembled for its first session in December, 1847, was found, so far as respects the House of Representatives, to be politically adverse to the administration. The Whigs were in the majority, and elected the Speaker; Robert C. Winthrop, of Massachusetts, being chosen. The President's message contained a full report of the progress of the war with Mexico; the success of the American arms in that conflict; the victory of Cerro Gordo, and the capture of the City of Mexico; and that negotiations were then pending for a treaty of peace. The message concluded with a reference to the excellent results from the independent treasury system.

The war with Mexico was ended by the signing of a treaty of peace, in February, 1848, by the terms of which New Mexico and Upper California were ceded to the United States, and the lower Rio Grande, from its mouth to El Paso, taken for the boundary of Texas. For the territory thus acquired, the United States agreed to pay to Mexico the sum of fifteen million dollars, in five annual installments; and besides that, assumed the claims of American citizens against Mexico, limited to three and a quarter million dollars, out of and on account of which claims the war ostensibly originated. The victories achieved by the American commanders, Generals Zachary Taylor and Winfield Scott, during that war, won for them national reputations, by means of which they were brought prominently forward for the Presidential succession.

The question of the power of Congress to legislate on the subject of slavery in the Territories, was again raised, at this session, on the bill for the establishment of the Oregon territorial government. An amendment was offered to insert a provision for the extension of the Missouri compromise line to the Pacific Ocean; which line thus extended was intended by the amendment to be permanent, and to apply to all future territories established in the West. This amendment was lost, but the bill was finally

passed with an amendment incorporating into it the anti-slavery clause of the ordinance of 1787. Mr. Calhoun, in the Senate, declared that the exclusion of slavery from any territory was a subversion of the Union; openly proclaimed the strife between the North and South to be ended, and the separation of the States accomplished. His speech was an open invocation to disunion, and from that time forth, the efforts were regular to obtain a meeting of the members from the slave States, to unite in a call for a convention of the slave States to redress themselves. He said: "The great strife between the North and the South is ended. The North is determined to exclude the property of the slaveholder, and, of course, the slaveholder himself, from its territory. On this point there seems to be no division in the North. In the South, he regretted to say, there was some division of sentiment. The effect of this determination of the North was to convert all the Southern population into slaves; and he would never consent to entail that disgrace on his posterity. He denounced any Southern man who would not take the same course. Gentlemen were greatly mistaken if they supposed the Presidential question in the South would override this more important one. The separation of the North and the South is completed. The South has now a most solemn obligation to perform—to herself—to the constitution—to the Union. She is bound to come to a decision not to permit this to go on any further, but to show that, dearly as she prizes the Union, there are questions which she regards as of greater importance than the Union. This is not a question of territorial government, but a question involving the continuance of the Union." The President, in approving the Oregon bill, took occasion to send in a special message, pointing out the danger to the Union from the progress of the slavery agitation, and urged an adherence to the principles of the ordinance of 1787—the terms of the Missouri compromise of 1820—as also that involved and declared in the Texas case in 1845, as the means of averting that danger.

The Presidential election of 1848 was coming on. The Democratic convention met in Baltimore in May of that year; each State being represented in the convention by the number of delegates equal to the number of electoral votes it was entitled to; saving only New York, which sent two sets of delegates, and both were excluded. The delegates were, for the most part, members of Congress and officeholders. The two-thirds rule, adopted by the previous convention, was again made a law of the convention. The main question which arose upon the formation of the platform for the campaign, was the

doctrine advanced by the Southern members of non-interference with slavery in the States or in the Territories. The candidates of the party were, Lewis Cass, of Michigan, for President, and General Wm. O. Butler, of Kentucky, for Vice-President.

The Whig convention, taking advantage of the popularity of Genl. Zachary Taylor, for his military achievements in the Mexican war, then just ended; and his consequent availability as a candidate, nominated him for the Presidency, over Mr. Clay, Mr. Webster and General Scott, who were his competitors before the convention. Millard Fillmore was selected as the Vice-presidential candidate.

A third convention was held, consisting of the disaffected Democrats from New York who had been excluded from the Baltimore convention. They met at Utica, New York, and nominated Martin Van Buren for President, and Charles Francis Adams for Vice President. The principles of its platform, were, that Congress should abolish slavery wherever it constitutionally had the power to do so—[which was intended to apply to the District of Columbia]—that it should not interfere with it in the slave States—and that it should prohibit it in the Territories. This party became known as “Free-soilers,” from their doctrines thus enumerated, and their party cry of “free-soil, free-speech, free-labor, free-men.” The result of the election, as might have been foreseen, was to lose New York State to the Baltimore candidate, and give it to the whigs, who were triumphant in the reception of 163 electoral votes for their candidates, against 127 for the democrats; and none for the free-soilers.

The last message of President Polk, in December following, gave him the opportunity to again urge upon Congress the necessity for some measure to quiet the slavery agitation, and he recommended the extension of the Missouri compromise line to the Pacific Ocean, passing through the new Territories of California and New Mexico, as a fair adjustment, to meet as far as possible the views of all parties. The President referred also to the state of the finances; the excellent condition of the public treasury; government loans, commanding a high premium; gold and silver the established currency; and the business interests of the country in a prosperous condition. And this was the state of affairs, only one year after emergency from a foreign war. It would be unfair not to give credit to the President and to Senator Benton and others equally prominent and courageous, who at that time had to battle against the bank theory and national paper money currency, as strongly urged and advocated, and to prove even-

tually that the money of the Constitution—gold and silver—was the only currency to ensure a successful financial working of the government, and prosperity to the people.

The new President, General Zachary Taylor, was inaugurated March 4, 1849. The Senate being convened, as usual, in extra session, for the purpose, the Vice President elect, Millard Fillmore, was duly installed; and the Whig cabinet officers nominated by the President, promptly confirmed. An additional member of the Cabinet was appointed by this administration to preside over the new “Home Department” since called the “Interior,” created at the previous session of Congress.

The following December Congress met in regular session—the 31st since the organization of the federal government. The Senate consisted of sixty members, among whom were Mr. Webster, Mr. Calhoun, and Mr. Clay, who had returned to public life. The House had 230 members; and although the whigs had a small majority, the House was so divided on the slavery question in its various phases, that the election for Speaker resulted in the choice of the Democratic candidate, Mr. Cobb, of Georgia, by a majority of three votes. The annual message of the President plainly showed that he comprehended the dangers to the Union from a continuance of sectional feeling on the slavery question, and he averred his determination to stand by the Union to the full extent of his obligations and powers. At the previous session Congress had spent six months in endeavoring to frame a satisfactory bill providing territorial governments for California and New Mexico, and had adjourned finally without accomplishing it, in consequence of inability to agree upon whether the Missouri compromise line should be carried to the ocean, or the territories be permitted to remain as they were—slavery prohibited under the laws of Mexico. Mr. Calhoun brought forward, in the debate, a new doctrine—extending the Constitution to the territory, and arguing that as that instrument recognized the existence of slavery, the settlers in such territory should be permitted to hold their slave property taken there, and be protected. Mr. Webster’s answer to this was that the Constitution was made for States, not territories; that it cannot operate anywhere, not even in the States for which it was made, without acts of Congress to enforce it. The proposed extension of the constitution to territories, with a view to its transportation of slavery along with it, was futile and nugatory, without the act of Congress to vitalize slavery under it. The early part of the year had witnessed ominous movements—

nightly meetings of large numbers of members from the slave States, led by Mr. Calhoun, to consider the state of things between the North and the South. They appointed committees who prepared an address to the people. It was in this condition of things, that President Taylor expressed his opinion, in his message, of the remedies required. California, New Mexico and Utah, had been left without governments. For California, he recommended that having a sufficient population and having framed a constitution, she be admitted as a State into the Union; and for New Mexico and Utah, without mixing the slavery question with their territorial governments, they be left to ripen into States, and settle the slavery question for themselves in their State constitutions.

With a view to meet the wishes of all parties, and arrive at some definite and permanent adjustment of the slavery question, Mr. Clay early in the session introduced compromise resolutions which were practically a tacking together of the several bills then on the calendar, providing for the admission of California—the territorial government for Utah and New Mexico—the settlement of the Texas boundary—slavery in the District of Columbia—and for a fugitive slave law. It was seriously and earnestly opposed by many, as being a concession to the spirit of disunion—a capitulation under threat of secession; and as likely to become the source of more contentions than it proposed to quiet.

The resolutions were referred to a special committee, who promptly reported a bill embracing the comprehensive plan of compromise which Mr. Clay proposed. Among the resolutions offered, was the following: "Resolved, that as slavery does not exist by law and is not likely to be introduced into any of the territory acquired by the United States from the Republic of Mexico, it is inexpedient for Congress to provide by law either for its introduction into or exclusion from any part of the said territory; and that appropriate territorial governments ought to be established by Congress in all of the said territory, and assigned as the boundaries of the proposed State of California, without the adoption of any restriction or condition on the subject of slavery." Mr. Jefferson Davis of Mississippi, objected that the measure gave nothing to the South in the settlement of the question; and he required the extension of the Missouri compromise line to the Pacific Ocean as the least that he would be willing to take, with the specific recognition of the right to hold slaves in the territory below that line; and that, before such territories are admitted into the Union as States, slaves may be taken there

from any of the United States at the option of their owner.

Mr. Clay in reply, said: "Coming from a slave State, as I do, I owe it to myself, I owe it to truth, I owe it to the subject, to say that no earthly power could induce me to vote for a specific measure for the introduction of slavery where it had not before existed, either south or north of that line. \* \* \* If the citizens of those territories choose to establish slavery, and if they come here with constitutions establishing slavery, I am for admitting them with such provisions in their constitutions; but then it will be their own work, and not ours, and their posterity will have to reproach them, and not us, for forming constitutions allowing the institution of slavery to exist among them."

Mr. Seward of New York, proposed a renewal of the Wilmot Proviso, in the following resolution: "Neither slavery nor involuntary servitude, otherwise than by conviction for crime, shall ever be allowed in either of said territories of Utah and New Mexico;" but his resolution was rejected in the Senate by a vote of 23 yeas to 33 nays. Following this, Mr. Calhoun had read for him in the Senate, by his friend James M. Mason of Virginia, his last speech. It embodied the points covered by the address to the people, prepared by him the previous year; the probability of a dissolution of the Union, and presenting a case to justify it. The tenor of the speech is shown by the following extracts from it: "I have, Senators, believed from the first, that the agitation of the subject of slavery would, if not prevented by some timely and effective measure, end in disunion. Entertaining this opinion, I have, on all proper occasions, endeavored to call the attention of each of the two great parties which divide the country to adopt some measure to prevent so great a disaster, but without success. The agitation has been permitted to proceed, with almost no attempt to resist it, until it has reached a period when it can no longer be disguised or denied that the Union is in danger. You have had forced upon you the greatest and gravest question that can ever come under your consideration: How can the Union be preserved? \* \* \* \* \* Instead of being weaker, all the elements in favor of agitation are stronger now than they were in 1835, when it first commenced, while all the elements of influence on the part of the South are weaker. Unless something decisive is done, I again ask what is to stop this agitation, before the great and final object at which it aims—the abolition of slavery in the States—is consummated? Is it, then, not certain that if something decisive is not now done to arrest it, the South will be forced to choose between abolition and secession? Indeed

as events are now moving, it will not require the South to secede to dissolve the Union. \* \* \* \* \* If the agitation goes on, nothing will be left to hold the States together except force." He answered the question, *How can the Union be saved?* with which his speech opened, by suggesting. "To provide for the insertion of a provision in the constitution, by an amendment, which will restore to the South in substance the power she possessed of protecting herself, before the equilibrium between the sections was destroyed by the action of the government." He did not state of what the amendment should consist, but later on, it was ascertained from reliable sources that his idea was a dual executive—one President from the free, and one from the slave States, the consent of both of whom should be required to all acts of Congress before they become laws. This speech of Mr. Calhoun's, is important as explaining many of his previous actions; and as furnishing a guide to those who ten years afterwards attempted to carry out practically the suggestions thrown out by him.

Mr. Clay's compromise bill was rejected. It was evident that no compromise of any kind whatever on the subject of slavery, under any one of its aspects separately, much less under all put together, could possibly be made. There was no spirit of concession manifested. The numerous measures put together in Mr. Clay's bill were disconnected and separated. Each measure received a separate and independent consideration, and with a result which showed the injustice of the attempted conjunction; for no two of them were passed by the same vote, even of the members of the committee which had even unanimously reported favorably upon them as a whole.

Mr. Calhoun died in the spring of 1850; before the separate bill for the admission of California was taken up. His death took place at Washington, he having reached the age of 68 years. A eulogy upon him was delivered in the Senate by his colleague, Mr. Butler, of South Carolina. Mr. Calhoun was the first great advocate of the doctrine of secession. He was the author of the nullification doctrine, and an advocate of the extreme doctrine of States Rights. He was an eloquent speaker—a man of strong intellect. His speeches were plain, strong, concise, sometimes impassioned, and always severe. Daniel Webster said of him, that "he had the basis, the indispensable basis of all high characters, and that was unspotted integrity, unimpeached honor and character!"

In July of this year an event took place which threw a gloom over the country. The President, General Taylor, contracted a

fever from exposure to the hot sun at a celebration of Independence Day, from which he died four days afterwards. He was a man of irreproachable private character, undoubted patriotism, and established reputation for judgment and firmness. His brief career showed no deficiency of political wisdom nor want of political training. His administration was beset with difficulties, with momentous questions pending, and he met the crisis with firmness and determination, resolved to maintain the Federal Union at all hazards. His first and only annual message, the leading points of which have been stated, evinces a spirit to do what was right among all the States. His death was a public calamity. No man could have been more devoted to the Union nor more opposed to the slavery agitation; and his position as a Southern man and a slaveholder—his military reputation, and his election by a majority of the people as well as of the States, would have given him a power in the settlement of the pending questions of the day which no President without these qualifications could have possessed.

In accordance with the Constitution, the office of President thus devolved upon the Vice-President, Mr. Millard Fillmore, who was duly inaugurated July 10, 1850. The new cabinet, with Daniel Webster as Secretary of State, was duly appointed and confirmed by the Senate.

The bill for the admission of California as a State in the Union, was called up in the Senate and sought to be amended by extending the Missouri Compromise line through it, to the Pacific Ocean, so as to authorize slavery in the State below that line. The amendment was introduced and pressed by Southern friends of the late Mr. Calhoun, and made a test question. It was lost, and the bill passed by a two-third vote; whereupon ten Southern Senators offered a written protest, the concluding clause of which was: "We dissent from this bill, and solemnly protest against its passage, because in sanctioning measures so contrary to former precedents, to obvious policy, to the spirit and intent of the constitution of the United States, for the purpose of excluding the slaveholding States from the territory thus to be erected into a State, this government in effect declares that the exclusion of slavery from the territory of the United States is an object so high and important as to justify a disregard not only of all the principles of sound policy, but also of the constitution itself. Against this conclusion we must now and for ever protest, as it is destructive of the safety and liberties of those whose rights have been committed to our care, fatal to the peace and equality of the States which we represent, and must lead, if persisted in, to the dissolution of that

confederacy, in which the slaveholding States have never sought more than equality, and in which they will not be content to remain with less." On objection being made, followed by debate, the Senate refused to receive the protest, or permit it to be entered on the Journal. The bill went to the House of Representatives, was readily passed, and promptly approved by the President. Thus was virtually accomplished the abrogation of the Missouri compromise line; and the extension or non-extension of slavery was then made to form a foundation for future political parties.

The year 1850 was prolific with disunion movements in the Southern States. The Senators who had joined with Mr. Calhoun in the address to the people, in 1849, united with their adherents in establishing at Washington a newspaper entitled "The Southern Press," devoted to the agitation of the slavery question; to presenting the advantages of disunion, and the organization of a confederacy of Southern States to be called the "United States South." Its constant aim was to influence the South against the North, and advocated concert of action by the States of the former section. It was aided in its efforts by newspapers published in the South, more especially in South Carolina and Mississippi. A disunion convention was actually held, in Nashville, Tennessee, and invited the assembly of a Southern Congress. Two States, South Carolina and Mississippi responded to the appeal; passed laws to carry it into effect, and the former went so far as to elect its quota of Representatives to the proposed new Southern Congress. These occurrences are referred to as showing the spirit that prevailed, and the extraordinary and unjustifiable means used by the leaders to mislead and exasperate the people. The assembling of a Southern "Congress" was a turning point in the progress of disunion. Georgia refused to join; and her weight as a great Southern State was sufficient to cause the failure of the scheme. But the seeds of discord were sown, and had taken root, only to spring up at a future time when circumstances should be more favorable to the accomplishment of the object.

Although the Congress of the United States had in 1790 and again in 1836 formally declared the policy of the government to be non-interference with the States in respect to the matter of slavery within the limits of the respective States, the subject continued to be agitated in consequence of petitions to Congress to abolish slavery in the District of Columbia, which was under the exclusive control of the federal government; and of movements throughout the United States to limit, and finally abolish it. The subject first made its

appearance in national politics in 1840, when a presidential ticket was nominated by a party then formed favoring the abolition of slavery; it had a very slight following which was increased ten-fold at the election of 1844 when the same party again put a ticket in the field with James G. Birney of Michigan, as its candidate for the Presidency; who received 62,140 votes. The efforts of the leaders of that faction were continued, and persisted in to such an extent, that when in 1848 it nominated a ticket with Gerritt Smith for President, against the Democratic candidate, Martin Van Buren, the former received 296,232 votes. In the presidential contest of 1852 the abolition party again nominated a ticket, with John P. Hale as its candidate for President, and polled 157,926 votes. This large following was increased from time to time, until uniting with a new party then formed, called the Republican party, which latter adopted a platform endorsing the views and sentiments of the abolitionists, the great and decisive battle for the principles involved, was fought in the ensuing presidential contest of 1856; when the candidate of the Republican party, John C. Fremont, supported by the entire abolition party, polled 1,341,812 votes. The first national platform of the Abolition party, upon which it went into the contest of 1840, favored the abolition of slavery in the District of Columbia and Territories; the inter-state slave trade, and a general opposition to slavery to the full extent of constitutional power.

Following the discussion of the subject of slavery, in the Senate and House of Representatives, brought about by the presentation of petitions and memorials, and the passage of the resolutions in 1836 rejecting such petitions, the question was again raised by the presentation in the House, by Mr. Slade of Vermont, on the 20th December 1837, of two memorials praying the abolition of slavery in the District of Columbia, and moving that they be referred to a select committee. Great excitement prevailed in the chamber, and of the many attempts by the Southern members an adjournment was had. The next day a resolution was offered that thereafter all such petitions and memorials touching the abolition of slavery should, when presented, be laid on the table; which resolution was adopted by a large vote. During the 24th Congress, the Senate pursued the course of laying on the table the motion to receive all abolition petitions; and both Houses during the 25th Congress continued the same course of conduct; when finally on the 25th of January 1840, the House adopted by a vote of 114 to 108, an amendment to the rules, called the 21st Rule, which provided:—"that no petition, memorial or resolution, or other paper, pray-

ing the abolition of slavery in the District of Columbia, or any state or territory, or the slave-trade between the States or territories of the United States, in which it now exists, shall be received by this House, or entertained in any way whatever." This rule was afterwards, on the 3d of December, 1844, rescinded by the House, on motion of Mr. J. Quincy Adams, by a vote of 108 to 80; and a motion to re-instate it, on the 1st of December 1845, was rejected by a vote of 84 to 121. Within five years afterwards—on the 17th September 1850,—the Congress of the United States enacted a law, which was approved by the President, abolishing slavery in the District of Columbia.

On the 25th of February, 1850, there was presented in the House of Representatives, two petitions from citizens of Pennsylvania and Delaware, setting forth that slavery, and the constitution which permits it, violates the Divine law; is inconsistent with republican principles; that its existence has brought evil upon the country; and that no union can exist with States which tolerate that institution; and asking that some plan be devised for the immediate, peaceful dissolution of the Union. The House refused to receive and consider the petitions; as did also the Senate when the same petitions were presented the same month.

The presidential election of 1852 was the last campaign in which the Whig party appeared in National politics. It nominated a ticket with General Winfield Scott as its candidate for President. His opponent on the Democratic ticket was General Franklin Pierce. A third ticket was placed in the field by the Abolition party, with John P. Hale as its candidate for President. The platform and declaration of principles of the Whig party was in substance a ratification and endorsement of the several measures embraced in Mr. Clay's compromise resolutions of the previous session of Congress, before referred to; and the policy of a revenue for the economical administration of the government, to be derived mainly from duties on imports, and by these means to afford protection to American industry. The main plank of the platform of the Abolition party (or Independent Democrats, as they were called) was for the non-extension and gradual extinction of slavery. The Democratic party equally adhered to the compromise measure. The election resulted in the choice of Franklin Pierce, by a popular vote of 1,601,474, and 254 electoral votes, against a popular aggregate vote of 1,542,403 (of which the abolitionists polled 157,926) and 42 electoral votes, for the Whig and Abolition candidates. Mr. Pierce was duly inaugurated as President, March 4, 1853.

The first political parties in the United States, from the establishment of the federal government and for many years afterwards, were denominated Federalists and Democrats, or Democratic Republicans. The former was an anti-alien party. The latter was made up to a large extent of naturalized foreigners; refugees from England, Ireland and Scotland, driven from home for hostility to the government or for attachment to France. Naturally, aliens sought alliance with the Democratic party, which favored the war against Great Britain. The early party contests were based on the naturalization laws; the first of which, approved March 26, 1790, required only two years' residence in this country; a few years afterwards the time was extended to five years; and in 1798 the Federalists taking advantage of the war fever against France, and then being in power, extended the time to fourteen years. (See Alien and Sedition Laws of 1798). Jefferson's election and Democratic victory of 1800, brought the period back to five years in 1802, and re-inforced the Democratic party. The city of New York, especially, from time to time became filled with foreigners; thus naturalized; brought into the Democratic ranks; and crowded out native Federalists from control of the city government, and to meet this condition of affairs, the first attempt at a Native American organization was made. Beginning in 1835; ending in failure in election of Mayor in 1837, it was revived in April, 1844, when the Native American organization carried New York city for its Mayoralty candidate by a good majority. The success of the movement there, caused it to spread to New Jersey and Pennsylvania. In Philadelphia, it was desperately opposed by the Democratic, Irish and Roman Catholic element, and so furiously, that it resulted in riots, in which two Romish Churches were burned and destroyed. The adherents of the American organization were not confined to Federalists or Whigs, but largely of native Democrats; and the Whigs openly voted with Democratic Natives in order to secure their vote for Henry Clay for the Presidency; but when in November, 1844, New York and Philadelphia both gave Native majorities, and so sapped the Whig vote, that both places gave majorities for the Democratic Presidential electors, the Whigs drew off. In 1845, at the April election in New York, the natives were defeated, and the new party disappeared there. As a result of the autumn election of 1844, the 29th Congress, which organized in December, 1845, had six Native Representatives; four from New York and two from Pennsylvania. In the 30th Congress, Pennsylvania had one. Thereafter for some years, with the exception of a

small vote in Pennsylvania and New York, Nativism disappeared. An able writer of that day—Hon. A. H. H. Stuart, of Virginia—published under the non-de-plume of "Madison" several letters in vindication of the American party (revived in 1852,) in which he said: "The vital principle of the American party is *Americanism*—developing itself in a deep-rooted attachment to our own country—its constitution, its union, and its laws—to American men, and American measures, and American interests—or, in other words, a fervent patriotism—which, rejecting the transcendental philanthropy of abolitionists, and that kindred batch of wild enthusiasts, who would seek to embroil us with foreign countries, in righting the wrongs of Ireland, or Hungary, or Cuba—would guard with vestal vigilance American institutions and American interests against the baneful effects of foreign influence."

About 1852, when the question of slavery in the territories, and its extension or its abolition in the States, was agitated and causing sectional differences in the country, many Whigs and Democrats forsook their parties, and took sides on the questions of the day. This was aggravated by the large number of alien naturalized citizens constantly added to the ranks of voters, who took sides with the Democrats and against the Whigs. Nativism then re-appeared, but in a new form—that of a secret fraternity. Its real name and objects were not revealed—even to its members, until they reached a high degree in the order; and the answer of members on being questioned on these subjects was, "I don't know"—which gave it the popular name, by which it is yet known, of "Know-nothing." Its moving causes were the growing power and designs of the Roman Catholic Church in America; the sudden influx of aliens; and the greed and incapacity of naturalized citizens for office. Its cardinal principle was: "Americans must rule America"; and its countersign was the order of General Washington on a critical occasion during the war: "Put none but Americans on guard to-night." Its early nominations were not made public, but were made by select committees and conventions of delegates. At first these nominations were confined to selections of the best Whig or best Democrat on the respective tickets; and the choice not being made known, but quietly voted for by all the members of the order, the effect was only visible after election, and threw all calculation into chaos. For a while it was really the arbiter of elections.

On February 8, 1853, a bill passed the House of Representatives providing a territorial government for Nebraska, embracing all of what is now Kansas and Nebraska. It was silent on the subject of

the repeal of the Missouri Compromise. The bill was tabled in the Senate; to be revived at the following session. In the Senate it was amended, on motion of Mr. Douglas, to read: "That so much of the 8th section of an act approved March 6, 1820, (the Missouri compromise) \* \* \* which, being inconsistent with the principles of non-intervention by Congress with slavery in the States and Territories, as recognized by the legislature of 1850, commonly called the Compromise measures, is hereby declared inoperative and void; it being the true intent and meaning of this act not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States." It was further amended, on motion of Senator Clayton, to prohibit "alien suffrage." In the House this amendment was not agreed to; and the bill finally passed without it, on the 25th May, 1854.

So far as Nebraska was concerned, no excitement of any kind marked the initiation of her territorial existence. The persons who emigrated there seemed to regard the pursuits of business as of more interest than the discussion of slavery. Kansas was less fortunate. Her territory became at once the battle-field of a fierce political conflict between the advocates of slavery, and the free soil men from the North who went there to resist the establishment of that institution in the territory. Differences arose between the Legislature and the Governor, brought about by antagonisms between the Pro-slavery party and the Free State party; and the condition of affairs in Kansas assumed so frightful a mien in January, 1856, that the President sent a special message to Congress on the subject, January 24, 1856; followed by a Proclamation, February 11, 1856, "warning all unlawful combinations (in the territory) to retire peaceably to their respective abodes, or he would use the power of the local militia, and the available forces of the United States to disperse them."

Several applications were made to Congress for several successive years, for the admission of Kansas as a state in the Union; upon the basis of three separate and distinct constitutions, all differing as to the main questions at issue between the contending factions. The name of Kansas was for some years synonymous with all that is lawless and anarchical. Elections became mere farces, and the officers thus fraudulently placed in power, used their authority only for their own or their party's interest. The party opposed to slavery at length triumphed; a constitution

excluding slavery was adopted in 1859, and Kansas was admitted into the Union January 29, 1861.

Under the fugitive slave law, which was passed by Congress at the session of 1850, as one of the Compromise measures, introduced by Mr. Clay, a long and exciting litigation occurred to test the validity and constitutionality of the act, and the several laws on which it depended. The suit was instituted by Dred Scott, a negro slave, in the Circuit Court of the United States for the District of Missouri, in April Term, 1854, against John F. A. Sanford, his alleged owner, for trespass *vi et armis*, in holding the plaintiff and his wife and daughters in slavery in said District of Missouri, where by law slavery was prohibited; they having been previously lawfully held in slavery by a former owner—Dr. Emerson—in the State of Illinois, from whence they were taken by him to Missouri, and sold to the defendant, Sanford. The case went up on appeal to the Supreme Court of the United States, and was clearly and elaborately argued. The majority opinion, delivered by Chief Justice Taney, as also the dissenting opinions, are reported in full in Howard's U. S. Supreme Court Reports, Volume 19, page 393. In respect to the territories the Constitution grants to Congress the power "to make all needful rules and regulations concerning the territory and *other property* belonging to the United States." The Court was of opinion that the clause of the Constitution applies only to the territory within the original States at the time the Constitution was adopted, and that it did not apply to future territory acquired by treaty or conquest from foreign nations. They were also of opinion that the power of Congress over such future territorial acquisitions was not unlimited, that the citizens of the States migrating to a territory were not to be regarded as colonists, subject to absolute power in Congress, but as citizens of the United States, with all the rights of citizenship guaranteed by the Constitution, and that no legislation was constitutional which attempted to deprive a citizen of his property on his becoming a resident of a territory. This question in the case arose under the act of Congress prohibiting slavery in the territory of upper Louisiana, (acquired from France, afterwards the State), and of which the territory of Missouri was formed. Any obscurity as to what constitutes citizenship, will be removed by attending to the distinction between local rights of citizenship of the United States according to the Constitution. Citizenship at large in the sense of the Constitution can be conferred on a foreigner only by the naturalization laws of Congress. But each State, in the exer-

cise of its local and reserved sovereignty, may place foreigners or other persons on a footing with its own citizens, as to political rights and privileges to be enjoyed within its own dominion. But State regulations of this character do not make the persons on whom such rights are conferred citizens of the United States or entitle them to the privileges and immunities of citizens in another State. See 5 Wheaton, (U. S. Supreme Court Reports), page 49.

The Court said in The Dred Scott case, above referred to, that:—"The right of property in a slave is distinctly and expressly affirmed in the Constitution. The right to traffic in it like the ordinary article of merchandise and property was guaranteed to the citizens of the United States, in every State that might desire it for twenty years, and the government in express terms is pledged to protect it in all future time if the slave escapes from his owner. This is done in plain words—too plain to be misunderstood, and no word can be found in the Constitution which gives Congress a greater power over slave property, or which entitles property of that kind to less protection than the property of any other description. The only power conferred is the power coupled with the duty of guarding and protecting the owner in his rights. Upon these considerations, it is the opinion of the Court that the Act of Congress which prohibited a citizen from holding and owning property of this kind in the territory of the United States north of the line therein mentioned, is not warranted by the Constitution and is therefore void; and that neither Dred Scott himself, nor any of his family were made free by being carried into this territory; even if they had been carried there by the owner with the intention of becoming a permanent resident." The abolition of slavery by the 13th amendment to the Constitution of the United States ratified and adopted December 18, 1865, has put an end to these discussions formerly so numerous.

As early as 1854, the Kansas-Nebraska controversy on the territorial government bill, resulted in a division of the Whig party in the North. Those not sufficiently opposed to slavery to enter the new Republican party, then in its incipiency, allied themselves with the Know-Nothing order, which now accepting the name of American party established a separate and independent political existence. The party had no hold in the West; it was entirely Middle State at this time, and polled a large vote in Massachusetts, Delaware and New York. In the State elections of 1855 the American party made a stride Southward. In 1855, the absence of naturalized citizens was universal in the South, and even so late as 1881 the proportion of



foreign-born population in the Southern States, with the exception of Florida, Louisiana, and Texas was under two per cent. At the early date—1855—the nativist feeling among the Whigs of that section, made it easy to transfer them to the American party, which thus secured in both the Eastern and Southern States, the election of Governor and Legislature in the States of New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, California and Kentucky; and also elected part of its State ticket in Maryland, and Texas; and only lost the States of Virginia, Alabama, Mississippi, Louisiana, and Texas, by small majorities against it.

The order began preparations for a campaign as a National party, in 1856. It aimed to introduce opposition to aliens and Roman Catholicism as a national question. On the 21st of February, 1856, the National Council held a session at Philadelphia, and proceeded to formulate a declaration of principles, and make a platform, which were as follows:

“An humble acknowledgement to the Supreme Being, for his protecting care vouchsafed to our fathers in their successful Revolutionary struggle, and hitherto manifested to us, their descendants, in the preservation of the liberties, the independence, and the union of these States.

×2d. The perpetuation of the Federal Union, as the palladium of our civil and religious liberties, and the only sure Bulwark of American independence.

×3d. Americans must rule America, and to this end, native-born citizens should be selected for all state, federal, and municipal offices or government employment, in preference to all others; nevertheless,

×4th. Persons born of American parents residing temporarily abroad, should be entitled to all the rights of native-born citizens; but,

×5th. No person shall be selected for political station (whether of native or foreign birth), who recognizes any allegiance or obligation, of any description, to any foreign prince, potentate, or power, or who refuses to recognize the Federal and State constitutions (each within its sphere) as paramount to all other laws, as rules of political action.

6th. The unqualified recognition and maintenance of the reserved rights of the several States, and the cultivation of harmony and fraternal good will, between the citizens of the several States, and to this end, non-interference by congress with questions appertaining solely to the individual States, and non-intervention by each State with the affairs of any other State.

7th. The recognition of the right of the native-born and naturalized citizens of the United States, permanently residing in

any territory thereof, to frame their constitution and laws, and to regulate their domestic and social affairs in their own mode, subject only to the provisions of the Federal Constitution, with the privilege of admission into the Union, whenever they have the requisite population for one representative in Congress.—Provided always, that none but those who are citizens of the United States, under the Constitution and laws thereof, and who have a fixed residence in any such territory, ought to participate in the formation of the Constitution, or in the enactment of laws for said Territory or State.

×8th. An enforcement of the principle that no State or Territory ought to admit others than citizens of the United States to the right of suffrage, or of holding political office.

×9th. A change in the laws of naturalization, making a continued residence of twenty-one years, of all not hereinbefore provided for, an indispensable requisite for citizenship hereafter, and excluding all paupers, and persons convicted of crime, from landing upon our shores; but no interference with the vested rights of foreigners.

×10th. Opposition to any union between Church and State; no interference with religious faith, or worship, and no test oaths for office.

11th. Free and thorough investigation into any and all alleged abuses of public functionaries, and a strict economy in public expenditures.

12th. The maintenance and enforcement of all laws constitutionally enacted, until said laws shall be repealed, or shall be declared null and void by competent judicial authority.

The American Ritual, or Constitution, rules, regulations, and ordinances of the Order were as follows:—

#### AMERICAN RITUAL.

*Constitution of the National Council of the United States of North America.*

ART. 1st. This organization shall be known by the name and title of THE NATIONAL COUNCIL OF THE UNITED STATES OF NORTH AMERICA, and its jurisdiction and power shall extend to all the states, districts, and territories of the United States of North America.

ART. 2d. The object of this organization shall be to protect every American citizen in the legal and proper exercise of all his civil and religious rights and privileges; to resist the insidious policy of the Church of Rome, and all other foreign influence against our republican institutions in all lawful ways; to place in all offices of honor trust, or profit, in the gift of the people, or by appointment, none but native-born Protestant citizens, and to protect, preserve,

and uphold the union of these states and the constitution of the same.

ART. 3d. Sec. 1.—A person to become a member of any subordinate council must be twenty-one years of age; he must believe in the existence of a Supreme Being as the Creator and preserver of the universe. He must be a native-born citizen; a Protestant, either born of Protestant parents, or reared under Protestant influence; and not united in marriage with a Roman Catholic; provided, nevertheless, that in this last respect, the state, district, or territorial councils shall be authorized to so construct their respective constitutions as shall best promote the interests of the American cause in their several jurisdictions; and provided, moreover, that no member who may have a Roman Catholic wife shall be eligible to office in this order; and provided, further, should any state, district, or territorial council prefer the words "Roman Catholic" as a disqualification to membership, in place of "Protestant" as a qualification, they may so consider this constitution and govern their action accordingly.

Sec. 2.—There shall be an interval of three weeks between the conferring of the first and second degrees; and of three months between the conferring of the second and third degrees—provided, that this restriction shall not apply to those who may have received the second degree previous to the first day of December next; and provided, further, that the presidents of state, district, and territorial councils may grant dispensations for initiating in all the degrees, officers of new councils.

Sec. 3.—The national council shall hold its annual meetings on the first Tuesday in the month of June, at such place as may be designated by the national council at the previous annual meeting, and it may adjourn from time to time. Special meetings may be called by the President, on the written request of five delegations representing five state councils; provided, that sixty days' notice shall be given to the state councils previous to said meeting.

Sec. 4.—The national council shall be composed of seven delegates from each state, to be chosen by the state councils; and each district or territory where a district or territorial council shall exist, shall be entitled to send two delegates, to be chosen from said council—provided that in the nomination of candidates for President and Vice President of the United States, and each state shall be entitled to cast the same number of votes as they shall have members in both houses of Congress. In all sessions of the national council, thirty-two delegates, representing thirteen states, territories, or districts, shall constitute a quorum for the transaction of business.

Sec. 5.—The national council shall be vested with the following powers and privileges:

It shall be the head of the organization for the United States of North America, and shall fix and establish all signs, grips, passwords, and such other secret work, as may seem to it necessary.

It shall have the power to decide all matters appertaining to national politics.

It shall have the power to exact from the state councils, quarterly or annual statements as to the number of members under their jurisdictions, and in relation to all other matters necessary for its information.

It shall have the power to form state, territorial, or district councils, and to grant dispensations for the formation of such bodies, when five subordinate councils shall have been put in operation in any state, territory, or district, and application made.

It shall have the power to determine upon a mode of punishment in case of any dereliction of duty on the part of its members or officers.

It shall have the power to adopt cabalistic characters for the purpose of writing or telegraphing. Said characters to be communicated to the presidents of the state councils, and by them to the presidents of the subordinate councils.

It shall have the power to adopt any and every measure it may deem necessary to secure the success of the organization; provided that nothing shall be done by the said national council in violation of the constitution; and provided further, that in all political matters, its members may be instructed by the state councils, and if so instructed, shall carry out such instructions of the state councils which they represent until overruled by a majority of the national council.

Art. 4. The President shall always preside over the national council when present, and in his absence the Vice President shall preside, and in the absence of both the national council shall appoint a president *pro tempore*; and the presiding officers may at all times call a member to the chair, but such appointment shall not extend beyond one sitting of the national council.

Art. 5. Sec. 1.—The officers of the National Council shall be a President, Vice-President, Chaplain, Corresponding Secretary, Recording Secretary, Treasurer, and two Sentinels, with such other officers as the national council may see fit to appoint from time to time; and the secretaries and sentinels may receive such compensation as the national council shall determine.

Sec. 2.—The duties of the several officers created by this constitution shall be such as the work of this organization prescribes.

Art. 6. Sec. 1.—All officers provided for by this constitution, except the sentinels, shall be elected annually by ballot. The

president may appoint sentinels from time to time.

Sec. 2.—A majority of all the votes cast shall be requisite to an election for an office.

Sec. 3.—All officers and delegates of this council, and of all state, district, territorial, and subordinate councils, must be invested with all the degrees of this order.

Sec. 4.—All vacancies in the elective offices shall be filled by a vote of the national council, and only for the unexpired term of the said vacancy.

Art. 7. Sec. 1.—The national council shall entertain and decide all cases of appeal, and it shall establish a form of appeal.

Sec. 2.—The national council shall levy a tax upon the state, district, or territorial councils, for the support of the national council, to be paid in such manner and at such times as the national council shall determine.

Art. 8.—This national council may alter and amend this constitution at its regular annual meeting in June next, by a vote of the majority of the whole number of the members present. (Cincinnati, Nov. 24, 1854.)

#### RULES AND REGULATIONS.

Rule 1.—Each State, District, or Territory, in which there may exist five or more subordinate councils working under dispensations from the National Council of the United States of North America, or under regular dispensations from some State, District, or Territory, are duly empowered to establish themselves into a State, District, or Territorial council, and when so established, to form for themselves constitutions and by-laws for their government, in pursuance of, and in consonance with the Constitution of the National Council of the United States; provided, however, that all State, District, or Territorial constitutions shall be subject to the approval of the National Council of the United States. (June, 1854.)

Rule 2.—All State, District, or Territorial councils, when established, shall have full power and authority to establish all subordinate councils within their respective limits; and the constitutions and by-laws of all such subordinate councils must be approved by their respective State, District, or Territorial councils. (June, 1854.)

Rule 3.—All State, District, or Territorial councils, when established and until the formation of constitutions, shall work under the constitution of the National Council of the United States. (June, 1854.)

Rule 4.—In all cases where, for the convenience of the organization, two State or Territorial councils may be established, the two councils together shall be entitled to but thirteen delegates\* in the National

Council of the United States—the proportioned number of delegates to depend on the number of members in the organizations; provided, that no State shall be allowed to have more than one State council, without the consent of the National Council of the United States. (June, 1854.)

Rule 5.—In any State, District, or Territory, where there may be more than one organization working on the same basis, (to wit, the lodges and “councils,”) the same shall be required to combine; the officers of each organization shall resign and new officers be elected; and thereafter these bodies shall be known as State councils, and subordinate councils, and new charters shall be granted to them by the national council. (June, 1854.)

Rule 6.—It shall be considered a penal offence for any brother not an officer of a subordinate council, to make use of the sign or summons adopted for public notification, except by direction of the President; or for officers of a council to post the same at any other time than from midnight to one hour before daybreak, and this rule shall be incorporated into the by-laws of the State, District, and Territorial councils. (June, 1854.)

Rule 7.—The determination of the necessity and mode of issuing the posters for public notification shall be intrusted to the State, District, or Territorial councils. (June, 1854.)

Rule 8.—The respective State, District, or Territorial councils shall be required to make statements of the number of members within their respective limits, at the next meeting of this national council, and annually thereafter, at the regular annual meeting. (June, 1854.)

Rule 9.—The delegates to the National Council of the United States of North America shall be entitled to three dollars per day for their attendance upon the national council, and for each day that may be necessary in going and returning from the same; and five cents per mile for every mile they may necessarily travel in going to, and returning from the place of meeting of the national council; to be computed by the nearest mail route: which shall be paid out of the treasury of the national council. (November, 1854.)

Rule 10.—Each State, District, or Territorial council shall be taxed four cents per annum for every member in good standing belonging to each subordinate council under its jurisdiction on the first day of April, which shall be reported to the national council, and paid into the national treasury, on or before the first day of the annual session, to be held in June; and on the same day in each succeeding year. And the first fiscal year shall be considered as commencing on the first day of Decem-

\*NOTE.—See Constitution, Art. 3, Sec. 4, p. 5.

ber, 1854, and ending on the fifteenth day of May, 1855. (November, 1854.)

Rule 11.—The following shall be the key to determine and ascertain the purport of any communication that may be addressed to the President of a State, District, or Territorial council by the President of the national council, who is hereby instructed to communicate a knowledge of the same to said officers:

A	B	C	D	E	F	G	H	I	J	K	L	M
1	7	13	19	25	2	8	14	20	26	3	9	15
N	O	P	Q	R	S	T	U	V	W	X	Y	Z
21	4	10	16	22	5	11	17	23	6	12	18	24

Rule 12.—The clause of the article of the constitution relative to belief in the Supreme Being is obligatory upon every State and subordinate council, as well as upon each individual member. (June, 1854.)

Rule 13.—The following shall be the compensation of the officers of this council:

1st. The Corresponding Secretary shall be paid two thousand dollars per annum, from the 17th day of June, 1854.

2d. The Treasurer shall be paid five hundred dollars per annum, from the 17th day of June, 1854.

3d. The Sentinels shall be paid five dollars for every day they may be in attendance on the sittings of the national council.

4th. The Chaplain shall be paid one hundred dollars per annum, from the 17th day of June, 1854.

5th. The Recording Secretary shall be paid five hundred dollars per annum, from the 17th day of June, 1854.

6th. The Assistant Secretary shall be paid five dollars per day, for every day he may be in attendance on the sitting of the national council. All of which is to be paid out of the national treasury, on the draft of the President. (November, 1854.)

#### SPECIAL VOTING.

Vote 1st.—This national council hereby grants to the State of Virginia two State councils, the one to be located in Eastern and the other in Western Virginia, the Blue Ridge Mountains being the geographical line between the two jurisdictions. (June, 1854.)

Vote 2d.—The President shall have power, till the next session of the national council, to grant dispensations for the formation of State, District, or Territorial councils, in form most agreeable to his own discretion, upon proper application being made. (June, 1854.)

Vote 3d.—The seats of all delegates to and members of the present national council shall be vacated on the first Tuesday in June, 1855, at the hour of six o'clock in the forenoon; and the national council

convening in annual session upon that day, shall be composed exclusively of delegates elected under and in accordance with the provisions of the constitution, as amended at the present session of this national council; provided, that this resolution shall not apply to the officers of the national council. (November, 1854.)

Vote 4th.—The Corresponding Secretary of this council is authorized to have printed the names of the delegates to this national council; also, those of the Presidents of the several State, District, and Territorial councils, together with their address, and to forward a copy of the same to each person named; and further, the Corresponding Secretaries of each State, District, and Territory are requested to forward a copy of their several constitutions to each other. (November, 1854.)

Vote 5th.—In the publication of the constitution and the ritual, under the direction of the committee—brothers Deshler, Danrell, and Stephens—the name, signs, grips, and passwords of the order shall be indicated by [\*\*\*], and a copy of the same shall be furnished to each State, District, and Territorial council, and to each member of that body. (November, 1854.)

Vote 6th.—A copy of the constitution of each State, District, and Territorial council, shall be submitted to this council for examination. (November, 1854.)

Vote 7th.—It shall be the duty of the Treasurer, at each annual meeting of this body, to make a report of all moneys received or expended in the interval. (November, 1854.)

Vote 8th.—Messrs. Gifford of Pa., Barker of N. Y., Deshler of N. J., Williamson of Va., and Stephens of Md., are appointed a committee to confer with similar committees that have been appointed for the purpose of consolidating the various American orders, with power to make the necessary arrangement for such consolidation—subject to the approval of this national council, at its next session. (November, 1854.)

Vote 9th.—On receipt of the new ritual by the members of this national council who have received the third degree, they or any of them may, and they are hereby empowered to, confer the third degree upon members of this body in their respective states, districts, and territories, and upon the presidents and other officers of their state, district, and territorial councils. And further, the presidents of the state, district, and territorial councils shall in the first instance confer the third degree upon as many of the presidents and officers of their subordinate councils as can be assembled together in their respective localities; and afterwards the same may be conferred upon officers of other subordinate

councils, by any presiding officer of a council who shall have previously received it under the provisions of the constitution. (November, 1854.)

Vote 10th.—To entitle any delegate to a seat in this national council, at its annual session in June next, he must present a properly authenticated certificate that he was duly elected as a delegate to the same, or appointed a substitute in accordance with the requirements of the constitutions of state, territorial, or district councils. And no delegate shall be received from any state, district, or territorial council which has not adopted the constitution and ritual of this national council. (November, 1854.)

Vote 11th.—The committee on printing the constitution and ritual is authorized to have a sufficient number of the same printed for the use of the order. And no state, district, or territorial council shall be allowed to reprint the same. (November, 1854.)

Vote 12th.—The right to establish all subordinate councils in any of the states, districts, and territories represented in this national council, shall be confined to the state, district, and territorial councils which they represent. (November, 1854.)

#### CONSTITUTION FOR THE GOVERNMENT OF SUBORDINATE COUNCILS.

Art. I. Sec. 1.—Each subordinate council shall be composed of not less than thirteen members, all of whom shall have received all the degrees of the order, and shall be known and recognised as \_\_\_\_\_ Council, No. \_\_\_\_\_, of the \_\_\_\_\_ of the county of \_\_\_\_\_, and State of North Carolina.

Sec. 2.—No person shall be a member of any subordinate council in this state, unless he possesses all the qualifications, and comes up to all the requirements laid down in the constitution of the national council, and whose wife (if he has one), is not a Roman Catholic.

Sec. 3. No application for membership shall be received and acted on from a person residing out of the state, or resides in a county where there is a council in existence, unless upon special cause to be stated to the council, to be judged of by the same; and such person, if the reasons be considered sufficient, may be initiated the same night he is proposed, provided he resides five miles or more from the place where the council is located. But no person can vote in any council, except the one of which he is a member.

Sec. 4. Every person applying for membership, shall be voted for by ballot, in open council, if a ballot is requested by a single member. If one-third of the votes cast be against the applicant, he shall be rejected. If any applicant be rejected, he

shall not be again proposed within six months thereafter. Nothing herein contained shall be construed to prevent the initiation of applicants privately, by those empowered to do so, in localities where there are no councils within a convenient distance.

Sec. 5. Any member of one subordinate council wishing to change his membership to another council, shall apply to the council to which he belongs, either in writing or orally through another member, and the question shall be decided by the council. If a majority are in favor of granting him an honorable dismissal, he shall receive the same in writing, to be signed by the president and countersigned by the secretary. But until a member thus receiving an honorable dismissal has actually been admitted to membership in another council, he shall be held subject to the discipline of the council from which he has received the dismissal, to be dealt with by the same, for any violation of the requirements of the order. Before being received in the council to which he wishes to transfer his membership, he shall present said certificate of honorable dismissal, and shall be received as new members are.

Sec. 6. Applications for the second degree shall not be received except in second degree councils, and voted on by second and third degree members only, and applications for the third degree shall be received in third degree councils, and voted on by third degree members only.

Art. II.—Each subordinate council shall fix on its own time and place for meeting: and shall meet at least once a month, but where not very inconvenient, it is recommended that they meet once a week. Thirteen members shall form a quorum for the transaction of business. Special meetings may be called by the president at any time, at the request of four members of the order.

Art. III.—Sec. 1. The members of each subordinate council shall consist of a president, vice-president, instructor, secretary, treasurer, marshal, inside and outside sentinel, and shall hold their offices for the term of six months, or until their successors are elected and installed.

Sec. 2. The officers of each subordinate council (except the sentinels, who shall be appointed by the president), shall be elected at the first regular meetings in January and July, separately, and by ballot; and each shall receive a majority of all the votes cast to entitle him to an election. No member shall be elected to any office, unless he be present and signify his assent thereto at the time of his election. Any vacancy which may occur by death, resignation, or otherwise, shall be filled at the next meeting thereafter, in the manner and form above described.

Sec. 3. The President.—It shall be the duty of the president of each subordinate council, to preside in the council, and enforce a due observance of the constitution and rules of the order, and a proper respect for the state council and the national council; to have sole and exclusive charge of the charter and the constitution and ritual of the order, which he must always have with him when his council is in session, to see that all officers perform their respective duties; to announce all ballotings to the council; to decide all questions of order; to give the casting vote in all cases of a tie; to convene special meetings when deemed expedient; to draw warrants on the treasurer for all sums, the payment of which is ordered by the council; and to perform such other duties as are demanded of him by the constitutions and ritual of the order.

Sec. 4. The vice-president of each subordinate council shall assist the president in the discharge of his duties, whilst his council is in session; and, in his absence, shall perform all the duties of the president.

Sec. 5. The instructor shall perform the duties of the president in the absence of the president and vice-president, and shall, under the direction of the president, perform such duties as may be assigned to him by the ritual.

Sec. 6. The secretary shall keep an accurate record of the proceedings of the council. He shall write all communications, fill all notices, attest all warrants drawn by the president for the payment of money; he shall keep a correct roll of all the members of the council, together with their age, residence, and occupation, in the order in which they have been admitted; he shall, at the expiration of every three months, make out a report of all work done during that time, which report he shall forward to the secretary of the state council; and when superseded in his office shall deliver all books, papers, &c., in his hands to his successor.

Sec. 7. The treasurer shall hold all moneys raised exclusively for the use of the state council, which he shall pay over to the secretary of the state council at its regular sessions, or whenever called upon by the president of the state council. He shall receive all moneys for the use of the subordinate council, and pay all amounts drawn for on him, by the president of the subordinate council, if attested by the secretary.

Sec. 8. The marshal shall perform such duties, under the direction of the president, as may be required of him by the ritual.

Sec. 9. The inside sentinel shall have charge of the inner door, and act under the directions of the president. He shall

admit no person, unless he can prove himself a member of this order, and of the same degree in which the council is opened, or by order of the president, or is satisfactorily vouched for.

Sec. 10. The outside sentinel shall have charge of the outer door, and act in accordance with the orders of the president. He shall permit no person to enter the outer door unless he give the password of the degree in which the council is at work, or is properly vouched for.

Sec. 11. The secretary, treasurer, and sentinels, shall receive such compensation as the subordinate councils may each conclude to allow.

Sec. 12. Each subordinate council may levy its own fees for initiation, to raise a fund to pay its dues to the state council, and to defray its own expenses. Each council may, also, at its discretion, initiate without charging the usual fee, those it considers unable to pay the same.

Sec. 13. The president shall keep in his possession the constitution and ritual of the order. He shall not suffer the same to go out of his possession under any pretence whatever, unless in case of absence, when he may put them in the hands of the vice-president or instructor, or whilst the council is in session, for the information of a member wishing to see it, for the purpose of initiation, or conferring of degrees.

Art. IV. Each subordinate council shall have power to adopt such by-laws, rules, and regulations, for its own government, as it may think proper, not inconsistent with the constitutions of the national and state councils.

#### FORM OF APPLICATION FOR A CHARTER TO ORGANIZE A NEW COUNCIL.

Post Office ——— county,  
Date ———.

To ———

President of the State Council of North Carolina:—

We, the undersigned, members of the Third Degree, being desirous of extending the influence and usefulness of our organization, do hereby ask for a warrant of dispensation, instituting and organizing us, as a subordinate branch of the order, under the jurisdiction of the State Council of the State of North Carolina, to be known and hailed as Council No. ———, and to be located at ———, in the county of ———, State of North Carolina.

And we do hereby pledge ourselves to be governed by the Constitution of the State Council of the State of North Carolina, and of the Grand Council of the U. S. N. A., and that we will in all things conform to the rules and usages of the order.

Names.

Residences.

FORM OF DISMISSION FROM ONE COUNCIL  
TO ANOTHER.

This is to certify that Brother —, a member of — Council, No. —, having made an application to change his membership from this council to that of — Council, No. —, at —, in the county of —, I do hereby declare, that said brother has received an honorable dismission from this council, and is hereby recommended for membership in — Council, No. —, in the county of —, N. C.; provided, however, that until Brother — has been admitted to membership in said council, he is to be considered subject to the discipline of this council, to be dealt with by the same for any violation of the requirements of the order. This the — day of —, 185—, and the — year of American Independence.

— President, — Council,  
No. —.

— Secretary.

FORM OF CERTIFICATE FOR DELEGATES TO  
THE STATE COUNCIL.

— Council, No. —,  
— county of —, N. C.

This is to certify that — and — were at the regular meeting of this council, held on the —, 185—, duly elected delegates to represent this council in the next annual meeting of the state council, to be held in —, on the 3d Monday in November next. And by virtue of the authority in me reposed, I do hereby declare the said — and — to be invested with all the rights, powers, and privileges of the delegates as aforesaid. This being the — day of —, 185—, and the — year of our national independence.

— — President of  
— Council, No. —

— — Secretary.

## FORM OF NOTICE

*From the Subordinate Council to the State Council, whenever any Member of a Subordinate Council is expelled.*

— Council, No. —,  
— county of —, N. C.

To the President of the State Council of North Carolina:

Sir:—This is to inform you that at a meeting of this council, held on the — day of —, 185—, — — was duly expelled from membership in said council, and thus deprived of all the privileges, rights, and benefits of this organization.

In accordance with the provisions of the constitution of the state council, you are hereby duly notified of the same, that you may officially notify all the subordinate councils of the state to be upon their guard against the said —, as one unworthy to associate with patriotic and good men, and (*if expelled for violating his obligation*) as a perjurer to God and his country. The

said — is about — years of age, and is by livelihood a —

Duly certified, this the — day of — 185—, and in the — year of our national independence.

— — President of  
— Council, No. —.

— Secretary.

## FIRST DEGREE COUNCIL.

To be admitted to membership in this order, the applicant shall be—

1st. Proposed and found acceptable.

2nd. Introduced and examined under the guarantee of secrecy.

3rd. Placed under the obligation which the order imposes.

4th. Required to enrol his name and place of residence.

5th. Instructed in the forms and usages and ceremonies of the order.

6th. Solemnly charged as to the objects to be obtained, and his duties.

[A recommendation of a candidate to this order shall be received only from a brother of approved integrity. It shall be accompanied by minute particulars as to name, age, calling, and residence, and by an explicit voucher for his qualifications, and a personal pledge for his fidelity. These particulars shall be recorded by the secretary in a book kept for that purpose. The recommendation may be referred, and the ballot taken at such time and in such a manner as the state council may prescribe; but no communication shall be made to the candidate until the ballot has been declared in his favor. Candidates shall be received in the ante-room by the marshal and secretary.]

## OUTSIDE.

*Marshal.*—Do you believe in a Supreme Being, the Creator and Preserver of the universe?

*Ans.*—I do.

*Marshal.*—Before proceeding further, we require a solemn obligation of secrecy and truth. If you will take such an obligation, you will lay your right hand upon the Holy Bible and cross.

(When it is known that the applicant is a Protestant, the cross may be omitted, or affirmation may be allowed.)

## OBLIGATION.

You do solemnly swear (or affirm) that you will never reveal anything said or done in this room, the names of any persons present, nor the existence of this society, whether found worthy to proceed or not, and that all your declarations shall be true, so help you God?

*Ans.*—"I do."

*Marshal.*—Where were you born?

*Marshal.*—Where is your permanent residence?

(If born out of the jurisdiction of the United States, the answer shall be written, the candidate dismissed with an admonition of secrecy, and the brother vouching for him suspended from all the privileges of the order, unless upon satisfactory proof that he has been misinformed.)

*Marshal.*—Are you twenty-one years of age?

*Ans.*—"I am."

*Marshal.*—Were you born of Protestant parents, or were you reared under Protestant influence?

*Ans.*—"Yes."

*Marshal.*—If married, is your wife a Roman Catholic?

("No" or "Yes"—the answer to be valued as the Constitution of the State Council shall provide.)

*Marshal.*—Are you willing to use your influence and vote only for native-born American citizens for all offices of honor, trust, or profit in the gift of the people, to the exclusion of all foreigners and aliens, and Roman Catholics in particular, and without regard to party predilections?

*Ans.*—"I am."

#### INSIDE.

(The marshal shall then repair to the council in session, and present the written list of names, vouchers, and answers to the president, who shall cause them to be read aloud, and a vote of the council to be taken on each name, in such manner as prescribed by its by-laws. If doubts arise in the ante-room, they shall be referred to the council. If a candidate be dismissed, he shall be admonished to secrecy. The candidates declared elected shall be conducted to seats within the council, apart from the brethren. When all are present the president by one blow of the gavel, shall call to order and say:)

*President.*—Brother marshal, introduce the candidates to the vice-president.

*Marshal.*—Worthy Vice-President, I present to you these candidates, who have duly answered all questions.

*Vice-President,* rising in his place.—Gentlemen, it is my office to welcome you as friends. When you shall have assumed the patriotic vow by which we are all bound, we will embrace you as brothers. I am authorized to declare that our obligations enjoin nothing which is inconsistent with the duty which every good man owes to his Creator, his country, his family, or himself. We do not compel you, against your convictions, to act with us in our good work; but should you at any time wish to withdraw, it will be our duty to grant you a dismissal in good faith. If satisfied with this assurance, you will rise upon your feet (*pausing till they do so*), place the left hand upon the breast, and raise the right hand towards heaven.

(The brethren to remain seated till called up.)

#### OBLIGATION.

In the presence of Almighty God and these witnesses, you do solemnly promise and swear, that you will never betray any of the secrets of this society, nor communicate them even to proper candidates, except within a lawful council of the order; that you never will permit any of the secrets of this society to be written, or in any other manner made legible, except for the purpose of official instruction; that you will not vote, nor give your influence for any man for any office in the gift of the people, unless he be an American born citizen, in favor of Americans ruling America, nor if he be a Roman Catholic; that you will in all political matters, so far as this order is concerned, comply with the will of the majority, though it may conflict with your personal preference, so long as it does not conflict with the Constitution of the United States of America, or that of the state in which you reside; that you will not, under any circumstances whatever, knowingly recommend an unworthy person for initiation, nor suffer it to be done, if in your power to prevent it; that you will not, under any circumstances, expose the name of any member of this order, nor reveal the existence of such an association; that you will answer an *imperative notice* issued by the proper authority; obey the command of the state council, president, or his deputy, while assembled by such notice, and respond to the claim of a *sign* or *cry* of the order, unless it be physically impossible; and that you will acknowledge the State Council of ——— as the legislative head, the ruling authority, and the supreme tribunal of the order in the state of ———, acting under the jurisdiction of the National Council of the United States of North America.

Binding yourself in the penalty of excommunication from the order, the forfeiture of all intercourse with its members, and being denounced in all the societies of the same, as a wilful traitor to your God and your country.

(The president shall call up every person present, by three blows of the gavel, when the candidates shall all repeat after the vice-president in concert:)

All this I voluntarily and sincerely promise, with a full understanding of the solemn sanctions and penalties.

*Vice-President.*—You have now taken solemn oaths, and made as sacred promises as man can make, that you will keep all our secrets inviolate; and we wish you distinctly to understand that he that takes these oaths and makes these promises, and then violates them, leaves the foul, the deep and blighting stain of perjury resting on his soul.



*President.*—(Having seated all by one blow of the gavel.)—Brother Instructor, these new brothers having complied with the demand of the order, are entitled to the secrets and privileges of the same. You will, therefore, invest them with everything appertaining to the first degree.

*Instructor.*—Brothers: the practices and proceedings in our order are as follows:

We have pass-words necessary to be used to obtain admission to our councils; forms for our conduct while there; means of recognizing each other when abroad; means of mutual protection; and methods for giving notices to members.

At the outer door you will \* (*make any ordinary alarm* to attract the attention of the outside sentinel).

When the wicket is opened you will pronounce the (*words—what's the pass*), in a whisper. The outside sentinel will reply (*Give it*), when you will give the term pass-word and be admitted to the ante-room. You will then proceed to the inner door and give (*one rap*). When the wicket is opened, give your name, the number of, and location of your council, the explanation of the term pass, and the degree pass-word.

If these be found correct, you will be admitted; if not, your name will be reported to the vice president, and must be properly vouched for before you can gain admission to the council. You will then proceed to the centre of the room and address the (*President*) with the countersign, which is performed thus (*placing the right hand diagonally across the mouth*). When this salutation is recognized, you will quietly take your seat.

This sign is peculiar to this degree, and is never to be used outside the council room, nor during the conferring of this degree. When retiring, you will address the (*Vice President*) in the same manner, and also give the degree pass-word to the inside sentinel.

The "term pass-word" is (*We are*).

(The pass-word and explanation is to be established by each State Council for its respective subordinates.)

The "explanation" of the "term-pass," to be used at the inner door, is (*our country's hope*).

The "degree pass-word" is (*Native*).

The "traveling pass-word" is (*The memory of our pilgrim fathers*).

(This word is changed annually by the

President of the National Council of the United States, and is to be made and used only when the brother is traveling beyond the jurisdiction of his own state, district, or territory. It and all other pass-words must be communicated in a whisper, and no brother is entitled to communicate them to another, without authority from the presiding officer.)

"The sign of recognition" is (*grasping the right lappel of the coat with the right hand, the fore finger being extended inwards*.)

The "answer" is given by (*a similar action with the left hand*.)

The "grip" is given by (*an ordinary shake of the hand*).

The person challenging shall (*then draw the fore finger along the palm of the hand*). The answer will be given by (*a similar action forming a link by hooking together the ends of the fore finger*); when the following conversation ensues—the challenging party first saying (*is that yours?*) The answer, (*it is*.) Then the response (*how did you get it?*), followed by the rejoinder (*it is my birth-right*).

Public notice for a meeting is given by means of a (*piece of white paper the shape of a heart*).

(In cities \* the \*\*\* of the \*\*\* where the meeting is to be held, will be written legibly upon the notice; and upon the election day said \*\*\* will denote the \*\*\* where your presence is needed. This notice will never be passed, but will be \*\*\* or thrown upon the sidewalk with a \*\*\* in the centre.)

If information is wanting of the object of the gathering, or of the place, &c., the inquirer will ask of an undoubted brother (*where's when?*) The brother will give the information if possessed of it; if not it will be yours and his duty to continue the inquiry, and thus disseminate the call throughout the brotherhood.

If the color of *the paper* (be *red*), it will denote actual trouble, which requires that you come prepared to meet it.

The "cry of distress"—to be used only in time of danger, or where the American interest requires an immediate assemblage of the brethren—is (*oh, oh, oh*.) The response is (*hio, hio, h-i-o*.)

The "sign of caution"—to be given when a brother is speaking unguardedly before a stranger—is (*drawing the fore finger and thumb together across the eyes, the rest of the hand being closed*), which signifies "keep dark."

Brothers, you are now initiated into and made acquainted with the work and organization of a council of this degree of the order; and the marshal will present

\* Concerning what is said of cities, the key to the Ritual says: "Considered unnecessary to decipher what is said in regard to cities."

\* In the Ritual the words in parentheses are omitted. In the key to the Ritual, they are written in figures—the alphabet used being the same as printed below. So throughout.

Key to Unlock Communications.

A	B	C	D	E	F	G	H	I	J	K	L	M
1	7	13	19	25	2	8	14	20	26	3	9	15
N	O	P	Q	R	S	T	U	V	W	X	Y	Z
21	4	10	16	22	5	11	17	23	6	12	18	24

you to the worthy president for admonition.

*President.*—It has no doubt, been long apparent to you, brothers, that foreign influence and Roman Catholicism have been making steady and alarming progress in our country. You cannot have failed to observe the significant transition of the foreigner and Romanist from a character quiet, retiring, and even abject, to one bold, threatening, turbulent, and despotic in its appearance and assumptions. You must have become alarmed at the systematic and rapidly augmenting power of these dangerous and unnatural elements of our national condition. So it is, brothers, with others beside yourselves in every state of the Union. A sense of danger has struck the great heart of the nation. In every city, town, and hamlet, the danger has been seen and the alarm sounded. And hence true men have devised this order as a means of disseminating patriotic principles, of keeping alive the fire of national virtue, of fostering the national intelligence, and of advancing America and the American interest on the one side, and on the other of checking the strides of the foreigner or alien, or thwarting the machinations and subverting the deadly plans of the papist and Jesuit.

*Note.*—The President shall impress upon the initiates the importance of secrecy, the manner of proceeding in recommending candidates for initiation, and the responsibility of the duties which they have assumed.

#### SECOND DEGREE COUNCIL.

*Marshal.*—Worthy President: These brothers have been duly elected to the second degree of this order. I present them to you for obligation.

*President.*—Brothers: You will place your left hand upon your right breast, and extend your right hand towards the flag of our country, preparatory to obligation. (Each council room should have a neat American flag festooned over the platform of the President.)

#### OBLIGATION.

You, and each of you, of your own free will and accord, in the presence of Almighty God and these witnesses, your left hand resting upon your right breast, and your right hand extended to the flag of your country, do solemnly and sincerely swear, that you will not under any circumstances disclose in any manner, nor suffer it to be done by others, if in your power to prevent it, the name, signs, passwords, or other secrets of this degree, except in open council for the purpose of instruction; that you will in all things conform to all the rules and regulations of this order, and to the constitution and by-laws

of this or any other council to which you may be attached, so long as they do not conflict with the Constitution of the United States, nor that of the State in which you reside; that you will under all circumstances, if in your power so to do, attend to all regular signs or summons that may be thrown or sent to you by a brother of this or any other degree of this order; that you will support in all political matters, for all political offices, members of this order in preference to other persons; that if it may be done legally, you will, when elected or appointed to any official station conferring on you the power to do so remove all foreigners, aliens, or Roman Catholics from office or place, and that you will in no case appoint such to any office or place in your gift. You do also promise and swear that this and all other obligations which you have previously taken in this order shall ever be kept through life sacred and inviolate. All this you promise and declare, as Americans, to sustain and abide by, without any hesitation or mental reservation whatever. So help you God and keep you steadfast.

(Each will answer "I do.")

*President.*—Brother Marshal, you will now present the brothers to the instructor for instructions in the second degree of the order.

*Marshal.*—Brother Instructor, by direction of our worthy president, I present these brothers before you that you may instruct them in the secrets and mysteries of the second degree of the order.

*Instructor.*—Brothers, in this degree we have an entering sign and a countersign. At the outer door proceed (*as in the first degree*). At the inner door you will make (*two raps*), and proceed as in the first degree, giving the second degree pass-word, which is *American*, instead of that of the first degree. If found to be correct, you will then be admitted, and proceed (*to the centre of the room*), giving the countersign, which is made thus (*extending the right arm to the national flag over the president, the palm of the hand being upwards*).

The sign of recognition in this degree is the same as in the first degree, with the addition of (*the middle finger*), and the response to be made in a (*similar manner*.)

*Marshal*, you will now present the brothers to the worthy president for admonition.

*Marshal.*—Worthy President, I now present these candidates to you for admonition.

*President.*—Brothers, you are now duly initiated into the second degree of this order. Renewing the congratulations which we extended to you upon your admission to the first degree, we admonish you by every tie that may nerve patriots, to aid us in our efforts to restore the political institutions of our country to their original

purity. Begin with the youth of our land. Instil into their minds the lessons of our country's history—the glorious battles and the brilliant deeds of patriotism of our fathers, through which we received the inestimable blessings of civil and religious liberty. Point them to the example of the sages and the statesmen who founded our government. Implant in their bosoms an ardent love for the Union. Above all else, keep alive in their bosoms the memory, the maxims, and the deathless example of our illustrious WASHINGTON.

Brothers, recalling to your minds the solemn obligations which you have severally taken in this and the first degree, I now pronounce you entitled to all the privileges of membership in this the second degree of our order.

### THIRD DEGREE COUNCIL.

*Marshal.*—Worthy President, these brothers having been duly elected to the third degree of this order, I present them before you for obligation.

*President.*—Brothers, you will place yourselves in a circle around me, each one crossing your arms upon your breasts, and grasping firmly each other's hands, holding the right hand of the brother on the right and the left hand of the brother on the left, so as to form a circle, symbolical of the links of an unbroken chain, and of a ring which has no end.

*Note.*—This degree is to be conferred with the national flag elevated in the centre of the circle, by the side of the president or instructor, and not on less than five at any one time, in order to give it solemnity, and also for the formation of the circle—except in the first instance of conferring it on the officers of the state and subordinate councils, that they may be empowered to progress with the work.

The obligation and charge in this degree may be given by the president or instructor, as the president may prefer.

### OBLIGATION.

You, and each of you, of your own free will and accord, in the presence of Almighty God and these witnesses, with your hands joined in token of that fraternal affection which should ever bind together the States of this Union—forming a ring, in token of your determination that, so far as your efforts can avail, this Union shall have no end—do solemnly and sincerely swear [or affirm] that you will not under any circumstances disclose in any manner, nor suffer it to be done by others if in your power to prevent it, the name, signs, passwords, or other secrets of this degree, except to those to whom you may prove on trial to be brothers of the same degree, or

in open council, for the purpose of instruction; that you do hereby solemnly declare your devotion to the Union of these States; that in the discharge of your duties as American citizens, you will uphold, maintain, and defend it; that you will discourage and discountenance any and every attempt, coming from any and every quarter, which you believe to be designed or calculated to destroy or subvert it, or to weaken its bonds; and that you will use your influence, so far as in your power, in endeavoring to procure an amicable and equitable adjustment of all political discontents or differences which may threaten its injury or overthrow. You further promise and swear [or affirm] that you will not vote for any one to fill any office of honor, profit or trust of a political character, whom you know or believe to be in favor of a dissolution of the Union of these States, or who is endeavoring to produce that result; that you will vote for and support for all political offices, third or union degree members of this order in preference to all others; that if it may be done consistently with the constitution and laws of the land, you will, when elected or appointed to any official station which may confer on you the power to do so, remove from office or place all persons whom you know or believe to be in favor of a dissolution of the Union, or who are endeavoring to produce that result; and that you will in no case appoint such person to any political office or place whatever. All this you promise and swear [or affirm] upon your honor as American citizens and friends of the American Union, to sustain and abide by without any hesitation or mental reservation whatever. You also promise and swear [or affirm] that this and all other obligations which you have previously taken in this order, shall ever be kept sacred and inviolate. To all this you pledge your lives, your fortunes, and your sacred honors. So help you God and keep you steadfast.

(Each one shall answer, "I do.")

*President.*—Brother Marshal, you will now present the brothers to the instructor for final instruction in this third degree of the order.

*Marshal.*—Instructor, by direction of our worthy president, I present these brothers before you that you may instruct them in the secrets and mysteries of this the third degree of our order.

*Instructor.*—Brothers, in this degree as in the second, we have an entering password, a degree password, and a token of salutation. At the outer door (*make any ordinary alarm*). The outside sentinel will say *U*; you say *ni*; the sentinel will re-join *on*). This will admit you to the inner door. At the inner door you will make (*three*) distinct (*raps*). Then announce your name, with the number (or name)

and location of the council to which you belong, giving the explanation to the password, which is (*safe*). If found correct, you will then be admitted, when you will proceed to the centre of the room, and placing the (*hands on the breast with the fingers interlocked*), give the token of salutation, which is (*by bowing to the president*). You will then quietly take your seat.

The sign of recognition is made by the same action as in the second degree, with the addition of (*the third finger*), and the response is made by (a similar action with *the left hand*.)

(The grip is given by taking hold of the *hand in the usual way*, and then by *slipping the finger around on the top of the thumb*; then extending the *little finger and pressing the inside of the wrist*. The person challenging shall say, *do you know what that is?* The answer is *yes*. The challenging party shall say, further, *what is it?* The answer is, *Union*.)

[The instructor will here give the grip of this degree, with explanations, and also the true password of this degree, which is (*Union*.)]

#### CHARGE.

To be given by the president.

Brothers, it is with great pleasure that I congratulate you upon your advancement to the third degree of our order. The responsibilities you have now assumed, are more serious and weighty than those which preceded, and are committed to such only as have been tried and found worthy. Our obligations are intended as solemn avowals of our duty to the land that gave us birth; to the memories of our fathers; and to the happiness and welfare of our children. Consecrating to your country a spirit unselfish and a fidelity like that which distinguished the patriots of the Revolution, you have pledged your aid in cementing the bonds of a Union which we trust will endure for ever. Your deportment since your initiation has attested your devotion to the principles we desire to establish, and has inspired a confidence in your patriotism, of which we can give no higher proof than your reception here.

The dangers which threaten American liberty arise from foes without and from enemies within. The first degree pointed out the source and nature of our most imminent peril, and indicated the first measure of safety. The second degree defined the next means by which, in coming time, such assaults may be rendered harmless. The third degree, which you have just received, not only reiterates the lessons of the other two, but it is intended to avoid and provide for a more remote, but no less terrible danger, from domestic enemies to our free institutions.

Our object is briefly this:—to perfect an

organization modeled after that of the Constitution of the United States, and coextensive with the confederacy. Its object and principles, in all matters of national concern, to be uniform and identical whilst in all local matters the component parts shall remain independent and sovereign within their respective limits.

The great result to be attained—the only one which can secure a perfect guarantee as to our future—is UNION; permanent, enduring, fraternal UNION! Allow me, then, to impress upon your minds and memories the touching sentiments of the Father of his Country, in his Farewell Address:—

“The unity of government which constitutes you one people,” says Washington, “is justly dear to you, for it is the main pillar in the edifice of your real independence, the support of your tranquillity at home, of your peace abroad, of your safety, your prosperity—even that liberty you so justly prize.

“\* \* It is of infinite moment that you should properly estimate the immense value of your *National Union*, to your collective and individual happiness. You should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it, as the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned; and indignantly frowning upon the dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now bind together the various parts.”

Let these words of paternal advice and warning, from the greatest man that ever lived, sink deep into your hearts. Cherish them, and teach your children to reverence them, as you cherish and reverence the memory of Washington himself. The Union of these states is the great conservator of that liberty so dear to the American heart. Without it, our greatness as a nation would disappear, and our boasted self-government prove a signal failure. The very name of liberty, and the hopes of struggling freedom throughout the world, must perish in the wreck of this Union. Devote yourselves, then, to its maintenance, as our fathers did to the cause of independence; consecrating to its support, as you have sworn to do, your lives, your fortunes, and your sacred honors.

Brothers: Recalling to your minds the solemn obligations which you have severally taken in this and the preceding degrees, I now pronounce you entitled to all the privileges of membership in this organization, and take pleasure in informing you that you are now members of the order of (*the American Union*.)

**American, Whig, Republican and Democratic Nominations of 1856.**

The American convention met the next day after the session of the National Council of the Order, on the 22d February, 1856. It was composed of 227 delegates; all the States being represented except Maine, Vermont, Georgia and South Carolina. Hon. Millard Fillmore was nominated for President, and Andrew J. Donelson for Vice-President.

The Whig Convention met at Baltimore, September, 17, 1856, and endorsed the nominations made by the American party, and in its platform declared that "without adopting or referring to the peculiar doctrines of the party which has already selected Mr. Fillmore as a candidate" \* \* \* Resolved, that in the present exigency of political affairs, we are not called upon to discuss the subordinate questions of the administration in the exercising of the constitutional powers of the government. It is enough to know that civil war is raging, and that the Union is in peril; and proclaim the conviction that the restoration of Mr. Fillmore to the Presidency will furnish the best if not the only means of restoring peace."

The first National Convention of the new Republican party met at Philadelphia, June 18, 1856, and nominated John C. Fremont for President, and William L. Dayton for Vice-President. Since the previous Presidential election, a new party consisting of the disaffected former adherents of the other parties—Native and Independent Democrats, Abolitionists, and Whigs opposed to slavery—had sprung into existence, and was called by its adherents and friends, the Republican party.

This convention of delegates assembled in pursuance of a call addressed to the people of the United States, without regard to past political differences or divisions, who were opposed to the repeal of the Missouri Compromise. To the policy of President Pierce's administration: To the extension of slavery into free territory: In favor of the admission of Kansas as a free State: Of restoring the action of the federal government to the principles of Washington and Jefferson.

It adopted a platform, consisting of a set of resolutions, the principal one of which was: "That we deny the authority of Congress, of a territorial legislature, of any individual, or association of individuals, to give legal existence to slavery in any territory of the United States, while the present Constitution shall be maintained." And closed with a resolution: "That we invite the approbation and co-operation of the men of all parties, however different from us in other respects, in support of the principles herein declared; and believing

that the spirit of our institutions, as well as the Constitution of our country, guaranties liberty of conscience and equality of rights among citizens, we oppose all legislation impairing their security."

The Democratic Convention, met at Cincinnati, in May 1856, and nominated James Buchanan for President, and John C. Breckenridge for Vice-President. It adopted a platform which contained the material portions of all its previous platforms, and also defined its position on the new issues of the day, and declared (1) that the revenue to be raised should not exceed the actual necessary expenses of the government, and for the gradual extinction of the public debt; (2) that the Constitution does not confer upon the general government the power to commence and carry on a general system of internal improvements; (3) for a strict construction of the powers granted by the Constitution to the federal government; (4) that Congress has no power to charter a national bank; (5) that Congress has no power to interfere with slavery in the States and Territories; the people of which have the exclusive right and power to settle that question for themselves. (6) Opposition to native Americanism.

At the election which followed, in November, 1856, the Democratic candidates were elected, though by a popular minority vote, having received 1,838,160 popular votes, and 174 electoral votes, against 2,215,768 popular votes, and 122 electoral votes for John C. Fremont, the Republican candidate, and Mr. Fillmore, the Whig and American candidate.

The aggregate vote cast for Mr. Fillmore, who was the nominee on both the Whig and American tickets, was 874,534, and his electoral vote was eight; that of the State of Maryland. This was the last national election at which the Whigs appeared as a party, under that name; they having joined with the American and with the Republican parties, and finally united with the latter after the downfall and extinction of the former. In the State elections of that year, (1856) the American party carried Rhode Island and Maryland; and in the 35th Congress, which met in December, 1857, the party had 15 to 20 Representatives and five Senators. When the 36th Congress met, in 1859, it had become almost a border State or Southern party, having two Senators; one from Kentucky and one from Maryland; and 23 Representatives, five from Kentucky, seven from Tennessee, three from Maryland, one from Virginia, four from North Carolina, two from Georgia, and one from Louisiana. The American party had none of the elements of persistence. It made another desperate effort, however, in the next Presidential campaign, but having

failed to carry the South, disappeared finally from politics.

The new Republican party polled a very large vote—1,341,234 out of a total vote of 4,053,928—and its candidates received 114 votes out of 296, in the electoral college; having secured majorities in all the free States, except Illinois, Indiana, Pennsylvania, New Jersey and California.

The successful candidate, Mr. James Buchanan, was duly inaugurated as President of the United States, and entered upon the discharge of his duties as such, March 4, 1857.

After the election of November, 1856, the Republican Association of Washington issued an address to the people, in which the results of the election were examined, and the future policy of the party stated. It is an interesting paper, as laying the foundation of the campaign of 1860, which followed, and is here given in full:

—  
**“Republican Association of Washington.”**

*Address to the Republicans of the United States.*

“WASHINGTON, Nov. 27, 1856.

“The Presidential contest is over, and at last we have some materials to enable us to form a judgment of the results.

“Seldom have two parties emerged from a conflict with less of joy in the victors, more of hope in the vanquished. The pro-slavery party has elected its Presidential candidate, only, however, by the votes of a minority, and that of such a character as to stamp the victory as the offspring of sectionalism and temporary causes. The Republicans, wherever able to present clearly to the public the real issue of the canvass—slavery restriction or slavery extension—have carried the people with them by unprecedented majorities; almost breaking up in some States the organization of their adversaries. A sudden gathering together of the people, alarmed at the inroads of the slave power, rather than a well organized party, with but a few months to attend to the complicated details of party warfare; obstructed by a secret Order, which had pre-occupied the field, and obtained a strong hold of the national and religious prejudices of the masses; opposed to an old party, commencing the canvass with the united support of a powerful section, hardened by long party drill, accustomed to victory, wielding the whole power of the federal administration—a party which only four years ago carried all but four of the States, and a majority of the popular vote—still, under all these adverse circumstances, they have triumphed in eleven, if not twelve of the free States, pre-eminent for enterprise and general intelligence, and containing

one half of the whole population of the country; given to their Presidential candidate nearly three times as many electoral votes as were cast by the Whig party in 1852; and this day control the governments of fourteen of the most powerful States of the Union.

“Well may our adversaries tremble in the hour of their victory. ‘The Democratic and Black Republican parties,’ they say, ‘are nearly balanced in regard to power. The former was victorious in the recent struggle, but success was hardly won, with the aid of important accidental advantages. The latter has abated nothing of its zeal, and has suffered no pause in its preparations for another battle.’

“With such numerical force, such zeal, intelligence, and harmony in counsel; with so many great States, and more than a million voters rallied to their standard by the efforts of a few months, why may not the Republicans confidently expect a victory in the next contest?

The necessity for their organization still exists in all its force. Mr. Buchanan has always proved true to the demands of his party. He fully accepted the Cincinnati platform, and pledged himself to its policy—a policy of filibustering abroad, propagandism at home. Prominent and controlling among his supporters are men committed, by word and deed, to that policy; and what is there in his character, his antecedents, the nature of his northern support, to authorize the expectation that he will disregard their will? Nothing will be so likely to restrain him and counteract their extreme measures, as a vigorous and growing Republican organization, as nothing would be more necessary to save the cause of freedom and the Union, should he, as we have every reason to believe, continue the pro-slavery policy of the present incumbent. Let us beware of folding our arms, and waiting to see what he will do. We know the ambition, the necessities, the schemes of the slave power. Its policy of extension and aggrandizement and universal empire, is the law of its being, not an accident—is settled, not fluctuating. Covert or open, moderate or extreme, according to circumstances, it never changes in spirit or aim. With Mr. Buchanan, the elect of a party controlled by this policy, administering the government, the safety of the country and of free institutions must rest in the organization of the Republican party.

What, then, is the duty before us? Organization, vigilance, action; action on the rostrum, through the press, at the ballot-box; in state, county, city, and town elections; everywhere, at all times; in every election, making Republicanism, or loyalty to the policy and principles it advocates, the sole political test. No primary or municipal election should be suffered to go by default. The party that would suc-

ceed nationally must triumph in states—triumph in the state elections, must be prepared by municipal success.

Next to the remaining power in the states already under their control, let the Republicans devote themselves to the work of disseminating their principles, and initiating the true course of political action in the states which have decided the election against them. This time we have failed, for reasons nearly all of which may be removed by proper effort. Many thousand honest, but not well-informed voters, who supported Mr. Buchanan under the delusive impression that he would favor the cause of free Kansas will soon learn their mistake, and be anxious to correct it. The timid policy of the Republicans in New Jersey, Pennsylvania, and Indiana, in postponing their independent action, and temporizing with a party got up for purposes not harmonizing with their own, and the conduct of Mr. Fillmore's friends in either voting for Mr. Buchanan, or dividing the opposition by a separate ticket, can hardly be repeated again. The true course of the Republicans is to organize promptly, boldly, and honestly upon their own principles, so clearly set forth in the Philadelphia platform, and, avoiding coalitions with other parties, appeal directly to the masses of all parties to ignore all organizations and issues which would divert the public mind from the one danger that now threatens the honor and interests of the country, and the subtlety of the Union—slavery propagandism allied with disunionism.

Let us not forget that it is not the want of generous sentiment, but of sufficient information, that prevents the American people from being united in action against the aggressive policy of the slave power. Were these simple questions submitted to-day to the people of the United States:—Are you in favor of the extension of slavery? Are you in favor of such extension by the aid or connivance of the federal government? And could they be permitted to record their votes in response, without embarrassment, without constraint of any kind, nineteenth-twentieths of the people of the free States, and perhaps more than half of the people of the slave States, would return a decided negative to both.

Let us have faith in the people. Let us believe, that at heart they are hostile to the extension of slavery, desirous that the territories of the Union be consecrated to free labor and free institutions; and that they require only enlightenment as to the most effectual means of securing this end, to convert their cherished sentiment into a fixed principle of action.

The times are pregnant with warning. That a disunion party exists in the South, no longer admits of a doubt. It accepts the election of Mr. Buchanan as affording

time and means to consolidate its strength and mature its plans, which comprehend not only the enslavement of Kansas, and the recognition of slavery in all territory of the United States, but the conversion of the lower half of California into a slave State, the organization of a new slavery territory in the Gadsden purchase, the future annexation of Nicaragua and subjugation of Central America, and the acquisition of Cuba; and, as the free States are not expected to submit to all this, ultimate dismemberment of the Union, and the formation of a great slaveholding confederacy, with foreign alliances with Brazil and Russia. It may assume at first a moderate tone, to prevent the sudden alienation of its Northern allies; it may delay the development of its plot, as it did under the Pierce administration; but the repeal of the Missouri compromise came at last, and so will come upon the country inevitably the final acts of the dark conspiracy. When that hour shall come, then will the honest Democrats of the free States be driven into our ranks, and the men of the slave States who prefer the republic of Washington, Adams and Jefferson—a republic of law, order and liberty—to an oligarchy of slaveholders and slavery propagandists, governed by Wise, Atchison, Soulé, and Walker, founded in fraud and violence and seeking aggrandizement by the spoliation of nations, will bid God speed to the labors of the Republican party to preserve liberty and the Union, one and inseparable, perpetual and all powerful.

Washington, D. C., Nov. 27, 1856.

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#### The Kansas Struggle.

It was the removal of the interdiction against slavery, in all the territory north of 36° 30', by the repeal of the Missouri Compromise which gave legality to the struggle for Kansas, and it was the doctrine of popular sovereignty which gave an impartial invitation to both sides to enter the struggle. The aggressive men of both parties hurried emigrants to the Territory. Each accused the other of organized efforts, and soon in the height of the excitement these charges were rather confessed than denied.

A new question was soon evolved by the struggle, for some who entered from the South took their slaves with them. The Free State men now contended that slavery was a local institution and confined to the States where it existed, and that if an emigrant passed into the territory with his slaves these became free. The Southern view was, that slaves were recognized as property by the National Constitution; that therefore their masters had a right to take them there and hold them under cou-

stitutional guarantees, the same as any other property; that to assert anything else would be to deny the equality of the States within their common territory, and degrade them from the rank of equals to that of inferiors. This last proposition had such force that it would doubtless have received more general recognition if the North had not felt that the early compact dedicating the territories north of 36° 30' to freedom, had been violated. In answer to this proposition they therefore proclaimed in their platforms and speeches, and there was no other logical answer, "that freedom was National, and slavery Sectional."

We cannot enter upon a full description of the scenes in Kansas, but bloodshed and rapine soon followed the attempts of the opposing parties to get control of its government. What were called the "Border Ruffians" by the Free State men, because of active and warlike organization in Missouri and upon its borders, in the earlier parts of the struggle, seemed to have the advantage. They were supported by friends near at hand at all times, and warlike raids were frequent. The Free State men had to depend mainly upon New England for supplies in arms and means, but organizations were in turn rapidly completed to meet their calls, and the struggle soon became in the highest degree critical.

The pro-slavery party sustained the Territorial government appointed by the administration; the anti-slavery party repudiated it, because of its presumed committal to slavery. The election for members of the Territorial legislature had been attended with much violence and fraud, and it was claimed that these things properly annulled any action taken by that body. A distinct and separate convention was called at Topeka to frame a State constitution, and the Free State men likewise elected their own Governor and Legislature to take the place of those appointed by Buchanan, and when the necessary preliminaries were completed, they applied for admission into the Union. After a long and bitter struggle Congress decided the question by refusing to admit Kansas under the Topeka Constitution, and by recognizing the authority of the territorial government. These proceedings took place during the session of 1856-7, which terminated immediately before the inauguration of President Buchanan.

At the beginning of Buchanan's administration in 1857, the Republicans almost solidly faced the Democrats. There still remained part of the division caused by the American or Know-Nothing party, but its membership in Congress had already been compelled to show at least the tendency of their sentiments on the great

question which was now rapidly dividing the two great sections of the Union. The result of the long Congressional struggle over the admission of Kansas and Nebraska was simply this: "That Congress was neither to legislate slavery into any Territory or State, nor to exclude it therefrom; but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States,"\* and it was specially prescribed that when the Territory of Kansas shall be admitted as a State, it shall be admitted into the Union with or without slavery as the constitution adopted should prescribe at the time of admission.

This was, as it proved, but a temporary settlement on the principle of popular sovereignty, and was regarded at the time as a triumph of the views of Stephen A. Douglas by the friends of that great politician. The more radical leaders of the South looked upon it with distrust, but the blood of the more excitable in both sections was rapidly rising toward fever heat, and the border men from the Free and Slave States alike were preparing to act upon a compromise which in effect invited a conflict.

The Presidential election in 1856 had singularly enough encouraged the more aggressive of both sections. Buchanan's election was a triumph for the South; Fremont's large vote showed the power of a growing party as yet but partially organized, and crippled by schisms which grew out of the attempt to unite all elements of opposition to the Democrats. The general plan of the latter was now changed into an attempt to unite all of the free-soil elements into a party organization against slavery, and from that time forward until its total abolition slavery was the paramount issue in the minds of the more aggressive men of the north. Lincoln voiced the feelings of the Republicans when he declared in one of his Illinois speeches:—

"We will, hereafter, speak for freedom, and against slavery, as long as the Constitution guaranties free speech; until everywhere, on this wide land, the sun shall shine, and the rain shall fall, and the wind shall blow upon no man who goes forth to unrequited toil."

In the Congressional battle over the admission of Kansas and Nebraska, Douglas was the most conspicuous figure, and the language which we have quoted from Buchanan's inaugural was the literal meaning which Douglas had given to his idea of "popular" or "squatter sovereignty."

Prior to the Kansas struggle the Free

\* President Buchanan's Inaugural Address.



Soilers of the North had regarded Douglas as an ally of the South, and his admitted ambition for the Presidency gave color to this suspicion. He it was who reported and carried through Congress the bill for the repeal of the Missouri Compromise, a measure which at that time was thought to obstruct Southern designs in the territories of the great West, but this repeal proved in fact the first plain steps toward the freedom of the territories. Having repealed that compromise, something must take its place, and what better than "popular sovereignty," thought Douglas. Territories contiguous to the Slave States, or in the same latitude, would thus naturally revert to slavery; while those farther north, and at that time least likely of early settlement, would be dedicated to freedom. There was a grave miscalculation just here. Slave-owners were not apt to change their homesteads, and could not with either profit or convenience carry their property to new lands which might or might not be fruitful in the crops best adapted to slave labor. Slave-owners were few in number compared with the free citizens of the North and the thousands of immigrants annually landing on our shores. People who had once moved from the New England or Middle States westward, were rather fond of it, and many of these swelled the tide which constantly sought homes in the territories; and where these did not go in person their sons and daughters were quite willing to imitate the early adventures of their parents. All these counted for the North under the doctrine of "popular sovereignty," and it was the failure of that doctrine to aid the South which from this time forward caused that section to mistrust the friendship of Douglas.

No political writer has since questioned his motives, and we doubt if it can be done successfully. His views may have undergone some change since 1850, and it would be singular if they had not; for a mind as discerning as his could hardly fail to note the changes going on all about him, and no where more rapidly than in his own State. He thought his doctrine at least adapted to the time, and he stood by it with rare bravery and ability. If it had been accepted by the Republicans, it would have been fatal to their organization as a party. We doubt the ability of any party to stand long upon any mere compromise, made to suit the exigencies and avoid the dangers of the moment. It may be said that our government, first based on a confederacy and then a constitution, with a system of checks and balances, with a division of power between the people and the States, is but a compromise; but the assertion will not hold good. These things were adopted because of a belief at the

time that they were in themselves right, or as nearly right as those who participated in their adoption were given to see the right. There was certainly no attempt at a *division of right and wrong*, and the closest investigation will show nothing beyond a surrender of power for the good of all, which is in itself the very essence and beginning of government.

We have said that Douglas fought bravely for his idea, and every movement in his most remarkable campaign with Lincoln for the U. S. Senate demonstrated the fact. The times were full of agitation and excitement, and these were increased when it became apparent that Buchanan's administration would aid the effort to make Kansas a slave State. Douglas was the first to see that the application of administration machinery to his principle, would degrade and rob it of its fairness. He therefore resented Buchanan's interference, and in turn Buchanan's friends sought to degrade him by removing him from the chairmanship of the Senate Committee on Territories, the position which had given him marked control over all questions pertaining to the organization of territories and the admission of new States.

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#### The Lincoln and Douglas Debate.

The Senatorial term of Douglas was drawing near to its close, when in July, 1858, he left Washington to enter upon the canvass for re-election. The Republican State Convention of Illinois had in the month previous met at Springfield, and nominated Abraham Lincoln as a candidate for United States Senator, this with a view to pledge all Republican members of the Legislature to vote for him—a practice since gone into disuse in most of the States, because of the rivalries which it engenders and the aggravation of the dangers of defeat sure to follow in the selection of a candidate in advance. "First get your goose, then cook it," inelegantly describes the basic principles of improved political tactics. But the Republicans, particularly of the western part of Illinois, had a double purpose in the selection of Lincoln. He was not as radical as they, but he well represented the growing Republican sentiment, and he best of all men could cope with Douglas on the stump in a canvass which they desired should attract the attention of the Nation, and give shape to the sentiment of the North on all questions pertaining to slavery. The doctrine of "popular sovereignty" was not acceptable to the Republicans, the recent repeal of the Missouri compromise having led them, or the more radical portion of them, to despise all compromise measures.

The plan of the Illinois Republicans, if

indeed it was a well-settled plan, accomplished even more than was anticipated, though it did not result in immediate success. It gave to the debate which followed between Lincoln and Douglas a world-wide celebrity, and did more to educate and train the anti-slavery sentiment, taken in connection with the ever-growing excitement in Kansas, than anything that could have happened.

Lincoln's speech before the convention which nominated him, gave the first clear expression to the idea that there was an "irrepressible conflict" between freedom and slavery. Wm. H. Seward on October 25th following, at Rochester, N. Y., expressed the same idea in these words:

"It is an *irrepressible conflict* between opposing and enduring forces, and it means that the United States will sooner or later become either an entire slaveholding Nation, or an entirely free labor Nation."

Lincoln's words at Springfield, in July, 1858, were:

"If we could first know where we are, and whither we are tending, we could better judge what to do, and how to do it. We are now far into the fifth year, since a policy was initiated with the avowed object, and confident promise of putting an end to the slavery agitation. Under the operation of that policy, that agitation has not only not ceased, but has constantly augmented. In my opinion it will not cease, until a crisis shall have been reached and passed. 'A house divided against itself cannot stand.' I believe this government cannot endure permanently half slave and half free. I do not expect the Union to be dissolved—I do not expect the house to fall—but I do expect it will cease to be divided. It will become all one thing, or all the other. Either the opponents of slavery will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction; or its advocates will push it forward, till it shall become alike lawful in all the States, old as well as new—North as well as South."

Douglas arrived in Chicago on the 9th of July, and was warmly received by enthusiastic friends. His doctrine of "popular sovereignty" had all the attractions of novelty and apparent fairness. For months it divided many Republicans, and at one time the New York *Tribune* showed indications of endorsing the position of Douglas—a fact probably traceable to the attitude of jealousy and hostility manifested toward him by the Buchanan administration. Neither of the great debaters were to be wholly free in the coming contest. Douglas was undermined by Buchanan, who feared him as a rival, and by the more bitter friends of slavery, who could not see that the new doctrine was safely in their

interest; but these things were dwarfed in the State conflict, and those who shared such feelings had to make at least a show of friendship until they saw the result. Lincoln was at first handicapped by the doubts of that class of Republicans who thought "popular sovereignty" not bad Republican doctrine.

On the arrival of Douglas he replied to Lincoln's Springfield speech; on the 16th he spoke at Bloomington, and on the 17th, in the afternoon, at Springfield. Lincoln had heard all three speeches, and replied to the last on the night of the day of its delivery. He next addressed to Douglas the following challenge to debate:

CHICAGO, July 24th, 1858.

HON. S. A. DOUGLAS:—*My Dear Sir*:—Will it be agreeable to you to make an arrangement to divide time, and address the same audience, during the present canvass? etc. Mr. Judd is authorized to receive your answer, and if agreeable to you, to enter into terms of such agreement, etc.

Your obedient servant,

A. LINCOLN.

Douglas promptly accepted the challenge, and it was arranged that there should be seven joint debates, each alternately opening and closing, the opening speech to occupy one hour, the reply one hour and a half, and the closing half an hour. They spoke at Ottawa, August 21st; Freeport, August 27th; Jonesboro', September 15th; Charleston, September 18th; Galesburg, October 7th; Quincy, October 13th; and Alton, October 15th. We give in Book III of this volume their closing speeches in full.

Great crowds attended, and some of the more enterprising daily journals gave phonographic reports of the speeches. The enthusiasm of the North soon ran in Lincoln's favor, though Douglas had hosts of friends; but then the growing and the aggressive party was the Republican, and even the novelty of a new and attractive doctrine like that of "popular sovereignty" could not long divert their attention. The prize suspended in view of the combatants was the United States Senatorship, and to close political observers this was plainly within the grasp of Douglas by reason of an apportionment which would give his party a majority in the Legislature, even though the popular majority should be twenty thousand against him—a system of apportionment, by the way, not confined to Illinois alone, or not peculiar to it in the work of any of the great parties at any period when party lines were drawn.

Buchanan closely watched the fight, and it was charged and is still believed by the friends of the "Little Giant," that the

administration secretly employed its patronage and power to defeat him. Certain it is that a few prominent Democrats deserted the standard of Douglas, and that some of them were rewarded. In the heat of the battle, however, Douglas' friends were careless of the views of the administration. He was a greater leader than Buchanan, and in Illinois at least he overshadowed the administration. He lacked neither money nor friends. Special trains of cars, banners, cannon, bands, processions, were all supplied with lavish hands. The democracy of Illinois, nor yet of any other State, ever did so well before or since, and if the administration had been with him this enthusiasm might have spread to all other States and given his doctrine a larger and more glorious life. Only the border States of the South, however, saw opportunity and glory in it, while the office-holders in other sections stood off and awaited results.

Lincoln's position was different. He, doubtless, early realized that his chances for election were remote indeed, with the apportionment as it was, and he sought to impress the nation with the truth of his convictions, and this without other display than the force of their statement and publication. Always a modest man, he was never more so than in this great battle. He declared that he did not care for the local result, and in the light of what transpired, the position was wisely taken. Douglas was apparently just as earnest, though more ambitious; for he declared in the vehemence of the advocacy of his doctrine, that "he did not care whether slavery was voted up or voted down." Douglas had more to lose than Lincoln—a place which his high abilities had honored in the United States Senate, and which intriguing enemies in his own party made him doubly anxious to hold. Beaten, and he was out of the field for the Presidency, with his enthroned rival a candidate for re-election. Successful, and that rival must leave the field, with himself in direct command of a great majority of the party. This view must have then been presented, but the rapid rise in public feeling made it in part incorrect. The calculation of Douglas that he could at one and the same time retain the good will of all his political friends in Illinois and those of the South failed him, though he did at the time, and until his death, better represent the majority of his party in the whole country than any other leader.

At the election which followed the debate, the popular choice in the State as a whole was for Lincoln by 126,084 to 121,940 for Douglas; but the apportionment of 1850 gave to Douglas a plain majority of the Senators and Representatives.

At the Freeport meeting, August 27th,

there were sharp questions and answers between the debaters. They were brought on by Lincoln, who, after alluding to some questions propounded to him at Ottawa, said:

"I now propose that I will answer any of the interrogatories, upon condition that he will answer questions from me not exceeding the same number, to which I give him an opportunity to respond. The judge remains silent; I now say that I will answer his interrogatories, whether he answer mine or not, and that after I have done so I shall propound mine to him.

"I have supposed myself, since the organization of the Republican party at Bloomington in May, 1856, bound as a party man by the platforms of the party, there, and since. If, in any interrogatories which I shall answer, I go beyond the scope of what is within these platforms, it will be perceived that no one is responsible but myself.

"Having said thus much, I will take up the judge's interrogatories as I find them printed in the *Chicago Times*, and answer them *seriatim*. In order that there may be no mistake about it, I have copied the interrogatories in writing, and also my answers to them. The first one of these interrogatories is in these words:

*Question 1.*—I desire to know whether Lincoln to-day stands, as he did in 1854, in favor of the unconditional repeal of the Fugitive Slave Law?

*Answer.*—I do not now, nor ever did, stand in favor of the unconditional repeal of the Fugitive Slave Law.

*Q. 2.*—I desire him to answer whether he stands pledged to-day, as he did in 1854, against the admission of any more slave States into the Union, even if the people want them?

*A.*—I do not now, nor ever did, stand pledged against the admission of any more slave States into the Union.

*Q. 3.*—I want to know, whether he stands pledged against the admission of a new State into the Union, with such a Constitution as the people of the State may see fit to make?

*A.*—I do not stand pledged against the admission of a new State into the Union, with such a Constitution as the people of the State may see fit to make.

*Q. 4.*—I want to know whether he stands to-day pledged to the abolition of slavery in the District of Columbia?

*A.*—I do not stand to-day pledged to the abolition of slavery in the District of Columbia.

*Q. 5.*—I desire him to answer whether he stands pledged to the prohibition of the slave trade between the different States?

*A.*—I do not stand pledged to prohibition of the slave trade between the different States.

Q. 6.—I desire to know whether he stands pledged to prohibit slavery in all the Territories of the United States, North as well as South of the Missouri Compromise line?

A.—I am impliedly, if not expressly, pledged to a belief in the RIGHT and DUTY of Congress to prohibit slavery in all of the United States' Territories.

Q. 7.—I desire him to answer, whether he is opposed to the acquisition of any new territory, unless slavery is first prohibited therein?

A.—I am not generally opposed to honest acquisition of territory; and in any given case, I would or would not oppose such acquisition, according as I might think such acquisition would or would not aggravate the slavery question among ourselves.

“Now, my friends, it will be perceived upon an examination of these questions and answers, that so far, I have only answered that I was not *pledged* to this, that, or the other.

The judge has not framed his interrogatories to ask me anything more than this and I have answered in strict accordance with the interrogatories, and have answered truly, that I am not *pledged* at all upon any of the points to which I have answered. But I am not disposed to hang upon the exact form of his interrogatories. I am rather disposed to take up, at least some of these questions, and state what I really think upon them.

“The fourth one is in regard to the abolition of slavery in the District of Columbia. In relation to that, I have my mind very distinctly made up. I should be very glad to see slavery abolished in the District of Columbia. I believe that Congress possesses the constitutional power to abolish it. Yet, as a member of Congress, I should not, with my present views, be in favor of *endeavoring* to abolish slavery in the District of Columbia, unless it should be upon these conditions: FIRST, That the abolition should be gradual; SECOND, That it should be on a vote of a majority of qualified voters in the District; and THIRD, That compensation should be made to unwilling owners. With these three conditions, I confess I would be exceedingly glad to see Congress abolish slavery in the District of Columbia, and in the language of Henry Clay, ‘sweep from our Capital that foul blot upon our nation.’”

I now proceed to propound to the judge the interrogatories, so far as I have framed them. I will bring forward a new instalment when I get them ready. I will bring now only four. The first one is:—

1. If the people of Kansas shall, by means entirely unobjectionable in all other respects, adopt a State Constitution and ask admission into the Union under it *before* they have the requisite number of

inhabitants, according to the English bill—some ninety-three thousand—will he vote to admit them?

2. Can the people of the United States Territory, in any lawful way, against the wish of any citizen of the United States, exclude slavery from its limits prior to the formation of a State Constitution?

3. If the Supreme Court of the United States shall decide that States cannot exclude slavery from their limits, are you in favor of acquiescing in, adopting and following such decision as a rule of political action?

4. Are you in favor of acquiring additional territory in disregard of how much acquisition may affect the nation on the slavery question?

To these questions Mr. Douglas said: “In reference to Kansas, it is my opinion that, as she has population enough to constitute a slave State, she has people enough for a free State. I hold it to be a sacred rule of universal application, to require a Territory to contain the requisite population for a member of Congress, before it is admitted as a State into the Union.

2. “It matters not what way the Supreme Court may hereafter decide, as to the abstract question whether slavery may or may not go into a Territory under the Constitution, the people have the lawful means to introduce it, or exclude it as they please, for the reason that slavery cannot exist a day, or an hour, anywhere, unless it is supported by local police regulations. These police regulations can only be established by the local legislature, and if the people are opposed to slavery, they will elect representatives to that body, who will, by unfriendly legislation, effectually prevent the introduction of it into their midst. If, on the contrary, they are for it, their legislation will favor its extension. Hence, no matter what the decision of the Supreme Court may be on that abstract question, still the right of the people to make a slave Territory or a free Territory is perfect and complete under the Nebraska bill.

“3. The third question which Mr. Lincoln presented is, if the Supreme Court of the United States shall decide that a State of this Union cannot exclude slavery from its own limits, will I submit to it? I am amazed that Mr. Lincoln should ask such a question.

He casts an imputation upon the Supreme Court of the United States by supposing that they would violate the constitution of the United States. I tell him that such a thing is not possible. It would be an act of moral treason that no man on the bench could ever descend to. Mr. Lincoln, himself, would never, in his partisan feelings, so far forget what was right as to be guilty of such an act.

4. With our natural increase, growing with a rapidity unknown in any other part of the globe, with the tide of emigration that is fleeing from despotism in the old world, to seek refuge in our own, there is a constant torrent pouring into this country that requires more land, more territory upon which to settle, and just as fast as our interests and our destiny require an additional territory in the North, in the South, or on the Island of the Ocean, I am for it, and when we require it, will leave the people, according to the Nebraska bill, free to do as they please on the subject of slavery, and every other question."

The bitterness of the feelings aroused by the canvass and boldness of Douglas, can both be well shown by a brief abstract from his speech at Freeport. He had persisted in calling the Republicans "*Black Republicans*," although the crowd, the great majority of which was there against him, insisted that he should say "*White Republican*." In response to these oft repeated demands, he said:—

"Now, there are a great many Black Republicans of you who do not know this thing was done. (*White, white, and great clamor*)." I wish to remind you that while Mr. Lincoln was speaking, there was not a Democrat vulgar and black-guard enough to interrupt him. But I know that the shoe is pinching you. I am clinching Lincoln now, and you are seared to death for the result. I have seen this thing before. I have seen men make appointments for discussions and the moment their man has been heard, try to interrupt and prevent a fair hearing of the other side. I have seen your mobs before and defy your wrath. (*Tremendous applause*.)

"My friends, do not cheer, for I need my whole time.

"I have been put to severe tests. I have stood by my principles in fair weather and in foul, in the sunshine and in the rain. I have defended the great principle of self-government here among you when Northern sentiment ran in a torrent against me, and I have defended that same great principle when Southern sentiment came down like an avalanche upon me. I was not afraid of any test they put to me. I knew I was right—I knew my principles were sound—I knew that the people would see in the end that I had done right, and I knew that the God of Heaven would smile upon me if I was faithful in the performance of my duty."

As an illustration of the earnestness of Lincoln's position we need only quote two paragraphs from his speech at Alton:—

"Is slavery wrong? That is the real issue. That is the issue that will continue in this country when these poor tongues of

Judge Douglas and myself shall be silent. It is the eternal struggle between these two principles—right and wrong—throughout the world. They are two principles that have stood face to face from the beginning of time; and will ever continue to struggle. The one is the common right of humanity, and the other the divine right of Kings. It is the same principle in whatever shape it develops itself. It is the same spirit that says, 'you work and toil, and earn bread, and I'll eat it.' No matter in what shape it comes, whether from the mouth of a King who seeks to bestride the people of his own nation and life by the fruit of their labor, or from one race of men as an apology for enslaving another race, it is the same tyrannical principle."

And again:—

"On this subject of treating it as a wrong, and limiting its spread, let me say a word. Has anything ever threatened the existence of this Union save and except this very institution of slavery? What is it that we hold most dear among us? Our own liberty and prosperity. What has ever threatened our liberty and prosperity save and except this institution of slavery? If this is true, how do you propose to improve the condition of things? by enlarging slavery?—by spreading it out and making it bigger? You may have a wen or cancer upon your person and not be able to cut it out, lest you bleed to death; but surely it is no way to cure it, to engraft it and spread it over your whole body. That is no proper way of treating what you regard a wrong. You see this peaceful way of dealing with it as a wrong—restricting the spread of it, and not allowing it to go into new countries where it has not already existed. That is the peaceful way, the old-fashioned way, the way in which the fathers themselves set us the example."

The administration of Pierce had left that of Buchanan a dangerous legacy. He found the pro-slavery party in Congress temporarily triumphant, it is true, and supported by the action of Congress in rejecting the Topeka constitution and recognizing the territorial government, but he found that that decision was not acceptable either to the majority of the people in the country or to a rapidly rising anti-slavery sentiment in the North. Yet he saw but one course to pursue, and that was to sustain the territorial government, which had issued the call for the Lecompton convention. He was supported in this view by the action of the Supreme Court, which had decided that slavery existed in Kansas under the constitution of the United States, and that the people therein could only relieve themselves of it by the election of delegates who would prohibit it in the constitution to be framed by the Lecompton

ton convention. The Free State men refused to recognize the call, made little, if any, preparation for the election, yet on the last day a number of them voted for State officials and a member of Congress under the Lecompton constitution. This had the effect of suspending hostilities between the parties, yet peace was actually maintained only by the intervention of U. S. troops, under the command of Col. Sumner, who afterwards won distinction in the war of the rebellion. The Free State people stood firmly by their Topeka constitution, and refused to vote on questions affecting delegates to the Lecompton convention. They had no confidence in Governor Walker, the appointee of President Buchanan, and his proclamations passed unheeded. They recognized their own Governor Robinson, who in a message dated December 7th, 1857, explained and defended their position in these words:

"The convention which framed the constitution at Topeka originated with the people of Kansas territory. They have adopted and ratified the same twice by a direct vote, and also indirectly through two elections of State officers and members of the State Legislature. Yet it has pleased the administration to regard the whole proceeding as revolutionary."

The Lecompton convention, proclaimed by Governor Walker to be lawfully constituted, met for the second time, Sept. 4th, 1857, and proceeded to frame a constitution, and adjourned finally Nov. 7th. A large majority of the delegates, as in the first, were of course pro-slavery, because of the refusal of the anti-slavery men to participate in the election. It refused to submit the whole constitution to the people, it is said, in opposition to the desire of President Buchanan, and part of his Cabinet. It submitted only the question of whether or not slavery should exist in the new State, and this they were required to do under the Kansas-Nebraska act, if indeed they were not required to submit it all. Yet such was the hostility of the pro-slavery men to submission, that it was only by three majority the proposition to submit the main question was adopted—a confession in advance that the result was not likely to favor their side of the controversy. But six weeks' time was also allowed for preparation, the election being ordered for Dec. 21st, 1857. Still another advantage was taken in the printing of the ballots, as ordered by the convention. The method prescribed was to endorse the ballots, "Constitution with Slavery," and "Constitution with no Slavery, thus compelling the voter, however adverse his views, as to other parts of the Constitution, to vote for it as a whole. As a consequence, (at least this was given as one of the reasons,) the Free State men as a rule refused

to participate in the election, and the result as returned was 6,143 votes in favor of slavery, and 589 against it. The constitution was announced as adopted, an election was ordered on the first Monday of January, 1858, for State officers, members of the Legislature, and a member of Congress. The opponents of the Lecompton constitution did not now refrain from voting, partly because of their desire to secure the representative in Congress, but mainly to secure an opportunity, as advised by their State officers, to vote down the Lecompton constitution. Both parties warmly contested the result, but the Free State men won, and with their general victory secured a large majority in the Legislature.

The ballots of the Free State men were now headed with the words "Against the Lecompton Constitution," and they returned 10,226 votes against it, to 134 for it with slavery, and 24 for it against slavery. This return was certified by J. W. Denver, "Secretary and Acting Governor," and its validity was endorsed by Douglas in his report from the Senate Territorial Committee. It was in better accord with his idea of popular sovereignty, as it showed almost twice as large a vote as that cast under the Lecompton plan, the fairness of the return not being disputed, while that of the month previous was disputed.

But their previous refusal to vote on the Lecompton constitution gave their opponents an advantage in position strangely at variance with the wishes of a majority of the people. The President of that convention, J. Calhoun, forwarded the document to the President with an official request that it be submitted to Congress. This was done in a message dated 2d February, 1858, and the President recommended the admission of Kansas under it.

This message occasioned a violent debate in Congress, which continued for three months. It was replete with sectional abuse and bitterness, and nearly all the members of both Houses participated. It finally closed with the passage of the "Act for the admission of the State of Kansas into the Union," passed May 4th, 1858. This Act had been reported by a committee of conference of both Houses, and was passed in the Senate by 31 to 22, and in the House by 112 to 103. There was a strict party vote in the Senate with the exception of Mr. Douglas, C. E. Stuart of Michigan, and D. C. Broderick of California, who voted with the Republican minority. In the House several anti-Lecompton democrats voted with the Republican minority. These were Messrs. Adrian of New Jersey; Chapman of Pennsylvania; Clark of New York; Cockerill of Ohio; Davis of Indiana; Harris of Illinois; Haskin of New York; Hickman of Pennsylvania; McKibben of California;

Marshall of Illinois; Morgan of New York; Morris, Shaw, and Smith of Illinois. The Americans who voted with the Republicans were Crittenden of Kentucky; Davis of Maryland; Marshall of Kentucky; Ricaud of Maryland; Underwood of Kentucky. A number of those previously classed as Anti-Lecompton Democrats voted against their colleagues of the same faction, and consequently against the bill. These were Messrs. Cockerill, Gwesheck, Hall, Lawrence, Pendleton and Cox of Ohio; English and Foley of Indiana; and Jones of Pennsylvania. The Americans who voted against the bill were Kennedy of Maryland; Anderson of Missouri; Eustis of Louisiana; Gilmer of North Carolina; Hill of Georgia; Maynard, Ready and Zollicoffer of Tennessee; and Trippe of Georgia.

#### **Lecompton Constitution.**

The following are the political features of the Lecompton constitution:

##### ARTICLE VII.—*Slavery.*

SEC. 1. The right of property is before and higher than any constitutional sanction, and the right of the owner of a slave to such slave and its increase is the same, and as inviolable as the right of the owner of any property whatever.

SEC. 2. The legislature shall have no power to pass laws for the emancipation of slaves without the consent of the owners, or without paying the owners previous to their emancipation a full equivalent in money for the slaves so emancipated. They shall have no power to prevent emigrants to the state from bringing with them such persons as are deemed slaves by the laws of any one of the United States or territories, so long as any person of the same age or description shall be continued in slavery by the laws of this state: *Provided*, That such person or slave be the bona fide property of such emigrants: *And provided, also*, That laws may be passed to prohibit the introduction into this state of slaves who have committed high crimes in other states or territories. They shall have power to pass laws to permit the owners of slaves to emancipate them, saving the rights of creditors, and preventing them from becoming a public charge. They shall have power to oblige the owners of slaves to treat them with humanity, to provide for them necessary food and clothing, to abstain from all injuries to them extending to life or limb, and, in case of their neglect or refusal to comply with the direction of such laws, to have such slave or slaves sold for the benefit of the owner or owners.

SEC. 3. In the prosecution of slaves for crimes of higher grade than petit larceny, the legislature shall have no power to deprive them of an impartial trial by a petit jury.

SEC. 4. Any person who shall maliciously dismember, or deprive a slave of life, shall suffer such punishment as would be inflicted in case the like offence had been committed on a free white person, and on the like proof, except in case of insurrection of such slave.

##### *Free Negroes.*

*Bill of Rights*, SEC. 23. Free negroes shall not be allowed to live in this state under any circumstances.

#### ARTICLE VIII.—*Elections and Rights of Suffrage.*

SEC. 1. Every male citizen of the United States, above the age of twenty-one years, having resided in this state one year, and in the county, city, or town in which he may offer to vote, three months next preceding any election, shall have the qualifications of an elector, and be entitled to vote at all elections. And every male citizen of the United States, above the age aforesaid, who may be a resident of the state at the time this constitution shall be adopted, shall have the right of voting as aforesaid; but no such citizen or inhabitant shall be entitled to vote except in the county in which he shall actually reside at the time of the election.

#### **The Topeka Constitution.**

The following are the political features of the Topeka constitution:

##### *Slavery.*

*Bill of Rights*, SEC. 6. There shall be no slavery in this state, nor involuntary servitude, unless for the punishment of crime.

##### *Amendments to the Constitution.*

SEC. 1. All propositions for amendments to the constitution shall be made by the General Assembly.

SEC. 2. A concurrence of two-thirds of the members elected to each house shall be necessary, after which such proposed amendments shall be again referred to the legislature elected next succeeding said publication. If passed by the second legislature by a majority of two-thirds of the members elected to each house, such amendments shall be republished as aforesaid, for at least six months prior to the next general election, at which election such proposed amendments shall be submitted to the people for their approval or

rejection; and if a majority of the electors voting at such election shall adopt such amendments, the same shall become a part of the constitution.

SEC. 3. When more than one amendment is submitted at the same time, they shall be so submitted as to enable the electors to vote upon each amendment separately. No convention for the formation of a new constitution shall be called, and no amendment to the constitution shall be, by the general assembly, made before the year 1865, nor more than once in five years thereafter.

*Submission of Constitution to the People.*

*Schedule, SEC. 2.* That this constitution shall be submitted to the people of Kansas for ratification on the 15th day of December next. That each qualified elector shall express his assent or dissent to the constitution by voting a written or printed ticket, labelled "Constitution," or "No Constitution;" which election shall be held by the same judges, and conducted under the same regulations and restrictions as is hereinafter provided for the election of members of the general assembly.

**The Douglas Amendment.**

The following is the Douglas amendment, which really formed the basis of the bill for admission:

"It being the true intent and meaning of this act not to legislate slavery into any state or territory, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States."

The bill which passed on the 4th of May was known as the English bill, and it met the approval of Buchanan. To the measure was attached "a fundamental condition precedent," which arose from the fact that the ordinance of the convention accompanying the constitution claimed for the new State a cession of the public lands six times greater than had been granted to other States, amounting in all to 23,500,000 acres. In lieu of this Congress proposed to submit to a vote of the people a proposition specifying the number of acres and the purposes for which the money arising from their sale were to be used, and the acceptance of this was to be followed by a proclamation that "thereafter, and without further proceedings from Congress the admission of the State of Kansas, into the Union, upon an equal footing with the original States in all respects whatever, shall be complete and absolute." The condition was never fulfilled, for the people at the election on the 2d of August, 1858,

rejected it by a majority of 9,513, and Kansas was not admitted under the Lecompton constitution.

Finally, and after continued agitation, more peaceful, however, than that which characterized the earlier stages of the struggle, the territorial legislature of Kansas called an election for delegates to meet and form a constitution. They assembled in convention at Wyandot, in July, 1859, and reported a constitution prohibiting slavery. This was adopted by a majority exceeding 4000, and under it Kansas was admitted to the Union on the 29th of January, 1861.

The comparative quiet between the rejection of the English proposition and the adoption of the Wyandot constitution, was at one time violently disturbed by a raid made by John Brown at Harper's Ferry, with a view to excite the slaves to insurrection. This failed, but not before Gov. Wise, of Virginia, had mustered his militia, and called for the aid of United States troops. The more radical anti-slavery men of the North were at first shocked by the audacity of an offense which many looked upon as an act of treason, but the anxiety of Virginia to hang Brown and all his followers who had been captured alive, changed a feeling of conservatism in the North to one of sympathy for Brown and deeper hatred of slavery. It is but fair to say that it engendered hostility to the Union in the South. The right and wrong of slavery was thereafter more generally discussed than ever. The talent of the South favored it; while, with at least a large measure of truth it can be said that the talent of the North opposed it. So bitter grew the feeling that soon the churches of the sections began to divide, no other political question having ever before disturbed the Union.

We have not pretended to give a complete history of the Kansas trouble either in that State or in Congress, nor yet a full history of the many issues raised on questions which were but subsidiary to the main one of slavery. Our object is to show the relation of the political parties throughout that struggle, for we are dealing with the history of parties from a national view, and not with battles and the minor questions or details of parliamentary struggles. The contest had cemented the Democrats of the South as it had the Republicans of the North; it divided both the Democrats of the North and the Americans in all sections. John Bell, of Tennessee, and Sam Houston of Texas, recognized leaders of the Americans, had shown their sympathy with the new stand taken by Douglas, as early as 1854. Bell, however, was less decided than Houston, and took his position with many qualifications. Houston opposed even the repeal of the Missouri Compromise, and made the last speech



against it in the Senate. He closed with these words:

"In the discharge of my duty I have acted fearlessly. The events of the future are left in the hands of a wise Providence, and, in my opinion, on the decision which we make upon this question must depend union or disunion."

These sentiments were shared by many Americans, and the great majority of them drifted into the Republican party. The Abolitionists from the beginning of the struggle, allied themselves with the Republicans, a few of their leaders proclaiming, however, that this party was not sufficiently advanced in its views.

#### The Charleston Convention.

Such was the condition of the parties when the Democratic national convention met at Charleston, S. C., on the 23d of April, 1860, it being then the custom of the Democratic party, as it is of all majority parties, to call its convention first. It was composed of delegates from all the thirty-three States of the Union, the whole number of votes being 303. After the example of former Democratic conventions it adopted the two-third rule, and 202 votes were required to make nominations for President and Vice-President. Caleb Cushing, of Mass., presided. From the first a radical difference of opinion was exhibited among the members on the question of slavery in the Territories. Almost the entire Southern and a minority of the Northern portion believed in the Dred Scott decision, and held that slave property was as valid under the constitution as any other class of property. The Douglas delegates stood firmly by the theory of popular sovereignty, and avowed their indifference to the fact whether it would lead to the protection of slave property in the territories or not. On the second day a committee on resolutions consisting of one member from each State, selected by the State delegates, was named, and then a resolution was resolved unanimously "that this convention will not proceed to ballot for a candidate for the Presidency until the platform shall have been adopted." On the fifth day the committee on resolutions presented majority and minority reports.

After a long discussion on the respective merits of the two reports, they were both, on motion of Mr. Bigler, of Pennsylvania, re-committed to the Committee on Resolutions, with a view, if possible, to promote harmony; but this proved to be impracticable. On the sixth day of the Convention (Saturday, April 28th,) at an evening session, Mr. Avery, of North Carolina, and Mr. Samuels, of Iowa, from the majority

and minority of the committee, again made opposite and conflicting reports on the question of slavery in the Territories. On this question the committee had divided from the beginning, the one portion embracing the fifteen members from the slaveholding States, with those from California and Oregon, and the other consisting of the members from all the free States east of the Rocky Mountains. On all other questions both reports substantially agreed.

The following is the report of the majority made on this subject by Mr. Avery, of North Carolina, the chairman of the committee: "*Resolved*, That the platform adopted by the Democratic party at Cincinnati be affirmed with the following explanatory resolutions: 1st. That the Government of a Territory, organized by an act of Congress, is provisional and temporary, and during its existence all citizens of the United States have an equal right to settle with their property in the Territory, without their rights, either of person or property, being destroyed or impaired by Congressional or Territorial legislation. 2d. That it is the duty of the Federal Government, in all its departments, to protect, when necessary, the rights of persons and property in the Territories, and wherever else its constitutional authority extends. 3d. That when the settlers in a Territory having an adequate population form a State Constitution, the right of sovereignty commences, and being consummated by admission into the Union, they stand on an equal footing with the people of other States, and the State thus organized ought to be admitted into the Federal Union whether its constitution prohibits or recognizes the institution of slavery."

The following is the report of the minority, made by Mr. Samuels, of Iowa. After re-affirming the Cincinnati platform by the first resolution, it proceeds: "Inasmuch as differences of opinion exist in the Democratic party, as to the nature and extent of the powers of a Territorial Legislature, and as to the powers and duties of Congress, under the Constitution of the United States, over the institution of slavery within the Territories, *Resolved*, That the Democratic party will abide by the decisions of the Supreme Court of the United States upon questions of constitutional law."

After some preliminary remarks, Mr. Samuels moved the adoption of the minority report as a substitute for that of the majority. This gave rise to an earnest and excited debate. The difference between the parties was radical and irreconcilable. The South insisted that the Cincinnati platform, whose true construction in regard to slavery in the Territories had always been denied by a portion of the Democratic party, should be explained and

settled by an express recognition of the principles decided by the Supreme Court. The North, on the other hand, refused to recognize this decision, and still maintained the power to be inherent in the people of a Territory to deal with the question of slavery according to their own discretion. The vote was then taken, and the minority report was substituted for that of the majority by a vote of one hundred and sixty-five to one hundred and thirty-eight. The delegates from the six New England States, as well as from New York, Ohio, Indiana, Illinois, Michigan, Wisconsin, Iowa, and Minnesota, fourteen free States, cast their entire vote in favor of the minority report. New Jersey and Pennsylvania alone among the free States east of the Rocky Mountains, refused to vote as States, but their delegates voted as individuals.

The means employed to attain this end were skillfully devised by the minority of the Pennsylvania delegation in favor of nominating Mr. Douglas. The entire delegation had, strangely enough, placed this power in their hands, by selecting two of their number, Messrs. Cessna and Wright, to represent the whole on the two most important committees of the Convention—that of organization and that of resolutions. These gentlemen, by adroitness and parliamentary tact, succeeded in abrogating the former practice of casting the vote of the State as a unit. In this manner, whilst New York indorsed with her entire thirty-five votes the peculiar views of Mr. Douglas, notwithstanding there was in her delegation a majority of only five votes in their favor on the question of Territorial sovereignty, the effective strength of Pennsylvania recognizing the judgment of the Supreme Court, was reduced to three votes, this being the majority of fifteen on the one side over twelve on the other.

The question next in order before the Convention was upon the adoption of the second resolution of the minority of the committee, which had been substituted for the report of the majority. On this question Georgia, Louisiana, Alabama, Arkansas, Texas, Florida, and Mississippi refused to vote. Indeed, it soon appeared that on the question of the final adoption of this second resolution, which in fact amounted to nothing, it had scarcely any friends of either party in the Convention. The Douglas party, without explanation or addition, voted against it. On the other hand, the old Democracy could not vote for it without admitting that the Supreme Court had not already placed the right over slave property in the Territories on the same footing with all other property, and therefore they also voted against it. In consequence the resolution was negatived by a vote of only twenty-one in its

favor to two hundred and thirty-eight. Had the seven Southern States just mentioned voted, the negatives would have amounted to two hundred and eighty-two, or more than thirteen to one. Thus both the majority and the minority resolutions on the Territorial question were rejected, and nothing remained before the Convention except the Cincinnati platform.

At this stage of the proceedings (April 30th), the States of Louisiana, Alabama, South Carolina, Mississippi, Florida, Texas, and Arkansas, having assigned their reasons for the act, withdrew in succession from the Convention. After these seven States had retired, the delegation from Virginia made an effort to restore harmony. Mr. Russell, their chairman, addressed the Convention and portrayed the alarming nature of the crisis. He expressed his fears that we were on the eve of a revolution, and if this Convention should prove a failure it would be the last National Convention of any party which would ever assemble in the United States. "Virginia," said he, "stands in the midst of her sister States, in garments red with the blood of her children slain in the first outbreak of the 'irrepressible conflict.' But, sir, not when her children fell at midnight beneath the weapon of the assassin, was her heart penetrated with so profound a grief as that which will wring it when she is obliged to choose between a separate destiny with the South, and her common destiny with the entire Republic."

Mr. Russell was not then prepared to answer, in behalf of his delegation, whether the events of the day (the defeat of the majority report, and the withdrawal of the seven States) were sufficient to justify her in taking the irrevocable step in question. In order, therefore, that they might have time to deliberate, and if they thought proper make an effort to restore harmony in the Convention, he expressed a desire that it might adjourn and afford them an opportunity for consultation. The Convention accordingly adjourned until the next day, Tuesday, May 1st; and immediately after its reassembling the delegation from Georgia, making the eighth State, also withdrew.

In the mean time the Virginia delegation had consulted among themselves, and had conferred with the delegation of the other Southern States which still remained in the Convention, as to the best mode of restoring harmony. In consequence Mr. Howard, of Tennessee, stated to the Convention that "he had a proposition to present in behalf of the delegation from Tennessee, whenever, under parliamentary rules, it would be proper to present it." In this Tennessee was joined by Kentucky and Virginia. He should propose the following resolution whenever it would be in

order: '*Resolved*, That the citizens of the United States have an equal right to settle with their property in the Territories of the United States; and that, under the decision of the Supreme Court of the United States, which we recognize as the correct exposition of the Constitution of the United States, neither the rights of person nor property can be destroyed or impaired by Congressional or Territorial legislation.' "

On a subsequent day (May 3d), Mr. Russell informed the Convention that this resolution had, "he believed, received the approbation of all the delegations from the Southern States which remained in the Convention, and also received the approbation of the delegation from New York. He was informed there was strength enough to pass it when in order."

Mr. Howard, however, in vain attempted to obtain a vote on his resolution. When he moved to take it up on the evening of the day it had been offered, he was met by cries of "Not in order," "Not in order." The manifest purpose was to postpone its consideration until the hour should arrive which had been fixed by a previous order of the Convention, in opposition to its first order on the same subject, for the balloting to commence for a Presidential candidate, when it would be too late. This the friends of Mr. Douglas accomplished, and no vote was ever taken upon it either at Charleston or Baltimore.

Before the balloting commenced Mr. Howard succeeded, in the face of strong opposition, with the aid of the thirty-five votes from New York, in obtaining a vote of the Convention in re-affirmance of the two-thirds rule. On his motion they resolved, by 141, to 112 votes, "that the President of the Convention be and he is hereby directed not to declare any person nominated for the office of President or Vice-President, unless he shall have received a number of votes equal to two-thirds of the votes of all the electoral colleges." It was well known at the time that this resolution rendered the regular nomination of Mr. Douglas impossible.

The balloting then commenced (Tuesday evening, May 1st), on the eighth day of the session. Necessary to a nomination, under the two-thirds rule, 202 votes. On the first ballot Mr. Douglas received 145½ votes; Mr. Hunter, of Virginia, 42; Mr. Guthrie, of Kentucky, 35½; Mr. Johnson, of Tennessee, 12; Mr. Dickinson, of New York, 7; Mr. Lane, of Oregon, 6; Mr. Toucey, of Connecticut, 2½; Mr. Davis, of Mississippi, 1½, and Mr. Pearce, of Maryland, 1 vote.

The voting continued until May 3d, during which there were fifty-four additional ballotings. Mr. Douglas never rose to more than 152½, and ended in 151½

votes, 202 votes being necessary to a nomination.

Until 1824 nominations had been made by Congressional caucus. In these none participated except Senators and Democratic States, and Representatives from Democratic Congressional districts. The simple majority rule governed in these caucuses, because it was morally certain that, composed as they were, no candidate could be selected against the will of the Democratic States on whom his election depended. But when a change was made to National Conventions, it was at once perceived that if a mere majority could nominate, then the delegates from Anti-Democratic States might be mainly instrumental in nominating a candidate for whom they could not give a single electoral vote. Whilst it would have been harsh and inexpedient to exclude these States from the Convention altogether, it would have been unjust to confer on them a controlling power over the nomination. To compromise this difficulty, the two-thirds rule was adopted. Under its operation it would be almost impossible that a candidate could be selected, without the votes of a simple majority of delegates from the Democratic States. This was the argument of its friends.

It had now become manifest that it was impossible to make a nomination at Charleston. The friends of Mr. Douglas adhered to him and would vote for him and him alone, whilst his opponents, apprehending the effect of his principles should he be elected President, were equally determined to vote against his nomination.

In the hope that some compromise might yet be effected, the Convention, on the motion of Mr. Russell, of Virginia, resolved to adjourn to meet at Baltimore on Monday, the 18th June; and it was "respectfully recommended to the Democratic party of the several States, to make provision for supplying all vacancies in their respective delegations to this Convention when it shall re-assemble."

The Convention re-assembled at Baltimore on the 18th June, 1860, according to its adjournment, and Mr. Cushing, the President, took the chair.

Immediately after the reorganization of the Convention, Mr. Howard, of Tennessee, offered a resolution, "that the President of this Convention direct the sergeant-at-arms to issue tickets of admission to the delegates of the Convention, as originally constituted and organized at Charleston." Thus the vitally important question was distinctly presented. It soon, however, became manifest that no such resolution could prevail. In the absence of the delegates who had withdrawn at Charleston, the friends of Mr. Douglas constituted a controlling majority. At the

threshold they resisted the admission of the original delegates, and contended that by withdrawing they had irrevocably resigned their seats. In support of this position, they relied upon the language of the resolution adjourning the Convention to Baltimore, which, as we have seen, "recommended to the Democratic party of the several States to make provision for supplying all vacancies in their respective delegations to this Convention, when it shall reassemble." On the other hand, the advocates of their readmission contended that a simple withdrawal of the delegates was not a final renunciation of their seats, but they were still entitled to reoccupy them, whenever, in their judgment, this course would be best calculated to restore the harmony and promote the success of the Democratic party; that the Convention had no right to interpose between them and the Democracy of their respective States; that being directly responsible to this Democracy, it alone could accept their resignation; that no such resignation had ever been made, and their authority therefore continued in full force, and this, too, with the approbation of their constituents.

In the mean time, after the adjournment from Charleston to Baltimore, the friends of Mr. Douglas, in several of these States, had proceeded to elect delegates to take the place of those who had withdrawn from the Convention. Indeed, it was manifest at the time, and has since been clearly proved by the event, that these delegates represented but a small minority of the party in their respective States. These new delegates, nevertheless, appeared and demanded seats.\*

After a long and ardent debate, the Convention adopted a resolution, offered by Mr. Church, of New York, and modified on motion of Mr. Gilmore, of Pennsylvania, as a substitute for that of Mr. Howard, to refer "the credentials of all persons claiming seats in this Convention, made vacant by the secession of delegates at Charleston, to the Committee on Credentials." They thus prejudged the question, by deciding that the seats of these delegates had been made and were still vacant. The Committee on Credentials had been originally composed of one delegate from each of the thirty-three States, but the number was now reduced to twenty-five, in consequence of the exclusion of eight of its members from the States of Georgia, Alabama, Mississippi, South Carolina, Texas, Louisiana, Arkansas, and Florida. The committee, therefore, now stood 16 to 9 in favor of the nomination of Mr. Douglas, instead of 17 to 16 against it, according to its original organization.

\* From Mr. Buchanan's Administration on the eve of the Rebellion, published by D. Appleton & Co., 1866.

The committee, through their chairman, Mr. Krum, of Missouri, made their report on the 21st June, and Governor Stevens, of Oregon, at the same time presented a minority report, signed by himself and eight other members.

It is unnecessary to give in detail these conflicting reports. It is sufficient to state that whilst the report of the majority maintained that the delegates, by withdrawing at Charleston, had resigned their seats, and these were still vacant; that of the minority, on the contrary, asserted the right of these delegates to resume their seats in the Convention, by virtue of their original appointment.

On the next day (June 22), the important decision was made between the conflicting reports. Mr. Stevens moved to substitute the minority report for that of the majority, and his motion was rejected by a vote of 100½ to 150. Of course no vote was given from any of the excluded States, except one half vote from each of the parties in Arkansas.

The resolutions of the majority were then adopted in succession. Among other motions of similar character, a motion had been made by a delegate in the majority to reconsider the vote by which the Convention had adopted the minority report, as a substitute for that of the majority, and to lay his own motion on the table. This is a common mode resorted to, according to parliamentary tactics, of defeating every hope of a reconsideration of the pending question, and rendering the first decision final.

Mr. Cessna with this view called for a vote on laying the motion to reconsider on the table. Should this be negatived, then the question of reconsideration would be open. The President stated the question to be first "on laying on the table the motion to reconsider the vote by which the Convention refused to amend the majority report of the Committee on Credentials by substituting the report of the minority." On this question New York, for the first time since the meeting at Baltimore, voted with the minority and changed it into a majority. "When New York was called," says the report of the proceedings, "and responded thirty-five votes" (in the negative) "the response was greeted with loud cheers and applause." The result of the vote was 113½ to 138½—"so the Convention refused to lay on the table the motion to reconsider the minority report." The Convention then adjourned until evening, on motion of Mr. Cochrane, of New York, amidst great excitement and confusion.

This vote of New York, appearing to indicate a purpose to harmonize the party by admitting the original delegates from the eight absent States, was not altogether unexpected. Although voting as a unit, it

was known that her delegation were greatly divided among themselves. The exact strength of the minority was afterwards stated by Mr. Bartlett, one of its members, in the Breckinridge Convention. He said: "Upon all questions and especially upon the adoption of the majority report on credentials, in which we had a long contest, the line was strictly drawn, and there were thirty on one side and forty on the other."

The position of New York casting an undivided vote of thirty-five, with Dean Richmond at their head, had been a controlling power from the commencement.

Strong expectations were, therefore, now entertained that after the New York delegation had recorded their vote against a motion which would have killed the minority report beyond hope of revival, they would now follow this up by taking the next step in advance and voting for its reconsideration and adoption. On the evening of the very same day, however, they reversed their course and voted against its reconsideration. They were then cheered by the opposite party from that which had cheered them in the morning. Thus the action of the Convention in favor of the majority report became final and conclusive.

Mr. Cessna, of Pennsylvania, at once moved "that the Convention do now proceed to nominate candidates for President and Vice-President of the United States."

Mr. Russell rose and stated, "It has become my duty now, by direction of a large majority of the delegation from Virginia, respectfully to inform you and this body, that it is not consistent with their convictions of duty to participate longer in its deliberations."

Mr. Lander next stated "that it became his duty, as one of the delegates from North Carolina, to say that a very large majority of the delegation from that State were compelled to retire permanently from this Convention, on account, as he conceived, of the unjust course that had been pursued toward some of their fellow-citizens of the South. The South had heretofore relied upon the Northern Democracy to give them the rights which were justly due them; but the vote to-day had satisfied the majority of the North Carolina delegation that these rights were now refused them, and, this being the case, they could no longer remain in the Convention."

Then followed in succession the withdrawal of the delegations from Tennessee, Kentucky, Maryland, California, Oregon, and Arkansas. The Convention now adjourned at half-past-ten o'clock until the next morning at ten.

Soon after the assembling of the Convention, the President, Mr. Cushing, whilst tendering his thanks to its members for their candid and honorable support in the

performance of his duties, stated that notwithstanding the retirement of the delegations of several of the States at Charleston, in his solicitude to maintain the harmony and union of the Democratic party, he had continued in his post of labor. "To that end and in that sense," said he, "I had the honor to meet you, gentlemen, here at Baltimore. But circumstances have since transpired which compel me to pause. The delegations of a majority of the States have, either in whole or in part, in one form or another, ceased to participate in the deliberations of the Convention. \* \* \*

\* In the present circumstances, I deem it a duty of self-respect, and I deem it still more a duty to this Convention, as at present organized, \* \* \* to resign my seat as President of this Convention, in order to take my place on the floor as a member of the delegation from Massachusetts. \* \* \* I deem this above all a duty which I owe to the members of this Convention, as to whom no longer would my action represent the will of a majority of the Convention."

Governor Tod, of Ohio, one of the Vice-Presidents, then took the vacant chair, and was greeted with hearty and long-continued cheers and applause from members of the Convention.

Mr. Butler, of Massachusetts, now announced that a portion of the Massachusetts delegation desired to retire, but was interrupted by cries of "No," "No," "Call the roll." Mr. Cessna called for the original question, to wit, that the Convention now proceed to a nomination for President and Vice-President.

The President here ordered the Secretary to call the States. Maine, New Hampshire, and Vermont were called, and they gave an unbroken vote for Stephen A. Douglas. When Massachusetts was called, Mr. Butler rose and said he had a respectful paper in his hand which he would desire the President to have read. A scene of great confusion thereupon ensued, cries of "I object" being heard upon all sides. Mr. Butler, not to be baffled, contended for his right at this stage to make remarks pertinent to the matter, and cited in his support the practice of the Conventions at Baltimore in 1848 and 1852, and at Cincinnati in 1856. He finally prevailed, and was permitted to proceed. He then said he "would now withdraw from the Convention, upon the ground that there had been a withdrawal, in whole or in part, of a majority of the States; and further, which was a matter more personal to himself, he could not sit in a convention where the African slave trade, which was piracy according to the laws of his country, was openly advocated."

Mr. Butler then retired, followed by General Cushing and four others of the

Massachusetts delegation. All of these had voted with the South and against Douglas.

The balloting now proceeded. Mr. Douglas received 173½ votes; Mr. Guthrie 9; Mr. Breckinridge 6½; Mr. Bocoek and Mr. Seymour each 1; and Mr. Dickerson and Mr. Wise each half a vote. On the next and last ballot Mr. Douglas received 181½ votes, eight of those in the minority having changed their votes in his favor.

To account for this number, it is proper to state that a few delegates from five of the eight States which had withdrawn still remained in the Convention. On the last ballot Mr. Douglas received all of their votes, to wit: 3 of the 15 votes of Virginia, 1 of the 10 votes of North Carolina, 1½ of the 3 votes of Arkansas, 3 of the 12 votes of Tennessee, 3 of the 12 votes of Kentucky, and 2½ of the 8 votes of Maryland, making in the aggregate 14 votes. To this number may be added the 9 votes of the new delegates from Alabama and the 6 from Louisiana, which had been admitted to the exclusion of the original delegates.

Mr. Douglas was accordingly declared to be the regular nominee of the Democratic party of the Union, upon the motion of Mr. Church, of New York, when, according to the report of the proceedings, "The whole body rose to its feet, hats were waved in the air, and many tossed aloft; shouts, screams, and yells, and every boisterous mode of expressing approbation and unanimity, were resorted to."

Senator Fitzpatrick, of Alabama, was then unanimously nominated as the candidate for Vice-President; and the Convention adjourned *sine die* on the 23d June, the sixth and last day of its session. On the same day, but after the adjournment, Mr. Fitzpatrick declined the nomination, and it was immediately conferred on Mr. Herschel V. Johnson, of Georgia, by the Executive Committee. Thus ended the Douglas Convention.

But another Convention assembled at Baltimore on the same 23d June, styling itself the "National Democratic Convention." It was composed chiefly of the delegates who had just withdrawn from the Douglas Convention, and the original delegates from Alabama and Louisiana. One of their first acts was to abrogate the two-third rule, as had been done by the Douglas Convention. Both acted under the same necessity, because the preservation of this rule would have prevented a nomination by either.

Mr. Cushing was elected and took the chair as President. In his opening address he said: "Gentlemen of the Convention, we assemble here, delegates to the National Democratic Convention, duly accredited thereto from more than twenty

States of the Union, for the purpose of nominating candidates of the Democratic party for the offices of President and Vice-President of the United States, for the purpose of announcing the principles of the party, and for the purpose of continuing and re-establishing that party upon the firm foundations of the Constitution, the Union, and the equal rights of the several States."

Mr. Avery, of North Carolina, who had reported the majority resolutions at Charleston, now reported the same from the committee of this body, and they "were adopted unanimously, amid great applause."

The Convention then proceeded to select their candidates. Mr. Loring, on behalf of the delegates from Massachusetts, who with Mr. Butler had retired from the Douglas Convention, nominated John C. Breckinridge, of Kentucky, which Mr. Dent, representing the Pennsylvania delegation present, "most heartily seconded." Mr. Ward, from the Alabama delegation, nominated R. M. T. Hunter, of Virginia; Mr. Ewing, from that of Tennessee, nominated Mr. Dickinson, of New York; and Mr. Stevens, from Oregon, nominated General Joseph Lane. Eventually all these names were withdrawn except that of Mr. Breckinridge, and he received the nomination by a unanimous vote. The whole number of votes cast in his favor from twenty States was 103½.

General Lane was unanimously nominated as the candidate for Vice-President. Thus terminated the Breckinridge Convention.

#### The Chicago Republican Convention.

The Republicans had named May 16th, 1860, as the date and Chicago as the place for holding their second National Convention. They had been greatly encouraged by the vote for Fremont and Dayton, and, what had now become apparent as an irreconcilable division of the Democracy, encouraged them in the belief that they could elect their candidates. Those of the great West were especially enthusiastic, and had contributed freely to the erection of an immense "Wigwam," capable of holding ten thousand people, at Chicago. All the Northern States were fully represented, and there were besides partial delegations from Delaware, Maryland, Kentucky, Missouri and Virginia, with occasional delegates from other Slave States, there being none, however, from the Gulf States. David Wilmot, of Penna., author of the Wilmot proviso, was made temporary chairman, and George Ashman, of Mass., permanent President. No differences were excited by the report of the committee on platform, and the proceedings

throughout were characterized by great harmony, though there was a somewhat sharp contest for the Presidential nomination. The prominent candidates were Wm. H. Seward, of New York; Abraham Lincoln, of Illinois; Salmon P. Chase, of Ohio; Simon Cameron, of Pennsylvania, and Edward Bates, of Missouri. There were three ballots, Mr. Lincoln receiving in the last 354 out of 446 votes. Mr. Seward led the vote at the beginning, but he was strongly opposed by gentlemen in his own State as prominent as Horace Greeley and Thurlow Weed, and his nomination was thought to be inexpedient. Lincoln's successful debate with Douglas was still fresh in the minds of the delegates, and every addition to his vote so heightened the enthusiasm that the convention was finally carried "off its feet," the delegations rapidly changing on the last ballot. Lincoln had been a known candidate but a month or two before, while Seward's name had been everywhere canvassed, and where opposed in the Eastern and Middle States, it was mainly because of the belief that his views on slavery were too radical. He was more strongly favored by the Abolition branch of the party than any other candidate. When the news of his success was first conveyed to Mr. Lincoln he was sitting in the office of the *State Journal*, at Springfield, which was connected by a telegraph wire with the Wigwam. On the close of the third ballot a despatch was handed Mr. Lincoln. He read it in silence, and then announcing the result said: "There is a little woman down at our house would like to hear this—I'll go down and tell her," and he started amid the shouts of personal admirers. Hannibal Hamlin, of Maine, was nominated for Vice-President with much unanimity, and the Chicago Convention closed its work in a single day.

#### The American Convention.

A "Constitutional Union," really an American Convention, had met at Baltimore on the 9th of May. Twenty States were represented, and John Bell, of Tennessee, and Edward Everett, of Massachusetts, were named for the Presidency and Vice-Presidency. Their friends, though known to be less in number than either those of Douglas, Lincoln or Breckinridge, yet made a vigorous canvass in the hope that the election would be thrown into the House, and that there a compromise in the vote by States would naturally turn toward their candidates. The result of the great contest is elsewhere given in our *Tabulated History of Politics*.

#### THE PRINCIPLES INVOLVED.

Lincoln received large majorities in nearly all of the free States, his popular

vote being 1,866,452; electoral vote, 180. Douglas was next in the popular estimate, receiving 1,375,157 votes, with but 12 electors. Breckinridge had 847,953 votes, with 76 electors; Bell, with 570,631 votes, had 39 electors.

The principles involved in the controversy are given at length in the *Book of Platforms*, and were briefly these: The Republican party asserted that slavery should not be extended to the territories; that it could exist only by virtue of local and positive law; that freedom was national; that slavery was morally wrong, and the nation should at least anticipate its gradual extinction. The Douglas wing of the Democratic party adhered to the doctrine of popular sovereignty, and claimed that in its exercise in the territories they were indifferent whether slavery was voted up or down. The Breckinridge wing of the Democratic party asserted both the moral and legal right to hold slaves, and to carry them to the territories, and that no power save the national constitution could prohibit or interfere with it outside of State lines. The Americans supporting Bell, adhered to their peculiar doctrines touching emigration and naturalization, but had abandoned, in most of the States, the secrecy and oaths of the Know-Nothing order. They were evasive and non-committal on the slavery question.

#### Preparing for Secession.

Secession, up to this time, had not been regarded as treasonable in all sections and at all times. As shown in many previous pages, it had been threatened by the Hartford Convention; certainly by some of the people of New England who opposed the war of 1812. Some of the more extreme Abolitionists had favored a division of the sections. The South, particularly the Gulf States, had encouraged a secret organization, known as the "Order of the Lone Star," previous to and at the time of the annexation of Texas. One of its objects was to acquire Cuba, so as to extend slave territory. The Gulf States needed more slaves, and though the law made participation in the slave trade piracy, many cargoes had been landed in parts of the Gulf without protest or prosecution, just prior to the election of 1860. Calhoun had threatened, thirty years before, nullification, and before that again, secession in the event of the passage of the Public Land Bill. Jefferson and Madison had indicated that doctrine of State Rights on which secession was based in the Kentucky and Virginia resolutions of 1798, facts which were daily discussed by the people of the South during this most exciting of all Presidential campaigns.

The leaders in the South had anticipated defeat at the election, and many of them

made early preparations for the withdrawal of their States from the Union. Some of the more extreme anti-slavery men of the North, noting these preparations, for a time favored a plan of letting the South go in peace. South Carolina was the first to adopt a secession ordinance, and before it did so, Horace Greeley said in the *New York Tribune*:

"If the Declaration of Independence justified the secession from the British Empire of three millions of colonists in 1776, we can not see why it would not justify the secession of five millions of Southrons from the Federal Union in 1861."

These views, however, soon fell into disfavor throughout the North, and the period of indecision on either side ceased when Fort Sumter was fired upon. The Gult States openly made their preparations as soon as the result of the Presidential election was known, as a rule pursuant to a previous understanding. The following, condensed from Hon. Edward McPherson's "*Political History of the United States of America during the Great Rebellion*," is a correct statement of the movements which followed, in the several Southern States:

#### SOUTH CAROLINA.

November 5th, 1860. Legislature met to choose Presidential electors, who voted for Breckinridge and Lane for President and Vice President. Gov. William H. Gist recommended in his message that in the event of Abraham Lincoln's election to the Presideney, a convention of the people of the State be immediately called to consider and determine for themselves the mode and measure of redress. He expressed the opinion that the only alternative left is the "secession of South Carolina from the Federal Union."

7th. United States officials resigned at Charleston.

10th. U. S. Senators James H. Hammond and James Chestnut, Jr., resigned their seats in the Senate. Convention called to meet Dec. 17th. Delegates to be elected Dec. 6th.

13th. Collection of debts due to citizens of non-slaveholding States stayed. Francis W. Pickens elected Governor.

17th. Ordinance of Secession adopted unanimously.

21st. Commissioners appointed (Barnwell, Adams, and Orr) to proceed to Washington to treat for the possession of U. S. Government property within the limits of South Carolina. Commissioners appointed to the other slaveholding States. Southern Congress proposed.

24th. Representatives in Congress withdrew.

Gov. Pickens issued a proclamation "announcing the repeal, Dec. 20th, 1860,

by the good people of South Carolina," of the Ordinance of May 23d, 1788, and "the dissolution of the union between the State of South Carolina and other States under the name of the United States of America," and proclaiming to the world "that the State of South Carolina is, as she has a right to be, a separate, sovereign, free and independent State, and, as such, has a right to levy war, conclude peace, negotiate treaties, leagues, or covenants, and to do all acts whatsoever that rightfully appertain to a free and independent State.

"Done in the eighty-fifth year of the sovereignty and independence of South Carolina."

Jan. 3d, 1861. South Carolina Commissioners left Washington.

4th. Convention appointed T. J. Withers, L. M. Keitt, W. W. Boyce, Jas. Chestnut, Jr., R. B. Rhett, Jr., R. W. Barnwell, and C. G. Memminger, delegates to Southern Congress.

5th. Convention adjourned, subject to the call of the Governor.

14th. Legislature declared that any attempt to reinforce Fort Sumter would be considered an open act of hostility and a declaration of war. Approved the Governor's action in firing on the *Star of the West*. Accepted the services of the Catawba Indians.

27th. Received Judge Robertson, Commissioner from Virginia, but rejected the proposition for a conference and co-operative action.

March 26th. Convention met in Charleston.

April 3d. Ratified "Confederate" Constitution—yeas 114, nays 16.

8th. Transferred forts, etc., to "Confederate" government.

#### GEORGIA.

November 8th, 1860. Legislature met pursuant to previous arrangement.

18th. Convention called. Legislature appropriated \$1,000,000 to arm the State.

Dec. 3d. Resolutions adopted in the Legislature proposing a conference of the Southern States at Atlanta, Feb. 20th.

January 17th, 1861. Convention met. Received Commissioners from South Carolina and Alabama

18th. Resolutions declaring it the right and duty of Georgia to secede, adopted—yeas 165, nays 130.

19th. Ordinance of Secession passed—yeas 208, nays 89.

21st. Senators and Representatives in Congress withdrew.

24th. Elected Delegates to Southern Congress at Montgomery, Alabama.

28th. Elected Commissioners to other Slaveholding States.

29th. Adopted an address "to the South and the world."



March 7th. Convention reassembled.

16th. Ratified the "Confederate" Constitution—yeas 96, nays 5.

20th. Ordinance passed authorizing the "Confederate" government to occupy, use and possess the forts, navy yards, arsenals, and custom houses within the limits of said State.

April 26th. Governor Brown issued a proclamation ordering the repudiation by the citizens of Georgia of all debts due Northern men.

#### MISSISSIPPI.

November 26th, 1860. Legislature met Nov. 26th, and adjourned Nov. 30th. Election for Convention fixed for Dec. 20th. Convention to meet Jan 7th. Convention bills and secession resolutions passed unanimously. Commissioners appointed to other Slaveholding States to secure "their cooperation in effecting measures for their common defence and safety."

Jan. 7th, 1861. Convention assembled.

9th. Ordinance of Secession passed—yeas 84, nays 15.

In the ordinance the people of the State of Mississippi express their consent to form a federal union with such of the States as have seceded or may secede from the Union of the United States of America, upon the basis of the present Constitution of the United States, except such parts thereof as embrace other portions than such seceding States.

10th. Commissioners from other States received. Resolutions adopted, recognizing South Carolina as sovereign and independent.

Jan. 12th. Representatives in Congress withdrew.

19th. The committee on the Confederacy in the Legislature reported resolutions to provide for a Southern Confederacy, and to establish a provisional government for seceding States and States hereafter seceding.

21st. Senators in Congress withdrew.

March 30th. Ratified "Confederate" Constitution—yeas 78, nays 7.

#### FLORIDA.

November 26th, 1860. Legislature met. Governor M. S. Perry recommended immediate secession.

Dec. 1st. Convention bill passed.

Jan. 3d, 1861. Convention met.

7th. Commissioners from South Carolina and Alabama received and heard.

10th. Ordinance of Secession passed—yeas 62, nays 7.

18th. Delegates appointed to Southern Congress at Montgomery.

21st. Senators and Representatives in Congress withdrew.

Feb. 14th. Act passed by the Legislature declaring that after any actual collision

between Federal troops and those in the employ of Florida, the act of holding office under the Federal government shall be declared treason, and the person convicted shall suffer death. Transferred control of government property captured, to the "Confederate" government.

#### LOUISIANA.

December 10th, 1860. Legislature met.

11th. Convention called for Jan. 23d. Military bill passed.

12th. Commissioners from Mississippi received and heard. Governor instructed to communicate with Governors of other southern States.

Jan 23d, 1861. Convention met and organized. Received and heard Commissioners from South Carolina and Alabama.

25th. Ordinance of Secession passed—yeas 113, nays 17. Convention refused to submit the ordinance to the people by a vote of 84 to 45. This was subsequently reconsidered, and the ordinance was submitted. The vote upon it as declared was 20,448 in favor, and 17,296 against.

Feb. 5th. Senators withdrew from Congress, also the Representatives, except John E. Bouligny. State flag adopted. Pilots at the Balize prohibited from bringing over the bar any United States vessels of war.

March 7th. Ordinance adopted in secret session transferring to "Confederate" States government \$536,000, being the amount of bullion in the U. S. mint and customs seized by the State.

16th. An ordinance voted down, submitting the "Confederate" Constitution to the people—yeas 26, nays 74.

21st. Ratified the "Confederate" Constitution—yeas 101, nays 7. Governor authorized to transfer the arms and property captured from the United States to the "Confederate" Government.

27th. Convention adjourned *sine die*.

#### ALABAMA.

January 7th, 1861. Convention met.

8th. Received and heard the Commissioner from South Carolina.

11th. Ordinance of Secession passed in secret session—yeas 61, nays 39. Proposition to submit ordinance to the people lost—yeas 47, nays 53.

14th. Legislature met pursuant to previous action.

19th. Delegates elected to the Southern Congress.

21st. Representatives and Senators in Congress withdrew.

26th. Commissioners appointed to treat with the United States Government relative to the United States forts, arsenals, etc., within the State.

The Convention requested the people of the States of Delaware, Maryland, Virginia, North Carolina, South Carolina, Florida,

Georgia, Mississippi, Louisiana, Texas, Arkansas, Tennessee, Kentucky and Missouri to meet the people of Alabama by their delegates in Convention, February 4th, 1861, at Montgomery, for the purpose of consulting as to the most effectual mode of securing concerted or harmonious action in whatever measures may be deemed most desirable for their common peace and security. Military bill passed. Commissioners appointed to other Slaveholding States.

March 4th. Convention re-assembled.

13th. Ratified "Confederate" Constitution, yeas 87, nays 6. Transferred control forts, of arsenals, etc., to "Confederate" Government.

#### ARKANSAS.

January 16th, 1861. Legislature passed Convention bill. Vote of the people on the Convention was 27,412 for it, and 15,826 against it.

February 18th. Delegates elected.

March 4th. Convention met.

18th. The Ordinance of Secession defeated—yeas 35, nays 39. The convention effected a compromise by agreeing to submit the question of co-operation or secession to the people on the 1st Monday in August.

May 6th. Passed Secession Ordinance—yeas 69, nays 1. Authorized her delegates to the Provisional Congress, to transfer the arsenal at Little Rock and hospital at Napoleon to the "Confederate" Government.

#### TEXAS.

January 21st, 1861. Legislature met.

28th. People's State Convention met.

29th. Legislature passed a resolution declaring that the Federal Government has no power to coerce a Sovereign State after she has pronounced her separation from the Federal Union.

February 1st. Ordinance of Secession passed in Convention—yeas 166, nays 7. Military bill passed.

7th. Ordinance passed, forming the foundation of a Southern Confederacy. Delegates to the Southern Congress elected. Also an act passed submitting the Ordinance of Secession to a vote of the people.

23d. Secession Ordinance voted on by the people; adopted by a vote of 34,794 in favor, and 11,235 against it.

March 4th. Convention declared the State out of the Union. Gov. Houston issued a proclamation to that effect.

16th. Convention by a vote of 127 to 4 deposed Gov. Houston, declaring his seat vacant. Gov. Houston issued a proclamation to the people protesting against this action of the Convention.

20th. Legislature confirmed the action of the Convention in deposing Gov. Houston by a vote of 53 to 11. Transferred

forts, etc., to "Confederate" Government.

23d. Ratified the "Confederate" Constitution—yeas 68, nays 2.

#### NORTH CAROLINA.

November 20th, 1860. Legislature met. Gov. Ellis recommended that the Legislature invite a conference of the Southern States, or failing in that, send one or more delegates to the neighboring States so as to secure concert of action. He recommended a thorough reorganization of the militia, and the enrollment of all persons between 18 and 45 years, and the organization of a corps of ten thousand men; also, a Convention, to assemble immediately after the proposed consultation with other Southern States shall have terminated.

December 9th, Joint Committee on Federal Relations agreed to report a Convention Bill.

17th. Bill appropriating \$300,000 to arm the State, debated.

18th. Senate passed above bill—yeas, 41, nays, 3.

20th. Commissioners from Alabama and Mississippi received and heard—the latter, J. Thompson, by letter.

22d. Senate bill to arm the State failed to pass the House.

22d. Adjourned till January 7th.

January 8th, 1861. Senate Bill arming the State passed the House, yeas, 73, nays, 26.

30th. Passed Convention Bill—election to take place February 28th. No Secession Ordinance to be valid without being ratified by a majority of the qualified voters of the State.

31st. Elected Thos. L. Clingman United States Senator,

February 13th. Commissioners from Georgia publicly received.

20th. Mr. Hoke elected Adjutant General of the State. Military Bill passed.

28th. Election of Delegates to Convention took place.

28th. The vote for a Convention was 46,671; against 47,333—majority against a Convention 661.

May 1st. Extra session of the Legislature met at the call of Gov. Ellis. The same day they passed a Convention Bill, ordering the election of delegates on the 15th.

2d. Legislature adjourned.

13th. Election of delegates to the Convention took place.

20th. Convention met at Raleigh.

21st. Ordinance of Secession passed; also the "Confederate" Constitution ratified.

June 5th. Ordinance passed, ceded the arsenal at Fayetteville, and transferred magazines, etc., to the "Confederate" Government.

## TENNESSEE.

January 6th, 1861. Legislature met.

12th. Passed Convention Bill.

30th. Commissioners to Washington appointed.

February 8th. People voted no Convention: 67,360 to 54,156.

May 1st. Legislature passed a joint resolution authorizing the Governor to appoint Commissioners to enter into a military league with the authorities of the "Confederate" States.

7th. Legislature in secret session ratified the league entered into by A. O. W. Totten, Gustavus A. Henry, Washington Barrow, Commissioners for Tennessee, and Henry W. Hilliard, Commissioner for "Confederate" States, stipulating that Tennessee until she became a member of the Confederacy placed the whole military force of the State under the control of the President of the "Confederate" States, and turned over to the "Confederate" States all the public property, naval stores and munitions of war. Passed the Senate, yeas 14, nays 6, absent and not voting 5; the House, yeas 42, nays 15, absent and not voting, 18. Also a Declaration of Independence and Ordinance dissolving the Federal relations between Tennessee and the United States, and an ordinance adopting and ratifying the Confederate Constitution, these two latter to be voted on by the people on June 8th were passed.

June 24th. Gov. Isham G. Harris declared Tennessee out of the Union, the vote for Separation being 104,019 against 47,238.

## VIRGINIA.

January 7th, 1861. Legislature convened.

8th. Anti-coercion resolution passed.

9th. Resolution passed, asking that the *status quo* be maintained.

10th. The Governor transmitted a despatch from the Mississippi Convention, announcing its unconditional secession from the Union, and desiring on the basis of the old Constitution to form a new union with the seceding States. The House adopted—yeas 77, nays 61,—an amendment submitting to a vote of the people the question of referring for their decision any action of the Convention dissolving Virginia's connection with the Union, or changing its organic law. The Richmond *Enquirer* denounced "the emasculation of the Convention Bill as imperilling all that Virginians held most sacred and dear."

16th. Commissioners Hopkins and Gilmer of Alabama received in the Legislature.

17th. Resolutions passed proposing the Crittenden resolutions as a basis for adjustment, and requesting General Government to avoid collision with Southern States.

Gov. Letcher communicated the Resolutions of the Legislature of New York, expressing the utmost disdain, and saying that "the threat conveyed can inspire no terror in freemen." The resolutions were directed to be returned to the Governor of New York.

18th. \$1,000,000 appropriated for the defence of the State.

19th. Passed resolve that if all efforts to reconcile the differences of the country fail, every consideration of honor and interest demands that Virginia shall unite her destinies with her sister slaveholding States. Also that no reconstruction of the Union can be permanent or satisfactory, which will not secure to each section self-protecting power against any invasion of the Federal Union upon the reserved rights of either. (See Hunter's proposition for adjustment.)

21st. Replied to Commissioners Hopkins and Gilmer, expressing inability to make a definite response until after the meeting of the State Convention.

22d. The Governor transmitted the resolutions of the Legislature of Ohio, with unfavorable comment. His message was tabled by a small majority.

30th. The House of Delegates to-day tabled the resolutions of the Pennsylvania Legislature, but referred those of Tennessee to the Committee on Federal Relations.

February 20th. The resolutions of the Legislature of Michigan were returned without comment.

28th. Ex-President Tyler and James A. Seddon, Commissioners to the Peace Congress, presented their report, and denounced the recommendation of that body as a delusion and a sham, and as an insult and an offense to the South.

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**Proceedings of Virginia Convention.**

February 4th. Election of delegates to the Convention.

13th. Convention met.

14th. Credentials of John S. Preston, Commissioner from South Carolina, Fulton Anderson from Mississippi, and Henry L. Benning from Georgia, were received.

18th. Commissioners from Mississippi and Georgia heard; both pictured the danger of Virginia remaining with the North; neither contemplated such an event as re-union.

19th. The Commissioner from South Carolina was heard. He said his people believed the Union unnatural and monstrous, and declared that there was no human force—no sanctity of human touch,—that could re-unite the people of the North with the people of the South—that it could never be done unless the economy of God were changed.

20th. A committee reported that in all but sixteen counties, the majority for submitting the action of the Convention to a vote of the people was 52,857. Numerous resolutions on Federal Relations introduced, generally expressing attachment to the Union, but denouncing coercion.

26th. Mr. Goggin of Bedford, in his speech, denied the right of secession, but admitted a revolutionary remedy for wrongs committed upon a State or section, and said wherever Virginia went he was with her.

March 2d. Mr. Goode of Bedford offered a resolution that, as the powers delegated to the General Government by Virginia had been perverted to her injury, and as the Crittenden propositions as a basis of adjustment had been rejected by their Northern confederates, therefore every consideration of duty, interest, honor and patriotism requires that Virginia should declare her connection with the Government to be dissolved.

5th. The thanks of the State were voted to Hon. John J. Crittenden, by yeas 107, nays 16, for his efforts to bring about an honorable adjustment of the national difficulties. Mr. Harvie of Amelia offered a resolution, requesting Legislature to make needful appropriations to resist any attempt of the Federal authorities to hold, occupy or possess the property and places claimed by the United States in any of the seceded States, or those that may withdraw or collect duties or imposts in the same.

9th. Three reports were made from the Committee on Federal Relations. The majority proposed to submit to the other States certain amendments to the Constitution, awaiting the response of non-slaveholding States before determining whether "she will resume the powers granted by her under the Constitution of the United States, and throw herself upon her reserved rights; meanwhile insisting that no coercion be attempted, the Federal forts in seceded States be not reinforced, duties be not collected, etc.," and proposing a Convention at Frankfort, Kentucky, the last Monday in May, of the States of Delaware, Maryland, North Carolina, Tennessee, Kentucky, Missouri and Arkansas. Henry A. Wise differed in details, and went further in the same direction. Messrs. Lewis E. Harvie, Robert L. Montague and Samuel C. Williams recommended the immediate passage of an Ordinance of Secession. Mr. Barbour of Culpeper insisted upon the immediate adoption by the non-slaveholding States of needed guarantees of safety, and provided for the appointment of three Commissioners to confer with the Confederate authorities at Montgomery.

19th. Committee on Federal Relations reported proposed amendments to the Constitution, which were the substitute of

Mr. Franklin of Pa., in "Peace Conference," changed by using the expression "involuntary servitude" in place of "persons held to service." The right of owners of slaves is not to be impaired by congressional or territorial law, or any pre-existing law in territory hereafter acquired.

Involuntary servitude, except for crime, to be prohibited north of 36°30', but shall not be prohibited by Congress or any Territorial legislature south of that line. The third section has some verbal alterations, providing somewhat better security for property in transit. The fifth section prohibits the importation of slaves from places beyond the limits of the United States. The sixth makes some verbal changes in relation to remuneration for fugitives by Congress, and erases the clause relative to the securing of privileges and immunities. The seventh forbids the granting of the elective franchise and right to hold office to persons of the African race. The eighth provides that none of these amendments, nor the third paragraph of the second section of the first article of the Constitution, nor the third paragraph of the second section of the fourth article thereof, shall be amended or abolished without the consent of all the States.

25th. The Committee of the Whole refused (yeas 4, nays 116) to strike out the majority report and insert Mr. Carlile's "Peace Conference" substitute.

26th. The Constitution of the "Confederate" States, proposed by Mr. Hall as a substitute for the report of the committee, rejected—yeas 9, nays 78.

28th. The first and second resolutions reported by the committee adopted.

April 6th. The ninth resolution of the majority report came up. Mr. Bouldin offered an amendment striking out the whole, and inserting a substitute declaring that the independence of the seceded States should be acknowledged without delay, which was lost—yeas 68, nays 71.

9th. Mr. Wise's substitute for the tenth resolution, to the effect that Virginia recognizes the independence of the seceding States was adopted—yeas 128, nays 20.

April 17. Ordinance of Secession passed in secret session—yeas 88, nays 55, one excused, and eight not voting.

Same day the Commissioners adopted and ratified the Constitution of the Provisional Government of the "Confederate" States of America, this ordinance to cease to have legal effect if the people of Virginia voting upon the Ordinance of Secession should reject it.

25th. A Convention was made between Commissioners of Virginia, chosen by the Convention, and A. H. Stephens, Commissioner for "Confederates," stipulating that Virginia until she became a member of the Confederacy should place her military

force under the direction of the President of the "Confederate" States; also turn over to "Confederate" States all her public property, naval stores, and munitions of war. Signed by J. Tyler, W. B. Preston, S. McD. Moore, James P. Holecombe, Jas. C. Bruce, Lewis E. Harvie—for Virginia; and A. H. Stephens for "Confederate" States.

June 25th. Secession vote announced as 123,884 for, and 32,134 against.

July. The Convention passed an ordinance to the effect that any citizen of Virginia holding office under the Government of the United States after the 31st of July, 1861, should be forever banished from the State, and be declared an alien enemy. Also that any citizen of Virginia, hereafter undertaking to represent the State of Virginia in the Congress of the United States, should, in addition to the above penalties, be considered guilty of treason, and his property be liable to confiscation. A provision was inserted exempting from the penalties of the act all officers of the United States outside of the United States, or of the Confederate States, until after July 1st, 1862.

#### KENTUCKY.

December 12th, 1860. Indiana militia offer their services to quell servile insurrection. Gov. Magoffin declines accepting them.

January 17th, 1861. Legislature convened.

22d. The House by a vote of 87 to 6 resolved to resist the invasion of the South at all hazards.

27th. Legislature adopted the Virginia resolutions requiring the Federal Government to protect Slavery in the Territories and to guarantee the right of transit of slaves through the Free States.

February 2d. The Senate passed by a vote of 25 to 11, resolutions appealing to the Southern States to stop the revolution, protesting against Federal coercion and providing that the Legislature reassemble on the 24th of April to hear the responses from sister States, also in favor of making an application to call a National Convention for proposing amendments to the Constitution of the United States, also by a vote of 25 to 14 declared it inexpedient at this time to call a State Convention.

5th. The House by a vote of 54 to 40 passed the above resolutions.

March 22d. State Rights Convention assembled. Adopted resolutions denouncing any attempt on the part of the Government to collect revenue as coercion; and affirming that, in case of any such attempt, the border States should make common cause with the Southern Confederacy. They also recommended a border State Convention.

April 24th. Gov. Magoffin called an extra session of the Legislature.

May 20th. Gov. Magoffin issued a neutrality proclamation.

September 11th. The House of Representatives by a vote of 71 to 26, adopted a resolution directing the Governor to issue a proclamation ordering the Confederate troops to evacuate Kentucky soil. The Governor vetoed the resolution, which was afterwards passed over his veto, and accordingly he issued the required proclamation.

October 29th. Southern Conference met at Russellville. H. C. Burnett elected Chairman, R. McKee Secretary, T. S. Bryan Assistant Secretary. Remained in secret session two days and then adjourned *sine die*. A series of resolutions reported by G. W. Johnson were adopted. They recite the unconstitutional and oppressive acts of the Legislature, proclaim revolution, provide for a Sovereignty Convention at Russellville, on the 18th of November, recommend the organization of county guards, to be placed in the service of and paid by the Confederate States Government; pledge resistance to all Federal and State taxes, for the prosecution of the war on the part of the United States; and appoint Robert McKee, John C. Breckinridge, Humphrey Marshall, Geo. W. Ewing, H. W. Bruce, Geo. B. Hodge, William Preston, Geo. W. Johnson, Blanton Duncan, and P. B. Thompson to carry out the resolutions.

November 18th. Convention met and remained in session three days.

20th. It passed a Declaration of Independence and an Ordinance of Secession. A Provisional Government consisting of a Governor, Legislative Council of ten, a Treasurer, and an Auditor were agreed upon. Geo. W. Johnson was chosen Governor. Legislative Council were: Willis B. Machen, John W. Crockett, James P. Bates, Jas. S. Chrisman, Phil. B. Thompson, J. P. Burnside, H. W. Bruce, J. W. Moore, E. M. Bruce, Geo. B. Hodge.

#### MARYLAND.

Nov. 27th, 1860. Gov. Hicks declined to call a special session of the Legislature, in response to a request for such convening from Thomas G. Pratt, Sprigg Harwood, J. S. Franklin, N. H. Green, Llewellyn Boyle, and J. Pinkney.

December 19th. Gov. Hicks replied to A. H. Handy, Commissioner from Mississippi, declining to accept the programme of Secession.

20th. Wm. H. Collins, Esq., of Baltimore, issued an address to the people, in favor of the Union, and in March a second address.

31st. The "Clipper" denied the existence of an organization in Maryland to

prevent the inauguration of President Lincoln.

A. H. Handy of Mississippi addressed citizens of Baltimore in favor of disunion.

January 3d, 1861. Henry Winter Davis issued an address in favor of the Union.

3d. Numerous Union meetings in various part of the State. Gov. Hicks issued an address to the people against secession.

11th. John C. Legrand in a letter to Hon. Reverdy Johnson replied to the Union speech of the latter.

14th. James Carroll, former Democratic candidate for Governor, announced his desire to go with the seceding States.

16th. Wm. A. Spencer, in a letter to Walter S. Cox, Esq., declared against the right of Secession but for a Convention.

16. Marshal Kane, in a letter to Mayor Berrett, denied that any organization exists to prevent the inauguration of President Lincoln, and said that the President elect would need no armed escort in passing through or sojourning within the limits of Baltimore and Maryland.

24th. Coleman Yellott declared for a Convention.

30th. Messrs. John B. Brooke, President of the Senate, and E. G. Kilbourn, Speaker of the House of Delegates, asked the Governor to convene the Legislature in response to public meetings. Senator Kennedy published his opinion that Maryland must go with Virginia.

February 18th. State Conference Convention held, and insisted upon a meeting of the Legislature. At a meeting in Howard Co., which Speaker E. G. Kilbourn addressed, a resolution was adopted that "immediate steps ought to be taken for the establishment of a Southern Confederacy, by consultation and co-operation with such other Southern and Slave States as may be ready therefor."

April 21st. Gov. Hicks wrote to Gen. Butler, advising that he do not land his troops at Annapolis. Butler replied that he intended to land there and march thence to Washington. Gov. Hicks protested against this and also against his having taken forcible possession of the Annapolis and Elkridge railroad.

24th. A special election of ten delegates to the Legislature took place at Baltimore. The total vote cast in all the wards was 9,249. The total vote cast at the Presidential election in November, 1860, was 30,148.

26th. Legislature reassembled at Frederick, Annapolis being occupied by Union troops.

29th. Gov. Hicks sent a message to the Legislature communicating to them the correspondence between himself and Gen. Butler and the Secretary of War relative to the landing of troops at Annapolis.

The House of Delegates voted against Secession, 53 to 13. Senate unanimously.

May 2d. The Committee on Federal Relations, "in view of the seizure of the railroads by the General Government and the erection of fortifications," presented resolutions appointing Commissioners to the President to ascertain whether any becoming arrangements with the General Government are practicable, for the maintenance of the peace and honor of the State and the security of its inhabitants. The report was adopted, and Otho Scott, Robt. M. McLane, and Wm. J. Ross were appointed such Commissioners.

Mr. Yellott in the Senate introduced a bill to appoint a Board of Public Safety. The powers given to the Board included the expenditure of the two millions of dollars proposed by Mr. Brune for the defence of the State, and the entire control of the military, including the removal and appointment of commissioned officers. It was ordered to a second reading by a vote of 14 to 8. The Board was to consist of Ezekiel F. Chambers, Enoch Louis Lowe, John V. L. MacMahon, Thomas G. Pratt, Walter Mitchell, and Thomas Winans. Gov. Hicks was made *ex-officio* a member of the Board. This measure was strongly pressed by the Disunionists for a long time, but they were finally compelled to give way, and the bill never passed.

6th. The Commissioners reported the result of their interview with the President, and expressed the opinion that some modification of the course of the General Government towards Maryland ought to be expected.

10th. The House of Delegates passed a series of resolutions reported by the Committee on Federal Relations by a vote of 43 to 12. The resolutions declare that Maryland protests against the war, and does earnestly beseech and implore the President of the United States to make peace with the "Confederate" States; also, that "the State of Maryland desires the peaceful and immediate recognition of the independence of the Confederate States." Those who voted in the negative are Messrs. Medders, Lawson, Keene, Routzahn, Naill, Wilson of Harford, Bayless, McCoy, Fiery, Stake, McCleary, and Gorsuch.

13th. Both Houses adopted a resolution providing for a committee of eight members, (four from each House) to visit the President of the United States and the President of the Southern Confederacy. The committee to visit President Davis were instructed to convey the assurance that Maryland sympathizes with the Confederate States, and that the people of Maryland are enlisted with their whole hearts on the side of reconciliation and peace.

June 11th. Messrs. McKaig, Yellott and Harding, Commissioners to visit President Davis, presented their report; accompanying which is a letter from Jefferson Davis, expressing his gratification to hear that the State of Maryland was in sympathy with themselves, was enlisted on the side of peace and reconciliation, and avowing his perfect willingness for a cessation of hostilities, and a readiness to receive any proposition for peace from the United States Government.

20th. The House of Delegates, and June 22d, the Senate adopted resolutions unqualifiedly protesting against the arrest of Ross Winans and sundry other citizens of Maryland, as an "oppressive and tyrannical assertion and exercise of military jurisdiction within the limits of Maryland, over the persons and property of her citizens, by the Government of the United States."

#### MISSOURI.

January 15th, 1861. Senate passed Convention Bill—yeas 31, nays 2. Passed House also.

February 28th. Convention met; motion to go into secret session, defeated. A resolution requiring members to take an oath to support the Constitution of the United States and the State of Missouri, was lost—65 against 30.

March 4. Resolution passed, 64 yeas, 35 nays, appointing committee to notify Mr. Glenn, Commissioner of Georgia, that the Convention was ready to hear any communication from his State. Mr. Glenn was introduced, read Georgia's articles of secession, and made a speech urging Missouri to join her.

5th. Resolutions were read, ordering that the protest of St. Louis against coercion be reduced to writing, and a copy sent to the President of the United States; also, resolutions were adopted informing the Commissioner from Georgia that Missouri dissented from the position taken by that State, and refused to share the honors of secession with her.

6th. Resolutions were offered by several members and referred, calling a Convention of the Southern States which have not seceded, to meet at Nashville, April 15th, providing for such amendments to the Constitution of the United States as shall secure to all the States equal rights in the Union, and declaring strongly against secession.

9th. The Committee on Federal Relations reported a series of resolutions, setting forth that at present there is no adequate cause to impel Missouri to leave the Union, but that on the contrary she will labor for such an adjustment of existing troubles as will secure peace and the rights and equality of all the States; that the

people of Missouri regard the amendments to the Constitution proposed by Mr. Crittenden, with their extension to territory hereafter to be required, a basis of adjustment which would forever remove all difficulties; and that it is expedient for the Legislature to call a Convention for proposing amendments to the Constitution.

The Senate passed resolutions that their Senators be instructed, and their Representatives requested, to oppose the passage of all acts granting supplies of men and money to coerce the seceding States into submission or subjugation; and that, should such acts be passed by Congress, their Senators be instructed, and their Representatives requested, to retire from the halls of Congress.

16th. An amendment of the fifth resolution of the majority report of the Committee on Federal Relations, asserting that Missouri would never countenance nor aid a seceding State in making war upon the General Government, nor provide men and money for the purpose of aiding the General Government to coerce a seceding State, was voted down.

27th. The following resolution was passed by a vote in the House of 62 against 42:—

*Resolved*, That it is inexpedient for the General Assembly to take any steps for calling a National Convention to propose amendments to the Constitution, as recommended by the State Convention.

July 22d. The Convention reassembled.

23d. Resolution passed, by a vote of 65 to 21, declaring the office of President, held by General Sterling Price at the last session of the Convention, vacant. A committee of seven were appointed to report what action they deem it advisable to take in the dislocated condition of the State.

25th. The committee presented their report. It alludes at length to the present unparalleled condition of things, the reckless course of the recent Government, and flight of the Governor and other State officers from the capitol. It declares the offices of Governor, Lieutenant-Governor, and Secretary of State vacant, and provides that their vacancies shall be filled by the Convention, the officers so appointed to hold their positions till August, 1862, at which time it provides for a special election by the people. It repeals the ninth section of the sixth article of the Constitution, and provides that the Supreme Court of the State shall consist of seven members; and that four members, in addition to the three now comprising the Court, shall be appointed by the Governor chosen by this Convention to hold office till 1862, when the people shall decide whether the change shall be permanent. It abolishes the State Legislature, and or-

dains that in case, before the 1st of August, 1862, the Governor chosen by this Convention shall consider the public exigencies demand, he shall order a special election for the members of the State Legislature. It recommends the passage of an ordinance repealing the following bills, passed by the Legislature in secret session, in May last: The military fund bill, the bill to suspend the distribution of the school fund, and the bill for cultivating friendly relations with the Indian tribes. It repeals the bill authorizing the appointment of one major-general of the Missouri militia, and revives the militia law of 1859.

A resolution was passed that a committee of seven be appointed by the President to prepare an address to the people of the State of Missouri.

November 26th. Jefferson Davis transmitted to the "Confederate" Congress a message concerning the secession of Missouri. It was accompanied by a letter from Governor Jackson, and also by an act dissolving the union with the United States, and an act ratifying the Constitution of the Provisional Government of the Confederate States; also, the Convention between the Commissioners of Missouri and the Commissioners of the Confederate States. Congress unanimously ratified the Convention entered into between the Hon. R. M. T. Hunter for the rebel Government and the Commissioners for Missouri.

#### Inter-State Commissioners.

The seceding States, as part of their plan of operation, appointed Commissioners to visit other slaveholding States. They were as follows, as announced in the newspapers:

##### *South Carolina.*

To Alabama, A. P. Calhoun.  
To Georgia, James L. Orr, Ex-M. C.  
To Florida, L. W. Spratt.  
To Mississippi, M. L. Bonham, Ex-M. C.  
To Louisiana, J. L. Manning.  
To Arkansas, A. C. Spain.  
To Texas, J. B. Kershaw.  
To Virginia, John S. Preston.

##### *Alabama.*

To North Carolina, Isham W. Garrett.  
To Mississippi, E. W. Pettus.  
To South Carolina, J. A. Elmore.  
To Maryland, A. F. Hopkins.  
To Virginia, Frank Gilmer.  
To Tennessee, L. Pope Walker.  
To Kentucky, Stephen F. Hale.  
To Arkansas, John Anthony Winston.

##### *Georgia.*

To Missouri, Luther J. Glenn.  
To Virginia, Henry L. Benning.

##### *Mississippi.*

To South Carolina, C. E. Hooker.  
To Alabama, Jos. W. Matthews, Ex-Gov.  
To Georgia, William L. Harris.  
To Louisiana, Wirt Adams.  
To Texas, H. H. Miller.  
To Arkansas, George R. Fall.  
To Florida, E. M. Yerger.  
To Tennessee, T. J. Wharton, Att'y-Gen.  
To Kentucky, W. S. Featherstone, Ex-M. C.  
To North Carolina, Jacob Thompson, Ex-M. C.  
To Virginia, Fulton Anderson.  
To Maryland, A. H. Handy, Judge.  
To Delaware, Henry Dickinson.  
To Missouri, — Russell.

#### Southern Congress.

This body, composed of Deputies elected by the Conventions of the Seceding States, met at Montgomery, Alabama, February 4th, 1861, to organize a Southern Confederacy. Each State had a representation equal to the number of members of the Thirty-sixth Congress. The members were:

##### *South Carolina.*

Robert W. Barnwell, Ex-U. S. Senator.  
R. Barnwell Rhett, " " "  
James Chestnut, jr., " " "  
Lawrence M. Keitt, Ex-M. C.  
William W. Boyce, " "  
Wm. Porcher Miles, " "  
C. G. Memminger.  
Thomas J. Withers.

##### *Alabama.*

W. P. Chilton.  
Stephen F. Hale.  
David P. Lewis.  
Thomas Fearn,  
Richard W. Walker.  
Robert H. Smith.  
Colin J. McRae.  
John Gill Shorter.  
J. L. M. Curry, Ex-M. C.

##### *Florida.*

J. Patten Anderson, Ex-Delegate from Washington Territory.  
Jackson Morton, Ex-U. S. Senator.  
James Powers,

##### *Mississippi.*

W. S. Wilson.  
Wiley P. Harris, Ex-M. C.  
James T. Harrison.  
Walter Brooke, Ex-U. S. Senator.  
William S. Barry, Ex-M. C.  
A. M. Clayton.

##### *Georgia.*

Robert Toombs, Ex-U. S. Senator.  
Howell Cobb, Ex-M. C.  
Martin J. Crawford, " "  
Augustus R. Wright, " "



Augustus H. Keenan.  
Benjamin H. Hill.  
Francis S. Bartow.  
E. A. Nisbet.  
Thomas R. R. Cobb.  
Alexander H. Stephens, Ex-M. C.

*Louisiana.*

Duncan F. Kenner.  
Charles M. Conrad, Ex-U. S. Senator.  
Henry Marshall.  
John Perkins, jr.  
G. E. Sparrow.  
E. De Clouet.

*Texas.*

(Admitted March 2d, 1861.)

Louis T. Wigfall, Ex-U. S. Senator.  
John Hemphill, " " "  
John H. Reagan, Ex-M. C.  
T. N. Waul.  
John Gregg.  
W. S. Oldham.  
W. B. Ochiltree.

**Proceedings of the Southern Congress.**

February 4th, 1861. Howell Cobb of Georgia elected President, Johnson J. Hooper of Alabama, Secretary. Mr. Cobb announced that secession "is now a fixed and irrevocable fact, and the separation is perfect, complete and perpetual."

6th. David L. Swain, M. W. Ransom, and John L. Bridgers, were admitted as Commissioners from North Carolina, under resolutions of the General Assembly of that State, passed January 29th, 1861, "to effect an honorable and amicable adjustment of all the difficulties that disturb the country, upon the basis of the Crittenden resolutions, as modified by the Legislature of Virginia," and to consult with the delegates to the Southern Congress for their "common peace, honor and safety."

7th. Congress notified that the State of Alabama had placed \$500,000 at its disposal, as a loan to the provisional government of the Confederacy of Seceding States.

8th. The Constitution of the Provisional Government adopted. \*

\*The Provisional Constitution adopted by the Seceded States differs from the Constitution of the United States in several important particulars. The alterations and additions are as follows:

**ALTERATIONS.**

1st. The Provisional Constitution differs from the other in this: That the legislative powers of the Provisional Government are vested in the Congress now assembled, and this body exercises all the functions that are exercised by either or both branches of the United States Government.

2d. The Provisional President holds his office for one year, unless sooner superseded by the establishment of a permanent Government.

3d. Each State is erected into a distinct judicial district, the judge having all the powers heretofore vested in the district and circuit courts; and the several district judges together compose the supreme bench—a majority of them constituting a quorum.

9th. Jefferson Davis, of Mississippi, elected Provisional President of the Confederate States of America, and Alexander H. Stephens, of Georgia, Vice-President. The question of attacking Fort Sumter has been referred to the Congress.

11th. Mr. Stephens announced his acceptance. Committee appointed to prepare a permanent Constitution.

12th. The Congress assumed "charge of all questions and difficulties now existing between the sovereign States of this Confederacy and the Government of the United States, relating to the occupation of forts, arsenals, navy yards, custom-houses, and all other public establishments." The resolution was directed to be communicated to the Governors of the respective States of the Confederacy.

15th. Official copy of the Texas Ordinance of Secession presented.

16th. President Davis arrived and received with salute, etc.

18th. President Davis inaugurated.

19th. Tariff law passed.

21st. Robert Toombs appointed Secretary of the State; C. G. Memminger, Secretary of the Treasury; L. Pope Walker, of

4th. Whenever the word "Union" occurs in the United States Constitution the word "Confederacy" is substituted.

**THE FOLLOWING ARE THE ADDITIONS.**

1st. The President may veto any separate appropriation without vetoing the whole bill in which it is contained.

2d. The African slave-trade is prohibited.

3d. Congress is empowered to prohibit the introduction of slaves from any State not a member of this Confederacy.

4th. All appropriations must be upon the demand of the President or heads of departments.

**OMISSIONS.**

1st. There is no prohibition on members of Congress holding other offices of honor and emolument under the Provisional Government.

2d. There is no provision for a neutral spot for the location of a seat of government, or for sites for forts, arsenals, and dock-yards; consequently there is no reference made to the territorial powers of the Provisional Government.

3d. The section in the old Constitution in reference to capitation and other direct tax is omitted; also, the section providing that no tax or duty shall be laid on any exports.

4th. The prohibition on States keeping troops or ships of war in time of peace is omitted.

5th. The Constitution being provisional merely, no provision is made for its ratification.

**AMENDMENTS.**

1st. The fugitive slave clause of the old Constitution is so amended as to contain the word "slave," and to provide for full compensation in cases of abduction of forcible rescue on the part of the State in which such abduction or rescue may take place.

2d. Congress, by a vote of two-thirds, may at any time alter or amend the Constitution.

**TEMPORARY PROVISIONS.**

1st. The Provisional Government is required to take immediate steps for the settlement of all matters between the States forming it and their other late confederates of the United States in relation to the public property and the public debt.

2d. Montgomery is made the temporary seat of government.

3d. This Constitution is to continue one year, unless altered by a two thirds vote or superseded by a permanent Government.

Alabama, Secretary of War; Stephen R. Mallory, Secretary of the Navy; Judah P. Benjamin, Attorney-General, and John H. Reagan, Postmaster-General; Philip Clayton, of Georgia appointed Assistant Secretary of the Treasury, and Wm. M. Browne, late of the Washington *Constitution*, Assistant Secretary of State.

March 2d. The Texas Deputies received.

#### The Confederate States.

The Confederate States was the name of the government formed in 1861 by the seven States which first seceded. Belligerent rights were accorded to it by the leading naval powers, but it was never recognized as a government, notwithstanding the persevering efforts of its agents near the principal courts. This result was mainly due to the diplomacy of the federal Secretary of State, Wm H. Seward, to the proclamations of emancipation in 1862-3, which secured the sympathy of the best elements of Great Britain and France for the federal government, and the obstinate persistence of the federal government in avoiding, as far as possible, any recognition of the existence, even *de facto*, of a confederate government. The federal generals in the field, in their communications with confederate officers, did not hesitate, upon occasion, even to give "president" Davis his official title, but no such embarrassing precedent was ever admitted by the civil government of the United States. It at first endeavored, until checked by active preparations for retaliation, to treat the crews of confederate privateers as pirates; it avoided any official communication with the confederate government, even when compelled to exchange prisoners, confining its negotiations to the confederate commissioners of exchange; and, by its persistent policy in this direction, it succeeded, without any formal declaration, in impressing upon foreign governments the belief that any recognition of the confederate States as a separate people would be actively resented by the government of the United States as an act of excessive unfriendliness. The federal courts have steadily held the same ground, that "the confederate states was an unlawful assemblage, without corporate power;" and that, though the separate States were still in existence and were indestructible, their state governments, while they chose to act as part of the confederate States, did not exist, even *de facto*. Early in January, 1861, while only South Carolina had actually seceded, though other Southern States had called conventions to consider the question, the Senators of the seven States farthest South practically assumed control of the whole movement, and their energy and unswerving

singleness of purpose, aided by the telegraph, secured a rapidity of execution to which no other very extensive conspiracy of history can afford a parallel. The ordinance of secession was a negative instrument, purporting to withdraw the state from the Union and to deny the authority of the federal government over the people of the State; the cardinal object of the senatorial group was to hurry the formation of a new national government, as an organized political reality which would rally the outright secessionists, claim the allegiance of the doubtful mass, and coerce those who still remained recalcitrant. At the head of the senatorial group, and of its executive committee, was Jefferson Davis, Senator from Mississippi, and naturally the first official step toward the formation of a new government came from the Mississippi Legislature, where a committee reported, January 19th, 1861, resolutions in favor of a congress of delegates from the seceding States to provide for a southern confederacy, and to establish a provisional government, therefore. The other seceding States at once accepted the proposal, through their State conventions, which also appointed the delegates on the ground that the people had intrusted the State conventions with unlimited powers. The new government therefore began its existence without any popular ratification, and with only such popular acquiescence as gave. The provisional congress met Feb. 4th, at Montgomery, Ala., with delegates from South Carolina, Georgia, Alabama, Louisiana, Florida and Mississippi. The Texas delegates were not appointed until Feb. 14th. Feb. 8th, a provisional constitution was adopted, being the constitution of the United States, with some changes. Feb. 9th, Jefferson Davis, of Mississippi, was unanimously chosen provisional president, and Alexander H. Stephens, of Georgia, provisional vice-president, each State having one vote, as in all other proceedings of the body. By acts of Feb. 9th and 12th, the laws and revenue officers of the United States were continued in the confederate States until changed. Feb. 18th, the president and vice-president were inaugurated. Feb. 20th-26th, executive departments and a confederate regular army were organized, and provision was made for borrowing money. March 11th, the permanent constitution was adopted by Congress.

The Internal legislation of the provisional congress was, at first, mainly the adaptation of the civil service in the Southern States to the uses of the new government. Wherever possible, judges, postmasters, and civil as well as military and naval officers, who had resigned from the service of the United States, were given

an equal or higher rank in the confederate service. Postmasters were directed to make their final accounting to the United States, May 31st, thereafter accounting to the Confederate States. April 29th, the provisional congress, which had adjourned March 16th, re-assembled at Montgomery, having been convoked by President Davis in consequence of President Lincoln's preparations to enforce federal authority in the South. Davis' message announced that all the seceding States had ratified the permanent constitution; that Virginia, which had not yet seceded and entered into alliance with the confederacy, and that other States, were expected to follow the same plan. He concluded by declaring that "all we ask is to be let alone." May 6th, an act was passed recognizing the existence of war with the United States. Congress adjourned May 22d, re-convened at Richmond, Va., July 20th, and adjourned August 22d, until November 18th. Its legislation had been mainly military and financial. Virginia, North Carolina, Tennessee and Arkansas, had passed ordinances of secession, and been admitted to the confederacy. (See the States named, and secession.) Although Missouri and Kentucky had not seceded, delegates from these States were admitted in December 1861. Nov. 6, 1861, at an election under the permanent constitution, Davis and Stephens were again chosen to their respective offices by a unanimous electoral vote. Feb. 18th, 1862, the provisional congress (of one house) gave way to the permanent congress, and Davis and Stephens were inaugurated February 22nd. The cabinet, with the successive Secretaries of each department, was as follows, including both the provisional and permanent cabinets:

*State Department.*—Robert Toombs, Georgia, February 21st, 1861; R. M. T. Hunter, Virginia, July 30th, 1861; Judah P. Benjamin, Louisiana, February 7th, 1862.

*Treasury Department.*—Charles G. Memminger, South Carolina, February 21st, 1861, and March 22d, 1862; James L. Trenholm, South Carolina, June 13th, 1864.

*War Department.*—L. Pope Walker, Mississippi, February 21st, 1861; Judah P. Benjamin, Louisiana, November 10th, 1861; James A. Seddon, Virginia, March 22d, 1862; John C. Breckinridge, Kentucky, February 15th, 1865.

*Navy Department.*—Stephen R. Mallory, Florida, March 4th, 1861, and March 22d.

*Attorney General.*—Judah P. Benjamin, Louisiana, February 21st, 1861; Thomas H. Watts, Alabama, September 10th, 1861, and March 22nd, 1862; George Davis, North Carolina, November 10th, 1863.

*Postmaster-General.*—Henry J. Elliot,

Mississippi, February 21st, 1865; John H. Reagan, Texas, March 6th, 1861, and March 22d, 1862.

The provisional Congress held four sessions, as follows: 1. February 4–March 16th, 1861; 2. April 29–May 22d, 1861; 3. July 20–August 22d, 1861; and 4. November 18th, 1861–February 17th, 1862.

Under the permanent Constitution there were two Congresses. The first Congress held four sessions, as follows: 1. February 18–April 21st, 1862; 2. August 12–October 13th, 1862; 3. January 12–May 8th 1863; and 4. December 7, 1863–February 18th, 1864. The second Congress held two sessions, as follows: 1. May 2–June 15th, 1864; and 2. From November 7th, 1864, until the hasty and final adjournment, March 18th, 1865.

In the first Congress members chosen by rump State conventions, or by regiments in the confederate service, sat for districts in Missouri and Kentucky, though these States had never seceded. There were thus thirteen States in all represented at the close of the first Congress; but, as the area of the Confederacy narrowed before the advance of the Federal armies, the vacancies in the second Congress became significantly more numerous. At its best estate the Confederate Senate numbered 26, and the house 106, as follows: Alabama, 9; Arkansas, 4; Florida, 2; Georgia, 10; Kentucky, 12; Louisiana, 6; Mississippi, 1; Missouri, 7; North Carolina, 10; South Carolina, 6; Tennessee, 11; Texas, 6; Virginia, 16. In both Congresses Thomas S. Bocock, of Virginia, was Speaker of the House.\*

For four months between the Presidential election and the inauguration of Mr. Lincoln those favoring secession in the South had practical control of their section, for while President Buchanan hesitated as to his constitutional powers, the more active partisans in his Cabinet were aiding their Southern friends in every practical way. In answer to the visiting Commissioners from South Carolina, Messrs. R. W. Barnwell, J. H. Adams and Jas. L. Orr, who formally submitted that State's ordinance of secession, and demanded possession of the forts in Charleston harbor, Buchanan said:—

"In answer to this communication, I have to say that my position as President of the United States was clearly defined in the message to Congress on the 3d inst. In that I stated that 'apart from the execution of the laws, so far as this may be practicable, the Executive has no authority to decide what shall be the relations between the Federal Government and South Carolina. He has been invested with no such discretion. He possesses no power to

\* From Lalor's *Encyclopædia of Political Science*, published by Rand & McNally, Chicago, Ill.

change the relations heretofore existing between them, much less to acknowledge the independence of that State. This would be to invest a mere executive officer with the power of recognizing the dissolution of the Confederacy among our thirty-three sovereign States. It bears no resemblance to the recognition of a foreign *de facto* Government, involving no such responsibility. Any attempt to do this would, on his part, be a naked act of usurpation. It is, therefore, my duty to submit to Congress the whole question in all its bearings.'

"Such is my opinion still. I could, therefore, meet you only as private gentlemen of the highest character, and was entirely willing to communicate to Congress any proposition you might have to make to that body upon the subject. Of this you were well aware. It was my earnest desire that such a disposition might be made of the whole subject by Congress, who alone possess the power, as to prevent the inauguration of a civil war between the parties in regard to the possession of the Federal forts in the harbor of Charleston."

Further correspondence followed between the President and other seceding State Commissioners, and the attitude of the former led to the following changes in his Cabinet: December 12th, 1860, LEWIS CASS resigned as Secretary of State, because the President declined to reinforce the forts in Charleston harbor. December 17th, JEREMIAH S. BLACK was appointed his successor.

December 10th, HOWELL COBB, resigned as Secretary of the Treasury—"his duty to Georgia requiring it." December 12th, PHILIP F. THOMAS was appointed his successor, and resigned, January 11th, 1861, because differing from the President and a majority of the Cabinet, "in the measures which have been adopted in reference to the recent condition of things in South Carolina," especially "touching the authority, under existing laws, to enforce the collection of the customs at the port of Charleston." January 11th, 1861, JOHN A. DIX appointed his successor.

29th, JOHN B. FLOYD resigned as Secretary of War, because, after the transfer of Major Anderson's command from Fort Moultrie to Fort Sumter, the President declined "to withdraw the garrison from the harbor of Charleston altogether."

December 31st, JOSEPH HOLT, Postmaster-General, was entrusted with the temporary charge of the War Department, and January 18th, 1861, was appointed Secretary of War.

January 8th, 1861, JACOB THOMPSON resigned as Secretary of the Interior, because "additional troops, he had heard, have been ordered to Charleston" in the *Star of the West*.

December 17th, 1860, JEREMIAH S. BLACK resigned as Attorney-General, and EDWIN M. STANTON, December 20th, was appointed his successor.

January 18th, 1861, JOSEPH HOLT resigned as Postmaster-General, and HORATIO KING, February 12th, 1861, was appointed his successor.

President Buchanan, in his annual message of December 3d, 1860, appealed to Congress to institute an amendment to the constitution recognizing the rights of the Southern States in regard to slavery in the territories, and as this document embraced the views which subsequently led to such a general discussion of the right of secession and the right to coerce a State, we make a liberal quotation from it:—

"I have purposely confined my remarks to revolutionary resistance, because it has been claimed within the last few years that any State, whenever this shall be its sovereign will and pleasure, may secede from the Union in accordance with the Constitution, and without any violation of the constitutional rights of the other members of the Confederacy. That as each became parties to the Union by the vote of its own people assembled in convention, so any one of them may retire from the Union in a similar manner by the vote of such a convention.

"In order to justify secession as a constitutional remedy, it must be on the principle that the Federal Government is a mere voluntary association of States, to be dissolved at pleasure by any one of the contracting parties. If this be so, the Confederacy is a rope of sand, to be penetrated and dissolved by the first adverse wave of public opinion in any of the States. In this manner our thirty-three States may resolve themselves into as many petty, jarring, and hostile republics, each one retiring from the Union without responsibility whenever any sudden excitement might impel them to such a course. By this process a Union might be entirely broken into fragments in a few weeks, which cost our forefathers many years of toil, privation, and blood to establish.

"Such a principle is wholly inconsistent with the history as well as the character of the Federal Constitution. After it was framed with the greatest deliberation and care, it was submitted to conventions of the people of the several States for ratification. Its provisions were discussed at length in these bodies, composed of the first men of the country. Its opponents contended that it conferred powers upon the Federal Government dangerous to the rights of the States, whilst its advocates maintained that, under a fair construction of the instrument, there was no foundation for such apprehensions. In that mighty struggle between the first intellects of this

or any other country, it never occurred to any individual, either among its opponents or advocates, to assert or even to intimate that their efforts were all vain labor, because the moment that any State felt herself aggrieved she might secede from the Union. What a crushing argument would this have proved against those who dreaded that the rights of the States would be endangered by the Constitution. The truth is, that it was not until some years after the origin of the Federal Government that such a proposition was first advanced. It was afterwards met and refuted by the conclusive arguments of General Jackson, who, in his message of the 16th of January, 1833, transmitting the nullifying ordinance of South Carolina to Congress, employs the following language: 'The right of the people of a single State to absolve themselves at will and without the consent of the other States from their most solemn obligations, and hazard the liberty and happiness of the millions composing this Union, cannot be acknowledged. Such authority is believed to be utterly repugnant both to the principles upon which the General Government is constituted, and to the objects which it was expressly formed to attain.'

"It is not pretended that any clause in the Constitution gives countenance to such a theory. It is altogether founded upon inference, not from any language contained in the instrument itself, but from the sovereign character of the several States by which it was ratified. But it is beyond the power of a State like an individual, to yield a portion of its sovereign rights to secure the remainder? In the language of Mr. Madison, who has been called the father of the Constitution, 'It was formed by the States—that is, by the people in each of the States acting in their highest sovereign capacity, and formed consequently by the same authority which formed the State constitutions.' 'Nor is the Government of the United States, created by the Constitution, less a Government, in the strict sense of the term within the sphere of its powers, than the governments created by the constitutions of the States are within their several spheres. It is like them organized into legislative, executive, and judiciary departments. It operates, like them, directly on persons and things; and, like them, it has at command a physical force for executing the powers committed to it.'

"It was intended to be perpetual, and not to be annulled at the pleasure of any one of the contracting parties. The old Articles of Confederation were entitled 'Articles of Confederation and Perpetual Union between the States;' and by the thirteenth article it is expressly declared that 'the articles of this confederation

shall be inviolably observed by every State, and the Union shall be perpetual.' The preamble to the constitution of the United States, having express reference to the Articles of Confederation, recites that it was established 'in order to form a more perfect union.' And yet it is contended that this 'more perfect union' does not include the essential attribute of perpetuity.

"But that the Union was designed to be perpetual, appears conclusively from the nature and extent of the powers conferred by the Constitution of the Federal Government. These powers embrace the very highest attributes of national sovereignty. They place both the sword and purse under its control. Congress has power to make war and to make peace; to raise and support armies and navies, and to conclude treaties with foreign governments. It is invested with the power to coin money, and to regulate the value thereof, and to regulate commerce with foreign nations and among the several States. It is not necessary to enumerate the other high powers which have been conferred upon the Federal Government. In order to carry the enumerated powers into effect, Congress possesses the exclusive right to lay and collect duties on imports, and, in common with the States, to lay and collect all other taxes.

"But the Constitution has not only conferred these high powers upon Congress, but it has adopted effectual means to restrain the States from interfering with their exercise. For that purpose it has in strong prohibitory language expressly declared that 'no State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts.' Moreover, 'without the consent of Congress no State shall lay any imposts or duties on any imports or exports, except what may be absolutely necessary for executing its inspection laws,' and if they exceed this amount, the excess shall belong to the United States. And 'no State shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded or in such imminent danger as will not admit of delay.'

"In order still further to secure the uninterrupted exercise of these high powers against State interposition, it is provided 'that this Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made or

which shall be made under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, any thing in the Constitution or laws of any State to the contrary notwithstanding.'

"The solemn sanction of religion has been superadded to the obligations of official duty, and all Senators and Representatives of the United States, all members of State Legislatures, and all executive and judicial officers, 'both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution.'

"In order to carry into effect these powers, the Constitution has established a perfect Government in all its forms, legislative, executive, and judicial; and this Government to the extent of its powers acts directly upon the individual citizens of every State, and executes its own decrees by the agency of its own officers. In this respect it differs entirely from the Government under the old confederation, which was confined to making requisitions on the States in their sovereign character. This left it in the discretion of each whether to obey or refuse, and they often declined to comply with such requisitions. It thus became necessary, for the purpose of removing this barrier, and 'in order to form a more perfect union,' to establish a Government which could act directly upon the people and execute its own laws without the intermediate agency of the States. This has been accomplished by the Constitution of the United States. In short, the Government created by the Constitution, and deriving its authority from the sovereign people of each of the several States, has precisely the same right to exercise its power over the people of all these States in the enumerated cases, that each one of them possesses over subjects not delegated to the United States, but 'reserved to the States respectively or to the people.'

"To the extent of the delegated powers the Constitution of the United States is as much a part of the constitution of each State, and is as binding upon its people, as though it had been textually inserted therein.

"This Government, therefore, is a great and powerful Government, invested with all the attributes of sovereignty over the special subjects to which its authority extends. Its framers never intended to implant in its bosom the seeds of its own destruction nor were they at its creation guilty of the absurdity of providing for its own dissolution. It was not intended by its framers to be the baseless fabric of a vision, which, at the touch of the enchanter, would vanish into thin air, but a substantial and mighty fabric, capable of

resisting the slow decay of time, and of defying the storms of ages. Indeed, well may the jealous patriots of that day have indulged fears that a Government of such high power might violate the reserved rights of the States, and wisely did they adopt the rule of a strict construction of these powers to prevent the danger. But they did not fear, nor had they any reason to imagine that the Constitution would ever be so interpreted as to enable any State by her own act, and without the consent of her sister States, to discharge her people from all or any of their federal obligations.

"It may be asked, then, are the people of the States without redress against the tyranny and oppression of the Federal Government? By no means. The right of resistance on the part of the governed against the oppression of their governments cannot be denied. It exists independently of all constitutions, and has been exercised at all periods of the world's history. Under it, old governments have been destroyed and new ones have taken their place. It is embodied in strong and express language in our own Declaration of Independence. But the distinction must ever be observed that this is revolution against an established Government, and not a voluntary secession from it by virtue of an inherent constitutional right. In short, let us look the danger fairly in the face; secession is neither more nor less than revolution. It may or it may not be a justifiable revolution; but still it is revolution."

The President having thus attempted to demonstrate that the Constitution affords no warrant for secession, but that this was inconsistent both with its letter and spirit, then defines his own position. He says:

"What, in the mean time, is the responsibility and true position of the Executive? He is bound by solemn oath, before God and the country, 'to take care that the laws be faithfully executed,' and from this obligation he cannot be absolved by any human power. But what if the performance of this duty, in whole or in part, has been rendered impracticable by events over which he could have exercised no control? Such, at the present moment, is the case throughout the State of South Carolina, so far as the laws of the United States to secure the administration of justice by means of the Federal judiciary are concerned. All the Federal officers within its limits, through whose agency alone these laws can be carried into execution, have already resigned. We no longer have a district judge, a district attorney, or a marshal in South Carolina. In fact, the whole machinery of the Federal government necessary for the distribution of remedial justice among the people has been

demolished, and it would be difficult, if not impossible, to replace it.

"The only acts of Congress on the statute book bearing upon this subject are those of the 28th Februrry, 1795, and 3rd March, 1807. These authorize the President, after he shall have ascertained that the marshal, with his *posse comitatus*, is unable to execute civil or criminal process in any particular case, to call forth the militia and employ the army and navy to aid him in performing this service, having first by proclamation commanded the insurgents 'to disperse and retire peaceably to their respective abodes within a limited time.' This duty cannot by possibility be performed in a State where no judicial authority exists to issue process, and where there is no marshal to execute it, and where, even if there were such an officer, the entire population would constitute one solid combination to resist him.

"The bare enumeration of these provisions proves how inadequate they are without further legislation to overcome a united opposition in a single State, not to speak of other States who may place themselves in a similar attitude. Congress alone has power to decide whether the present laws can or cannot be amended so as to carry out more effectually the objects of the Constitution.

"The same insuperable obstacles do not lie in the way of executing the laws for the collection of customs. The revenue still continues to be collected, as heretofore, at the custom-house in Charleston, and should the collector unfortunately resign, a successor may be appointed to perform this duty.

"Then, in regard to the property of the United States in South Carolina. This has been purchased for a fair equivalent, 'by the consent of the Legislature of the State,' 'for the erection of forts, magazines, arsenals,' &c., and over these the authority 'to exercise exclusive legislation' has been expressly granted by the Constitution to Congress. It is not believed that any attempt will be made to expel the United States from this property by force; but if in this I should prove to be mistaken, the officer in command of the forts has received orders to act strictly on the defensive. In such a contingency the responsibility for consequences would rightfully rest upon the heads of the assailants.

"Apart from the execution of the laws, so far as this may be practicable, the Executive has no authority to decide what shall be the relations between the Federal Government and South Carolina. He has been invested with no such discretion. He possesses no power to change the relations heretofore existing between them, much less to acknowledge the independence of that State. This would be to invest a mere

executive officer with the power of recognizing the dissolution of the Confederacy among our thirty-three sovereign States. It bears no relation to the recognition of a foreign *de facto* Government, involving no such responsibility. Any attempt to do this would, on his part, be a naked act of usurpation. It is, therefore, my duty to submit to Congress the whole question in all its bearings."

Then follows the opinion expressed in the message, that the Constitution has conferred no power on the Federal Government to coerce a *State* to remain in the Union. The following is the language: "The question fairly stated is, 'Has the Constitution delegated to Congress the power to coerce a State into submission which is attempting to withdraw, or has actually withdrawn from the Confederacy?' If answered in the affirmative, it must be on the principle that the power has been conferred upon Congress to make war against a State.

"After much serious reflection, I have arrived at the conclusion that no such power has been delegated to Congress or to any other department of the Federal Government. It is manifest, upon an inspection of the Constitution, that this is not among the specific and enumerated powers granted to Congress; and it is equally apparent that its exercise is not 'necessary and proper for carrying into execution' any one of these powers. So far from this power having been delegated to Congress, it was expressly refused by the Convention which framed the Constitution.

"It appears from the proceedings of that body that on the 31st May, 1787, the clause '*authorizing an exertion of the force of the whole against a delinquent State*' came up for consideration. Mr. Madison opposed it in a brief but powerful speech, from which I shall extract but a single sentence. He observed: 'The use of force against a State would look more like a declaration of war than an infliction of punishment, and would probably be considered by the party attacked as a dissolution of all previous compacts by which it might be bound.' Upon his motion the clause was unanimously postponed, and was never, I believe, again presented. Soon afterwards, on the 8th June, 1787, when incidentally adverting to the subject, he said: 'Any government for the United States, formed on the supposed practicability of using force against the unconstitutional proceedings of the States, would prove as visionary and fallacious as the government of Congress,' evidently meaning the then existing Congress of the old confederation."

At the time of the delivery of this message the excitement was very high. The

extreme Southerners differed from it, in so far as it disputed both the right of revolution and secession under the circumstances, but quickly made a party battle-cry of the denial of the right of the National Government to coerce a State—a view which for a time won the President additional friends, but which in the end solidified all friends of the Union against his administration. To show the doubt which this ingenious theory caused, we quote from the speech of Senator Andrew Johnson, of Tennessee (subsequently Vice-President and acting President), delivered Dec. 18th, 1860, (Congressional Globe, page 119):—

“I do not believe the Federal Government has the power to coerce a State, for by the eleventh amendment of the Constitution of the United States it is expressly provided that you cannot even put one of the States of this confederacy before one of the courts of the country as a party. As a State, the Federal Government has no power to coerce it; but it is a member of the compact to which it agreed in common with the other States, and this Government has the right to pass laws, and to enforce those laws upon individuals within the limits of each State. While the one proposition is clear, the other is equally so. This Government can, by the Constitution of the country, and by the laws enacted in conformity with the Constitution, operate upon individuals, and has the right and power, not to coerce a State, but to enforce and execute the law upon individuals within the limits of a State.”

Senator Jefferson Davis of Mississippi, publicly objected to the message because of its earnest argument against secession, and the determination expressed to collect the revenue in the ports of South Carolina, by means of a naval force, and to defend the public property. From this moment they alienated themselves from the President. Soon thereafter, when he refused to withdraw Major Anderson from Fort Sumter, on the demand of the self-styled South Carolina Commissioners, the separation became complete. For more than two months before the close of the session all friendly intercourse between them and the President, whether of a political or social character, had ceased.

#### The Crittenden Compromise.

Congress referred the request in the message, to adopt amendments to the constitution recognizing the rights of the Slave States to take slavery into the territories to a committee of thirteen, consisting of five Republicans: Messrs. Seward, Colamer, Wade, Doolittle, and Grimes; five from slave-holding States: Messrs. Powell, Hunter, Crittenden, Toombs, and Davis; and three Northern Democrats; Messrs. Douglas, Bigler, and Bright. The latter

three were intended to act as mediators between the extreme parties on the committee.

The committee first met on the 21st December, 1860, and preliminary to any other proceeding, they “resolved that no proposition shall be reported as adopted, unless sustained by a majority of each of the classes of the committee; Senators of the Republican party to constitute one class, and Senators of the other parties to constitute the other class.” This resolution was passed, because any report they might make to the Senate would be in vain unless sanctioned by at least a majority of the five Republican Senators. On the next day (the 22d), Mr. Crittenden submitted to the committee “A Joint Resolution” (the same which he had two days before presented to the Senate), “proposing certain amendments to the Constitution of the United States,” now known as the Crittenden Compromise. This was truly a compromise of conflicting claims, because it proposed that the South should surrender their adjudged right to take slaves into all our Territories, provided the North would recognize this right in the Territories south of the old Missouri Compromise line. The committee rejected this compromise, every one of its five Republican members, together with Messrs. Davis and Toombs, from the cotton States, having voted against it. Indeed, not one of all the Republicans in the Senate, at any period or in any form, voted in its favor.

The committee, having failed to arrive at a satisfactory conclusion, reported their disagreement to the Senate on the 31st December, 1860, in a resolution declaring that they had “not been able to agree upon any general plan of adjustment.”

Mr. Crittenden did not despair of ultimate success, notwithstanding his defeat before the Committee of Thirteen. After this, indeed, he could no longer expect to carry his compromise as an amendment to the Constitution by the necessary two-thirds vote of Congress. It was, therefore, postponed by the Senate on his own motion. As a substitute for it he submitted to the Senate, on the 3d January, 1861, a joint resolution, which might be passed by a majority of both Houses. This was to refer his rejected amendment, by an ordinary act of Congress, to a direct vote of the people of the several States.

He offered his resolution in the following language: “Whereas the Union is in danger, and, owing to the unhappy division existing in Congress, it would be difficult, if not impossible, for that body to concur in both its branches by the requisite majority, so as to enable it either to adopt such measures of legislation, or to recommend to the States such amend-



ments to the Constitution, as are deemed necessary and proper to avert that danger ; and whereas in so great an emergency the opinion and judgment of the people ought to be heard, and would be the best and surest guide to their Representatives ; Therefore, *Resolved*, That provision ought to be made by law without delay for taking the sense of the people and submitting to their vote the following resolution [the same as in his former amendment], as the basis for the final and permanent settlement of those disputes that now disturb the peace of the country and threaten the existence of the Union."

Memorials in its favor poured into Congress from portions of the North, even from New England. One of these presented to the Senate was from "the Mayor and members of the Board of Aldermen and the Common Council of the city of Boston, and over 22,000 citizens of the State of Massachusetts, praying the adoption of the compromise measures proposed by Mr. Crittenden." It may be proper here to observe that the resolution of Mr. Crittenden did not provide in detail for holding elections by which "the sense of the people" could be ascertained. To supply this omission, Senator Bigler, of Pennsylvania, on the 14th January, 1861, brought in "A bill to provide for taking the sense of the people of the United States on certain proposed amendments to the Constitution of the United States;" but never was he able to induce the Senate even to consider this bill.

President Buchanan exerted all his influence in favor of these measures. In his special message to Congress of the 8th of January, 1861, after depicting the consequences which had already resulted to the country from the bare apprehension of civil war and the dissolution of the Union, he says :

"Let the question be transferred from political assemblies to the ballot-box, and the people themselves would speedily redress the serious grievances which the South have suffered. But, in Heaven's name, let the trial be made before we plunge into armed conflict upon the mere assumption that there is no other alternative. Time is a great conservative power. Let us pause at this momentous point, and afford the people, both North and South, an opportunity for reflection. Would that South Carolina had been convinced of this truth before her precipitate action! I, therefore, appeal through you to the people of the country, to declare in their might that the Union must and shall be preserved by all constitutional means. I most earnestly recommend that you devote yourselves exclusively to the question how this can be accomplished in peace. All other questions, when compared with this,

sink into insignificance. The present is no time for palliatives ; action, prompt action is required. A delay in Congress to prescribe or to recommend a distinct and practical proposition for conciliation, may drive us to a point from which it will be almost impossible to recede.

"A common ground on which conciliation and harmony can be produced is surely not unattainable. The proposition to compromise by letting the North have exclusive control of the territory above a certain line, and to give Southern institutions protection below that line, ought to receive universal approbation. In itself, indeed, it may not be entirely satisfactory, but when the alternative is between a reasonable concession on both sides and a dissolution of the Union, it is an imputation on the patriotism of Congress to assert that its members will hesitate for a moment."

This recommendation was totally disregarded. On the 14th January, 1861, Mr. Crittenden made an unsuccessful attempt to have it considered, but it was postponed until the day following. On this day it was again postponed by the vote of every Republican Senator present, in order to make way for the Pacific Railroad bill. On the third attempt (January 16,) he succeeded, but by a majority of a single vote, in bringing his resolution before the body. Every Republican Senator present voted against its consideration. Mr. Clark, a Republican Senator from New Hampshire, moved to strike out the entire preamble and resolution of Mr. Crittenden, and in lieu thereof insert as a substitute a preamble and resolution in accordance with the Chicago platform. This motion prevailed by a vote of 25 to 23, every Republican Senator present having voted in its favor. Thus Mr. Crittenden's proposition to refer the question to the people was buried under the Clark amendment. This continued to be its position for more than six weeks, until the day before the final adjournment of Congress, 2d March, when the proposition itself was defeated by a vote of 19 in the affirmative against 20 in the negative.

The Clark Amendment prevailed only in consequence of the refusal of six Secession Senators to vote against it. These were Messrs. Benjamin and Slidell, of Louisiana ; Mr. Iverson, of Georgia ; Messrs. Hemphill and Wigfall, of Texas ; and Mr. Johnson, of Arkansas. Had these gentlemen voted with the border slave-holding States and the other Democratic Senators, the Clark Amendment would have been defeated, and the Senate would then have been brought to a direct vote on the Crittenden resolution.

It is proper for reference that the names of these Senators who constituted the ma-

majority on this question, should be placed upon record. Every vote given from the six New England States was in opposition to Mr. Crittenden's resolution. These consisted of Mr. Clark, of New Hampshire; Messrs. Sumner and Wilson, of Massachusetts; Mr. Anthony, of Rhode Island; Messrs. Dixon and Foster, of Connecticut; Mr. Foot, of Vermont; and Mr. Fessenden, of Maine. The remaining twelve votes, in order to make up the 20, were given by Messrs. Bingham and Wade, of Ohio; Mr. Trumbull, of Illinois; Messrs. Bingham and Chandler, of Michigan; Messrs. Grimes and Harlan, of Iowa; Messrs. Doolittle and Durkee, of Wisconsin; Mr. Wilkinson, of Minnesota; Mr. King, of New York; and Mr. Ten Eyck, of New Jersey. The Republicans not voting were Hale of New Hampshire; Simmons of Rhode Island; Collamer of Vermont; Seward of New York, and Cameron of Pennsylvania. They refrained from various motives, but in the majority of instances because they disbelieved in any effort to compromise, for nearly all were recognized leaders of the more radical sentiment, and in favor of coercion of the South by energetic use of the war powers of the government. This was specially true of Hale, Seward, and General Cameron, shortly after Secretary of War, and the first Cabinet officer who favored the raising of an immense army and the early liberation and arming of the slaves.

On December 4th, 1860, on motion of Mr. Boteler of Virginia, so much of President Buchanan's message as related to the perilous condition of the country, was referred to a special committee of one from each State, as follows:

Corwin of Ohio; Millson of Virginia; Adams of Massachusetts; Winslow of North Carolina; Humphrey of New York; Boyce of South Carolina; Campbell of Pennsylvania; Love of Georgia; Ferry of Connecticut; Davis of Maryland; Robinson of Rhode Island; Whiteley of Delaware; Tappan of New Hampshire; Stratton of New Jersey; Bristow of Kentucky; Morrill of Vermont; Nelson of Tennessee; Dunn of Indiana; Taylor of Louisiana; Davis of Mississippi; Kellogg of Illinois; Houston of Alabama; Morse of Maine; Phelps of Missouri; Rust of Arkansas; Howard of Michigan; Hawkins of Florida; Hamilton of Texas; Washburn of Wisconsin; Curtis of Iowa; Burch of California; Windom of Minnesota; Stout of Oregon.

Messrs. Hawkins and Boyce asked to be excused from service on the Committee, but the House refused.

From this Committee Mr. Corwin reported, January 14th, 1861, a series of propositions with a written statement in advocacy thereof. Several minority reports were presented, but the following Joint Reso-

lution is the only one which secured the assent of both Houses.

#### CONSTITUTIONAL AMENDMENT.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, two-thirds of both Houses concurring, That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid, to all intents and purposes, as a part of the said Constitution, namely:*

ART. XII. No amendment shall be made to the Constitution which will authorize or give to Congress the power to abolish or interfere within any State, with the domestic institutions thereof, including that of persons held to labor or service by the laws of said State.

The Legislatures of Ohio and Maryland agreed to the amendment promptly, but events followed so rapidly, that the attention of other States was drawn from it, and nothing came of this, the only Congressional movement endorsed which looked to reconciliation. Other propositions came from the Border and individual states, but all alike failed.

#### The Peace Convention.

The General Assembly of Virginia, on the 19th of January, adopted resolutions inviting Representatives of the several States to assemble in a Peace Convention at Washington, which met on the 4th of February. It was composed of 133 Commissioners, many from the border States, and the object of these was to prevail upon their associates from the North to unite with them in such recommendations to Congress as would prevent their own States from seceding and enable them to bring back six of the cotton States which had already seceded.

One month only of the session of Congress remained. Within this brief period it was necessary that the Convention should recommend amendments to the Constitution in sufficient time to enable both Houses to act upon them before their final adjournment. It was also essential to success that these amendments should be sustained by a decided majority of the commissioners both from the Northern and the border States.

On Wednesday, the 6th February, a resolution was adopted,\* on motion of Mr. Guthrie, of Kentucky, to refer the resolutions of the General Assembly of Virginia, and all other kindred subjects, to a committee to consist of one commissioner

\* Official Journal of the Convention, pp. 9 and 10.

from each State, to be selected by the respective State delegations; and to prevent delay they were instructed to report on or before the Friday following (the 8th), "what they may deem right, necessary, and proper to restore harmony and preserve the Union."

This committee, instead of reporting on the day appointed, did not report until Friday, the 15th February.

The amendments reported by a majority of the committee, through Mr. Guthrie, their chairman, were substantially the same with the Crittenden Compromise; but on motion of Mr. Johnson, of Maryland, the general terms of the first and by far the most important section were restricted to the *present* Territories of the United States. On motion of Mr. Franklin, of Pennsylvania, this section was further amended, but not materially changed, by the adoption of the substitute offered by him. Nearly in this form it was afterwards adopted by the Convention. The following is a copy: "In all the present territory of the United States north of the parallel of thirty-six degrees and thirty minutes of north latitude, involuntary servitude, except in punishment of crime, is prohibited. In all the present territory south of that line, the status of persons held to involuntary service or labor, as it now exists, shall not be changed; nor shall any law be passed by Congress or the Territorial Legislature to hinder or prevent the taking of such persons from any of the States of this Union to said territory, nor to impair the rights arising from said relation; but the same shall be subject to judicial cognizance in the Federal courts, according to the course of the common law. When any Territory north or south of said line, within such boundary as Congress may prescribe, shall contain a population equal to that required for a member of Congress, it shall, if its form of government be republican, be admitted into the Union on an equal footing with the original States, with or without involuntary servitude, as the Constitution of such State may provide."

Mr. Baldwin, of Connecticut, and Mr. Seddon, of Virginia, made minority reports, which they proposed to substitute for that of the majority. Mr. Baldwin's report was a recommendation "to the several States to unite with Kentucky in her application to Congress to call a Convention for proposing amendments to the Constitution of the United States, to be submitted to the Legislatures of the several States, or to Conventions therein, for ratification, as the one or the other mode of ratification may be proposed by Congress, in accordance with the provisions in the fifth article of the Constitution."

The proposition of Mr. Baldwin, received the votes of eight of the twenty-one

States. These consisted of the whole of the New England States, except Rhode Island, and of Illinois, Iowa, and New York, all being free States.

The first amendment reported by Mr. Seddon differed from that of the majority inasmuch as it embraced not only the present but all future Territories. This was rejected. His second amendment, which, however, was never voted upon by the Convention, went so far as distinctly to recognize the right of secession.

More than ten days were consumed in discussion and in voting upon various propositions offered by individual commissioners. The final vote was not reached until Tuesday, the 26th February, when it was taken on the first vitally important section, as amended.

This section, on which all the rest depended, was negatived by a vote of eight States to eleven. Those which voted in its favor were Delaware, Kentucky, Maryland, New Jersey, Ohio, Pennsylvania, Rhode Island, and Tennessee. And those in the negative were Connecticut, Illinois, Iowa, Maine, Massachusetts, Missouri, New York, North Carolina, New Hampshire, Vermont, and Virginia. It is but justice to say that Messrs. Ruffin and Morehead, of North Carolina, and Messrs. Rives and Summers, of Virginia, two of the five commissioners from each of these States, declared their dissent from the vote of their respective States. So, also, did Messrs. Bronson, Corning, Dodge, Wool, and Granger, five of the eleven New York commissioners, dissent from the vote of their State. On the other hand, Messrs. Meredith and Wilmot, two of the seven commissioners from Pennsylvania, dissented from the majority in voting in favor of the section. Thus would the Convention have terminated but for the interposition of Illinois. Immediately after the section had been negatived, the commissioners from that State made a motion to reconsider the vote, and this prevailed. The Convention afterwards adjourned until the next morning. When they reassembled (February 27,) the first section was adopted, but only by a majority of nine to eight States, nine being less than a majority of the States represented. This change was effected by a change of the vote of Illinois from the negative to the affirmative, by Missouri withholding her vote, and by a tie in the New York commissioners, on account of the absence of one of their number, rendering it impossible for the State to vote. Still Virginia and North Carolina, and Connecticut, Maine, Massachusetts, New Hampshire, and Vermont, persisted in voting in the negative. From the nature of this vote, it was manifestly impossible that two-thirds of both Houses of Congress should act favorably

on the amendment, even if the delay had not already rendered such action impracticable before the close of the session.

The remaining sections of the amendment were carried by small majorities. The Convention, on the same day, through Mr. Tyler, their President, communicated to the Senate and House of Representatives the amendment they had adopted, embracing all the sections, with a request that it might be submitted by Congress, under the Constitution, to the several State Legislatures. In the Senate this was immediately referred to a select committee, on motion of Mr. Crittenden. The committee, on the next day (28th Feb.), reported a joint resolution proposing it as an amendment to the Constitution, but he was never able to bring the Senate to a direct vote upon it. Failing in this, he made a motion to substitute the amendment of the Peace Convention for his own.

Mr. Crittenden's reasons failed to convince the Senate, and his motion was rejected by a large majority (28 to 7). Then next in succession came the memorable vote on Mr. Crittenden's own resolution, and it was in its turn defeated, as we have already stated, by a majority of 20 against 19.

In the House of Representatives, the amendment proposed by the Convention was treated with still less consideration than it had been by the Senate. The Speaker was refused leave even to present it. Every effort made for this purpose was successfully resisted by leading Republican members. The consequence is that a copy of it does not even appear in the Journal.

The refusal to pass the Crittenden or any other Compromise heightened the excitement in the South, where many showed great reluctance to dividing the Union. Georgia, though one of the cotton States, under the influence of conservative men like Alex. H. Stephens, showed greater concern for the Union than any other, and it took all the influence of spirits like that of Robert Toombs to bring her to favor secession. She was the most powerful of the cotton States and the richest, as she is to-day. On the 22d of December, 1860, Robert Toombs sent the following exciting telegraphic manifesto from Washington:

*Fellow-Citizens of Georgia:* I came here to secure your constitutional rights, or to demonstrate to you that you can get no guarantees for these rights from your Northern Confederates.

The whole subject was referred to a committee of thirteen in the Senate yesterday. I was appointed on the committee and accepted the trust. I submitted propositions, which, so far from receiving decided support from a single member of the Republican party on the committee, were all

treated with either derision or contempt. The vote was then taken in committee on the amendments to the Constitution, proposed by Hon. J. J. Crittenden of Kentucky, and each and all of them were voted against, unanimously, by the Black Republican members of the committee.

In addition to these facts, a majority of the Black Republican members of the committee declared distinctly that they had no guarantees to offer, which was silently acquiesced in by the other members.

The Black Republican members of this Committee of Thirteen are representative men of their party and section, and to the extent of my information, truly represent the Committee of Thirty-three in the House, which on Tuesday adjourned for a week without coming to any vote, after solemnly pledging themselves to vote on all propositions then before them on that date.

That committee is controlled by Black Republicans, your enemies, who only seek to amuse you with delusive hope until your election, in order that you may defeat the friends of secession. If you are deceived by them, it shall not be my fault. I have put the test fairly and frankly. It is decisive against you; and now I tell you upon the faith of a true man that all further looking to the North for security for your constitutional rights in the Union ought to be instantly abandoned. It is fraught with nothing but ruin to yourselves and your posterity.

Secession by the fourth of March next should be thundered from the ballot-box by the unanimous voice of Georgia on the second day of January next. Such a voice will be your best guarantee for LIBERTY, SECURITY, TRANQUILLITY and GLORY.

ROBERT TOOMBS.

#### IMPORTANT TELEGRAPHIC CORRESPONDENCE.

*Atlanta, Georgia, December 26th, 1860.*  
*Hon. S. A. Douglas or Hon. J. J. Crittenden:*

Mr. Toombs's despatch of the 22d inst. unsettled conservatives here. Is there any hope for Southern rights in the Union? We are for the Union of our fathers, if Southern rights can be preserved in it. If not, we are for secession. Can we yet hope the Union will be preserved on this principle? You are looked to in this emergency. Give us your views by despatch and oblige

WILLIAM EZZARD.  
ROBERT W. SIMS.  
JAMES P. HAMBLETON.  
THOMAS S. POWELL.  
S. G. HOWELL.  
J. A. HAYDEN.  
G. W. ADAIR.  
R. C. HONLESTER.

Washington, December 29th, 1860.

In reply to your inquiry, we have hopes that the rights of the South, and of every State and section, may be protected within the Union. Don't give up the ship. Don't despair of the Republic.

J. J. CRITTENDEN.

S. A. DOUGLAS.

Congress, amid excitement which the above dispatches indicate, and which was general, remained for several weeks comparatively inactive. Buchanan sent messages, but his suggestions were distrusted by the Republicans, who stood firm in the conviction that when Lincoln took his seat, and the new Congress came in, they could pass measures calculated to restore the property of and protect the integrity of the Union. None of them believed in the right of secession; all had lost faith in compromises, and all of this party repudiated the theory that Congress had no right to coerce a State. The revival of these questions, revived also the logical thoughts of Webster in his great reply to Hayne, and the way in which he then expanded the constitution was now accepted as the proper doctrine of Republicanism on that question. No partisan sophistry could shake the convictions made by Webster, and so apt were his arguments in their application to every new development that they supplied every logical want in the Northern mind. Republican orators and newspapers quoted and endorsed, until nearly every reading mind was imbued with the same sentiments, until in fact the Northern Democrats, and at all times the Douglas Democrats, were ready to stand by the flag of the Union. George W. Curtis, in *Harper's Weekly* (a journal which at the time graphically illustrated the best Union thoughts and sentiments), in an issue as late as January 12th, 1872, well described the power of Webster's grand ability \* over a crisis which he did not live to see, Mr. Curtis says:—

“The war for the Union was a vindication of that theory of its nature which Webster had maintained in a memorably impregnable and conclusive manner. His second speech on Foot's resolution—the reply to Hayne—was the most famous and effective speech ever delivered in this country. It stated clearly and fixed firmly in the American mind the theory of the government, which was not, indeed, original with Webster, but which is nowhere else presented with such complete and inexorable reason as in this speech. If the poet be the man who is so consummate a master of expression that he only says per-

fectly what everybody thinks, upon this great occasion the orator was the poet. He spoke the profound but often obscured and dimly conceived conviction of a nation. He made the whole argument of the civil war a generation before the war occurred, and it has remained unanswered and unanswerable. Mr. Everett, in his discourse at the dedication of the statue of Webster, in the State-House grounds in Boston in 1859, described the orator at the delivery of this great speech. The evening before he seemed to be so careless that Mr. Everett feared that he might not be fully aware of the gravity of the occasion. But when the hour came, the man was there. ‘As I saw him in the evening, if I may borrow an illustration from his favorite amusement,’ said Mr. Everett, ‘he was as unconcerned and as free of spirit as some here have often seen him while floating in his fishing-boat along a hazy shore, gently rocking on the tranquil tide, dropping his line here and there with the varying fortune of the sport. The next morning he was like some mighty admiral, dark and terrible, casting the long shadow of his frowning tiers far over the sea, that seemed to sink beneath him; his broad pennant streaming at the main, the Stars and Stripes at the fore, the mizzen, and the peak, and bearing down like a tempest upon his antagonist, with all his canvas strained to the wind, and all his thunders roaring from his broadsides.’ This passage well suggests that indescribable impression of great oratory which Rufus Choate, in his eulogy of Webster at Dartmouth College, conveys by a felicitous citation of what Quintilian says of Hortensius, that there was some spell in the spoken word which the reader misses.”

As we have remarked, the Republicans were awaiting the coming of a near and greater power to themselves, and at the same time jealously watching the movements of the friends of the South in Congress and in the President's Cabinet. It needed all their watchfulness to prevent advantages which the secessionists thought they had a right to take. Thus Jefferson Davis, on January 9th, 1860, introduced to the senate a bill “to authorize the sale of public arms to the several States and Territories,” and as secession became more probable he sought to press its passage, but failed. Floyd, the Secretary of War, was far more successful, and his conduct was made the subject of the following historic and most remarkable report:—

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**Transfer of U. S. Arms South in 1859-60.**

Report (Abstract of) made by Mr. B. Stanton, from the Committee on Military

\* The text of Webster's speech in reply to Hayne, now accepted as the greatest constitutional exposition ever made by any American orator, will be found in our book devoted to Great Speeches on Great Issues.

Affairs, in House of Representatives, Feb. 18th, 1861.

The Committee on Military Affairs, to whom was referred the resolution of the House of Representatives of 31st of December last, instructing said committee to inquire and report to the House, how, to whom, and at what price, the public arms distributed since the first day of January, A. D. 1860, have been disposed of; and also into the condition of the forts, arsenals, dock-yards, etc., etc., submit the following report:

That it appears from the papers herewith submitted, that Mr. Floyd, the late Secretary of War, by the authority or under color of the law of March 3d, 1825, authorizing the Secretary of War to sell any arms, ammunition, or other military stores which should be found unsuitable for the public service, sold to sundry persons and States 31,610 flint-lock muskets, altered to percussion, at \$2.50 each, between the 1st day of January, A. D. 1860, and the 1st day of January, A. D., 1861. It will be seen from the testimony of Colonel Craig and Captain Maynadier, that they differ as to whether the arms so sold had been found, "upon proper inspection, to be unsuitable for the public service."

Whilst the Committee do not deem it important to decide this question, they say, that in their judgment it would require a very liberal construction of the law to bring these sales within its provisions.

It also appears that on the 21st day of November last, Mr. Belknap made application to the Secretary of War for the purchase of from one to two hundred and fifty thousand United States muskets, flint-locks and altered to percussion, at \$2.15 each; but the Secretary alleges that the acceptance was made under a misapprehension of the price bid, he supposing it was \$2.50 each, instead of \$2.15.

Mr. Belknap denies all knowledge of any mistake or misapprehension, and insists upon the performance of his contract.

The present Secretary refuses to recognize the contract, and the muskets have not been delivered to Mr. Belknap.

Mr. Belknap testifies that the muskets were intended for the Sardinian government.

It will appear by the papers herewith submitted, that on the 29th of December, 1859, the Secretary of War ordered the transfer of 65,000 percussion muskets, 40,000 muskets altered to percussion, and 10,000 percussion rifles, from the Springfield Armory and the Watertown and Watervliet Arsenals, to the Arsenals at Fayetteville, N. C., Charleston, S. C., Augusta, Ga., Mount Vernon, Ala., and Baton Rouge, La., and that these arms were distributed during the spring of 1860 as follows:

	Percussion muskets.	Altered muskets.	Rifles.
To Charleston Arsenal,	9,280	5,720	2,000
To North Carolina Arsenal,	15,480	9,520	2,000
To Augusta Arsenal,	12,380	7,620	2,000
To Mount Vernon Arsenal,	9,280	5,720	2,000
To Baton Rouge Arsenal,	18,580	11,420	2,000
	<hr/> 65,000	<hr/> 40,000	<hr/> 10,000

All of these arms, except those sent to the North Carolina Arsenal,\* have been seized by the authorities of the several States of South Carolina, Alabama, Louisiana and Georgia, and are no longer in possession of the United States.

It will appear by the testimony herewith presented, that on the 20th of October last the Secretary of War ordered forty columbiads and four thirty-two pounders to be sent from the Arsenal at Pittsburg to the fort on Ship Island, on the coast of Mississippi, then in an unfinished condition, and seventy columbiads and seven thirty-two pounders to be sent from the same Arsenal to the fort at Galveston, in Texas, the building of which had scarcely been commenced.

This order was given to the Secretary of War, without any report from the Engineer department showing that said works were ready for their armament, or that the guns were needed at either of said points.

It will be seen by the testimony of Captain Wright, of the Engineer department, that the fort at Galveston cannot be ready for its entire armament in less than about five years, nor for any part of it in less than two; and that the fort at Ship Island will require an appropriation of \$85,000 and one year's time before it can be ready for any part of its armament. This last named fort has been taken possession of by the State authorities of Mississippi.

The order of the late Secretary of War (Floyd) was countermanded by the present Secretary (Holt) before it had been fully executed by the shipment of said guns from Pittsburg.†

It will be seen by a communication from the Ordnance office of the 21st of January last, that by the last returns there were remaining in the United States arsenals and armories the following small arms, viz:

Percussion muskets and muskets altered to percussion of calibre 69.....	499,554
Percussion rifles, calibre 54.....	42,011
<hr/> Total.....	<hr/> 541,565

\* These were afterwards seized.

† The attempted removal of these heavy guns from Allegheny Arsenal, late in December, 1860, created intense excitement. A monster mass meeting assembled at the call of the Mayor of the city, and citizens of all parties aided in the effort to prevent the shipment. Through the interposition of Hon. J. K. Moorhead, Hon. R. McKnight, Judge Shaler, Judge Wilkins, Judge Shannon, and others inquiry was instituted, and a revocation of the order obtained. The Secessionists in Congress bitterly complained of the "mob law" which thus interfered with the routine of governmental affairs.—McPherson's History.

Of these 60,878 were deposited in the arsenals of South Carolina, Alabama, and Louisiana, and are in the possession of the authorities of those States, reducing the number in possession of the United States to 480,687.

Since the date of said communication, the following additional forts and military posts have been taken possession of by parties acting under the authority of the States in which they are respectively situated, viz :

Fort Moultrie, South Carolina.  
 Fort Morgan, Alabama.  
 Baton Rouge Barracks, Louisiana.  
 Fort Jackson, Louisiana.  
 Fort St. Philip, "  
 Fort Pike, Louisiana.  
 Oglethorpe Barracks, Georgia.

And the department has been unofficially advised that the arsenal at Chattahoochee, Forts McRea and Barrancas, and Barracks, have been seized by the authorities of Florida.

To what further extent the small arms in possession of the United States may have been reduced by these figures, your committee have not been advised.

The whole number of the sea-board forts in the United States is fifty-seven; their appropriate garrison in war would require 26,420 men; their actual garrison at this time is 1,334 men, 1,308 of whom are in the forts at Governor's Island, New York; Fort McHenry, Maryland; Fort Monroe, Virginia, and at Alcatraz Island, California, in the harbor of San Francisco.

From the facts elicited, it is certain that the regular military force of the United States, is wholly inadequate to the protection of the forts, arsenals, dockyards, and other property of the United States in the present disturbed condition of the country. The regular army numbers only 18,000 men when recruited to its maximum strength, and the whole of this force is required for the protection of the border settlements against Indian depredations. Unless it is the intention of Congress that the forts, arsenals, dock-yards and other public property, shall be exposed to capture and spoliation, the President must be armed with additional force for their protection.

In the opinion of the Committee the law of February 28th, 1795, confers upon the President ample power to call out the militia, to execute the laws and protect the public property. But as the late Attorney-General has given a different opinion, the Committee to remove all doubt upon the subject, report the accompanying bill, etc.

## OTHER ITEMS.

*Statement of Arms distributed by Sale since the first of January, 1860, to whom sold and the place whence sold*

To whom sold.	No.	1860.	
		Date of Sale.	Arsenals. Where sold.
J. W. Zacharie & Co. ....	4,000	Feb 3	St. Louis.
James T. Ames .....	1,000	Mar. 14	New York.
Captain G. Barry.....	80	June 11	St. Louis.
W. C. N. Swift .....	400	Aug. 31	Springfield.
do.....	80	Nov. 13	do.
State of Alabama .....	1 000	Sep. 27	Baton Rouge.
do.....	2,500	Nov. 14	do.
State of Virginia.....	5,000	Nov. 6	Washington.
Phillips county, Ark ....	50	Nov. 16	St. Louis.
G. B. Lamar.....	10,000	Nov. 24	Watervliet.

The arms were all flint-lock muskets altered to percussion, and were all sold at \$2.50 each, except those purchased by Captain G. Barry and by the Phillips county volunteers, for which \$2 each were paid.

The *Mobile Advertiser* says: "During the past year 135,430 muskets have been quietly transferred from the Northern Arsenal at Springfield alone, to those in the Southern States. We are much obliged to Secretary Floyd for the foresight he has thus displayed in disarming the North and equipping the South for this emergency. There is no telling the quantity of arms and munitions which were sent South from other Northern arsenals. There is no doubt but that every man in the South who can carry a gun can now be supplied from private or public sources. The Springfield contribution alone would arm all the militiamen of Alabama and Mississippi."

General Scott, in his letter of December 2d, 1862, on the early history of the Rebellion, states that "Rhode Island, Delaware and Texas had not drawn, at the end of 1860, their annual quotas of arms for that year, and Massachusetts, Tennessee, and Kentucky only in part; Virginia, South Carolina, Georgia, Florida, Alabama, Louisiana, Mississippi and Kansas were, by order of the Secretary of War, supplied with their quotas for 1861 in advance, and Pennsylvania and Maryland in part."

This advance of arms to eight Southern States is in addition to the transfer, about the same time, of 115,000 muskets to Southern arsenals, as per Mr. Stanton's report.

Governor Letcher of Virginia, in his Message of December, 1861, says, that for some time prior to secession, he had been engaged in purchasing arms, ammunition, etc.; among which were 13 Parrott rifled cannon, and 5,000 muskets. He desired to buy from the United States Government 10,000 more, when buying the 5,000, but he says "the authorities declined to sell them to us, although five times the number were then in the arsenal at Washington."

Had Jefferson Davis' bill relative to the purchase of arms become a law, the result might have been different.

This and similar action on the part of the South, especially the attempted seizure and occupation of forts, convinced many

of the Republicans that no compromise could endure, however earnest its advocates from the Border States, and this earnestness was unquestioned. Besides their attachment to the Union, they knew that in the threatened war they would be the greatest sufferers, with their people divided neighbor against neighbor, their lands laid waste, and their houses destroyed. They had every motive for earnestness in the effort to conciliate the disagreeing sections.

The oddest partisan feature in the entire preliminary and political struggle was the attempt, in the parlance of the day, of "New York to secede from New York"—an oddity verified by Mayor Wood's recommendation in favor of the secession of New York city, made January 6th, 1861. The document deserves a place in this history, as it shows the views of a portion of the citizens then, and an exposition of their interests as presented by a citizen before and since named by repeated elections to Congress.

#### Mayor Wood's Secession Message.

*To the Honorable the Common Council:*

GENTLEMEN:—We are entering upon the public duties of the year under circumstances as unprecedented as they are gloomy and painful to contemplate. The great trading and producing interests of not only the city of New York, but of the entire country, are prostrated by a monetary crisis; and although similar calamities have before befallen us, it is the first time that they have emanated from causes having no other origin than that which may be traced to political disturbances. Truly, may it now be said, "We are in the midst of a revolution *bloodless AS YET.*" Whether the dreadful alternative implied as probable in the conclusion of this prophetic quotation may be averted, "no human ken can divine." It is quite certain that the severity of the storm is unexampled in our history, and if the disintegration of the Federal Government, with the consequent destruction of all the material interests of the people shall not follow, it will be owing more to the interposition of Divine Providence, than to the inherent preventive power of our institutions, or the intervention of any other human agency.

It would seem that a dissolution of the Federal Union is inevitable. Having been formed originally on a basis of general and mutual protection, but separate local independence—each State reserving the entire and absolute control of its own domestic affairs, it is evidently impossible to keep them together longer than they deem themselves fairly treated by each other, or

longer than the interests, honor and fraternity of the people of the several States are satisfied. Being a Government created by *opinion*, its continuance is dependent upon the continuance of the sentiment which formed it. It cannot be preserved by coercion or held together by force. A resort to this last dreadful alternative would of itself destroy not only the Government, but the lives and property of the people.

If these forebodings shall be realized, and a separation of the States shall occur, momentous considerations will be presented to the corporate authorities of this city. We must provide for the new relations which will necessarily grow out of the new condition of public affairs.

It will not only be necessary for us to settle the relations which we shall hold to other cities and States, but to establish, if we can, new ones with a portion of our own State. Being the child of the Union, having drawn our sustenance from its bosom, and arisen to our present power and strength through the vigor of our mother—when deprived of her maternal advantages, we must rely upon our own resources and assume a position predicated upon the new phase which public affairs will present, and upon the inherent strength which our geographical, commercial, political, and financial pre-eminence imparts to us.

With our aggrieved brethren of the Slave States, we have friendly relations and a common sympathy. We have not participated in the warfare upon their constitutional rights or their domestic institutions. While other portions of our State have unfortunately been imbued with the fanatical spirit which actuates a portion of the people of New England, the city of New York has unfalteringly preserved the integrity of its principles in adherence to the compromises of the Constitution and the equal rights of the people of all the States. We have respected the local interests of every section, at no time oppressing, but all the while aiding in the development of the resources of the whole country. Our ships have penetrated to every clime, and so have New York capital, energy and enterprise found their way to every State, and, indeed, to almost every county and town of the American Union. If we have derived sustenance from the Union, so have we in return disseminated blessings for the common benefit of all. Therefore, New York has a right to expect, and should endeavor to preserve a continuance of uninterrupted intercourse with every section.

It is, however, folly to disguise the fact that, judging from the past, New York may have more cause of apprehension from the aggressive legislation of our own State



than from external dangers. We have already largely suffered from this cause. For the past five years, our interests and corporate rights have been repeatedly trampled upon. Being an integral portion of the State, it has been assumed, and in effect tacitly admitted on our part by non-resistance, that all political and governmental power over us rested in the State Legislature. Even the common right of taxing ourselves for our own government, has been yielded, and we are not permitted to do so without this authority. \* \* \*

Thus it will be seen that the political connection between the people of the city and the State has been used by the latter to our injury. The Legislature, in which the present partizan majority has the power, has become the instrument by which we are plundered to enrich their speculators, lobby agents, and Abolition politicians. Laws are passed through their inalign influence by which, under forms of legal enactment, our burdens have been increased, our substance eaten out, and our municipal liberties destroyed. Self-government, though guaranteed by the State Constitution, and left to every other county and city, has been taken from us by this foreign power, whose dependents have been sent among us to destroy our liberties by subverting our political system.

How we shall rid ourselves of this odious and oppressive connection, it is not for me to determine. It is certain that a dissolution cannot be peacefully accomplished, except by the consent of the Legislature itself. Whether this can be obtained or not, is, in my judgment, doubtful. Deriving so much advantage from its power over the city, it is not probable that a partizan majority will consent to a separation—and the resort to force by violence and revolution must not be thought of for an instant. We have been distinguished as an orderly and law-abiding people. Let us do nothing to forfeit this character, or to add to the present distracted condition of public affairs.

Much, no doubt, can be said in favor of the justice and policy of a separation. It may be said that secession or revolution in any of the United States would be subversive of all Federal authority, and, so far as the Central Government is concerned, the resolving of the community into its original elements—that, if part of the States form new combinations and Governments, other States may do the same. California and her sisters of the Pacific will no doubt set up an independent Republic and husband their own rich mineral resources. The Western States, equally rich in cereals and other agricultural products, will probably do the same. Then it may be said, why should not New York

city, instead of supporting by her contributions in revenue two-thirds of the expenses of the United States, become also equally independent? As a free city, with but nominal duty on imports, her local Government could be supported without taxation upon her people. Thus we could live free from taxes, and have cheap goods nearly duty free. In this she would have the whole and united support of the Southern States, as well as all the other States to whose interests and rights under the Constitution she has always been true.

It is well for individuals or communities to look every danger square in the face, and to meet it calmly and bravely. As dreadful as the severing of the bonds that have hitherto united the States has been in contemplation, it is now apparently a stern and inevitable fact. We have now to meet it with all the consequences, whatever they may be. If the Confederacy is broken up the Government is dissolved, and it behooves every distinct community, as well as every individual, to take care of themselves.

When Disunion has become a fixed and certain fact, why may not New York disrupt the bands which bind her to a venal and corrupt master—to a people and a party that have plundered her revenues, attempted to ruin her commerce, taken away the power of self-government, and destroyed the Confederacy of which she was the proud Empire City? Amid the gloom which the present and prospective condition of things must cast over the country, New York, as a *Free City*, may shed the only light and hope of a future reconstruction of our once blessed Confederacy.

But I am not prepared to recommend the violence implied in these views. In stating this argument in favor of freedom, "peaceably if we can, forcibly if we must," let me not be misunderstood. The redress can be found only in appeals to the magnanimity of the people of the whole State. The events of the past two months have no doubt effected a change in the popular sentiment of the State and National politics. This change may bring us the desired relief, and we may be able to obtain a repeal of the law to which I have referred, and a consequent restoration of our corporate rights.

FERNANDO WOOD, Mayor.

January 6th, 1861.

#### Congress on the Eve of the Rebellion.

It should be borne in mind that all of the propositions, whether for compromise, authority to suppress insurrection, or new laws to collect duties, had to be considered by the Second Session of the 36th Congress, which was then, with the exception

of the Republicans, a few Americans, and the anti-Lecompton men, supporting the administration of Buchanan. No Congress ever had so many and such grave propositions presented to it, and none ever showed more exciting political divisions. It was composed of the following persons, some of whom survive, and most of whom are historic characters:

## SENATE.

JOHN C. BRECKINRIDGE, of Kentucky, *Vice-President*;

*Maine*—H. Hamlin,\* W. P. Fessenden.

*New Hampshire*—John P. Hale, Daniel Clark.

*Vermont*—Solomon Foot, J. Collamer.

*Massachusetts*—Henry Wilson, Charles Sumner.

*Rhode Island*—James F. Simmons, H. B. Anthony.

*Connecticut*—L. S. Foster, Jas. Dixon.

*New York*—William H. Seward, Preston King.

*New Jersey*—J. C. Ten Eyck, J. R. Thomson.

*Pennsylvania*—S. Cameron, Wm. Bigler.

*Delaware*—J. A. Bayard, W. Saulsbury.

*Maryland*—J. A. Pearce, A. Kennedy.

*Virginia*—R. M. T. Hunter, James M. Mason.

*South Carolina*—Jas. Chesnut,† James H. Hammond.†

*North Carolina*—Thomas Bragg, T. L. Clingman.

*Alabama*—B. Fitzpatrick, C. C. Clay, Jr.

*Mississippi*—A. G. Brown, Jeff. Davis.

*Louisiana*—J. P. Benjamin, John Sli-dell.

*Tennessee*—A. O. P. Nicholson, A. Johnson.

*Arkansas*—R. W. Johnson, W. K. Sebastian.

*Kentucky*—L. W. Powell, J. J. Crittenden.

*Missouri*—Jas. S. Green, Trusten Polk.

*Ohio*—B. F. Wade, Geo. E. Pugh.

*Indiana*—J. D. Bright, G. N. Fitch.

*Illinois*—S. A. Douglas, L. Trumbull.

*Michigan*—Z. Chandler, K. S. Bingham.

*Florida*—D. L. Yulee, S. R. Mallory.

*Georgia*—Alfred Iverson, Robt. Toombs.

*Texas*—John Hemphill, L. T. Wigfall.

*Wisconsin*—Charles Durkee, J. R. Doolittle.

*Iowa*—J. M. Grimes, Jas. Harlan.

*California*—M. S. Latham, William M. Gwin.

*Minnesota*—H. M. Rice, M. S. Wilkinson.

*Oregon*—Joseph Lane, Edward D. Baker.

\* Resigned January 17th, 1861, and succeeded by Hon. Lot M. Morrill.

† Did not attend.

## HOUSE OF REPRESENTATIVES.

WILLIAM PENNINGTON, of New Jersey, *Speaker*.

*Maine*—D. E. Somes, John J. Perry, E. B. French, F. H. Morse, Israel Washburn, Jr.,\* S. C. Foster.

*New Hampshire*—Gilman Marston, M. W. Tappan, T. M. Edwards.

*Vermont*—E. P. Walton, J. S. Morrill, H. E. Royce.

*Massachusetts*—Thomas D. Eliot, James Buffinton, Charles Francis Adams, Alexander H. Rice, Anson Burlingame, John B. Alley, Daniel W. Gooch, Charles R. Train, Eli Thayer, Charles Delano, Henry L. Dawes.

*Rhode Island*—C. Robinson, W. D. Brayton.

*Connecticut*—Dwight Loomis, John Woodruff, Alfred A. Burnham, Orris S. Ferry.

*Delaware*—W. G. Whiteley.

*New York*—Luther C. Carter, James Humphreys, Daniel E. Sickies, W. B. Maccly, Thomas J. Barr, John Cochrane, Gorge Briggs, Horace F. Clark, John B. Haskin, Chas. H. Van Wyck, William S. Kenyon, Charles L. Beale, Abm. B. Olin, John H. Reynolds, Jas. B. McKean, G. W. Palmer, Francis E. Spinner, Clark B. Cochrane, James H. Graham, Richard Franchot, Roscoe Conkling, R. H. Duell, M. Ludley Lee, Charles B. Hoard, Chas. B. Sedgwick, M. Butterfield, Emory B. Pottle, Alfred Wells, William Irvine, Alfred Ely, Augustus Frank, Edwin R. Reynolds, Elbridge G. Spaulding, Reuben E. Fenton.

*New Jersey*—John T. Nixon, John L. N. Stratton, Garnett B. Adrain, Jetur R. Riggs, Wm. Pennington (*Speaker*).

*Pennsylvania*—Thomas B. Florence, E. Joy Morris, John P. Verree, William Millward, John Wood, John Hickman, Henry C. Longnecker, Jacob K. McKenty, Thaddeus Stevens, John W. Kellinger, James H. Campbell, George W. Scranton, William H. Dimmick, Galusha A. Grow, James T. Hale, Benjamin F. Junkin, Edward McPherson, Samuel S. Blair, John Covode, William Montgomery, James K. Moorhead, Robert McKnight, William Stewart, Chapin Hall, Elijah Babbitt.

*Maryland*—Jas. A. Stewart, J. M. Harris, H. W. Davis, J. M. Kunkel, G. W. Hughes.

*Virginia*—John S. Millson, Muscoe R. H. Garnett, Daniel C. De Jarnette, Roger A. Pryor, Thomas S. Bocoek, William Smith, Alex. R. Boteler, John T. Harris, Albert G. Jenkins, Shelton F. Leake, Henry A. Edmundson, Elbert S. Martin, Sherrard Clemens.

\* Resigned and succeeded January 2d, 1861, by Hon. Stephen Coburn.

*South Carolina*—John McQueen, Wm. Porcher Miles, Lawrence M. Keitt, Mill-edge L. Bonham, John D. Ashmore, Wm. W. Boyce.

*North Carolina*—W. N. H. Smith, Thos. Ruffin, W. Winslow, L. O'B. Branch, John A. Gilmer, Jas. M. Leach, Burton Craige, Z. B. Vance.

*Georgia*—Peter E. Love, M. J. Crawford, Thos. Hardeman, Jr., L. J. Gartrell, J. W. H. Underwood, James Jackson, Joshua Hill, John J. Jones.

*Alabama*—Jas. L. Pugh, David Clopton, Sydenh. Moore, Geo. S. Houston, W. R. W. Cobb, J. A. Stallworth, J. L. M. Curry.

*Mississippi*—L. Q. C. Lamar, Reuben Davis, William Barksdale, O. R. Singleton, John J. McRae.

*Louisiana*—John E. Bouligny, Miles Taylor, T. G. Davidson, John M. Landrum.

*Ohio*—G. H. Pendleton, John A. Gurley, C. L. Vallandigham, William Allen, James M. Ashley, Wm. Howard, Thomas Corwin, Benj. Stanton, John Carey, C. A. Trimble, Chas. D. Martin, Saml. S. Cox, John Sherman, H. G. Blake, William Helmick, C. B. Tompkins, T. C. Theaker, S. Edgerton, Edward Wade, John Hutchins, John A. Bingham.

*Kentucky*—Henry C. Burnett, Green Adams, S. O. Peyton, F. M. Bristow, W. C. Anderson, Robert Mallory, Wm. E. Simms, L. T. Moore, John Y. Brown, J. W. Stevenson.

*Tennessee*—T. A. R. Nelson, Horace Maynard, R. B. Brabson, William B. Stokes, Robert Hatton, James H. Thomas, John V. Wright, James M. Quarles, Emerson Etheridge, Wm. T. Avery.

*Indiana*—Wm. E. Niblack, Wm. H. English, Wm. M'Kee Dunn, Wm. S. Holman, David Kilgore, Albert G. Porter, John G. Davis, James Wilson, Schuyler Colfax, Chas. Case, John U. Pettit.

*Illinois*—E. B. Washburne, J. F. Farnsworth, Owen Lovejoy, Wm. Kellogg, I. N. Morris, John A. McClernand, James C. Robinson, P. B. Fouke, John A. Logan.

*Arkansas*—Thomas C. Hindman, Albert Rust,

*Missouri*—J. R. Barrett, T. L. Anderson, John B. Clark, James Craig, L. H. Woodson, John S. Phelps, John W. Noell.

*Michigan*—William A. Howard, Henry Waldron, F. W. Kellogg, De W. C. Leach.

*Florida*—George S. Hawkins.

*Texas*—John H. Regan, A. J. Hamilton.

*Iowa*—S. R. Curtis, Wm. Vandever.

*California*—Charles L. Scott, John C. Burch.

*Wisconsin*—John F. Porter, C. C. Washburne, C. H. Larrabee.

*Minnesota*—Cyrus Aldrich, Wm. Windom.

*Oregon*—Lansing Stout.

*Kansas*—Martin F. Conway, (sworn Jan. 30th, 1861).

## MR. LINCOLN'S VIEWS.

While the various propositions above given were under consideration, Mr. Lincoln was of course an interested observer from his home in Illinois, where he awaited the legal time for taking his seat as President. His views on the efforts at compromise were sought by the editor of the *New York Tribune*, and expressed as follows:

“I will suffer death before I will consent or advise my friends to consent to any concession or compromise which looks like buying the privilege of taking possession of the Government to which we have a constitutional right; because, whatever I might think of the merits of the various propositions before Congress, I should regard any concession in the face of menace as the destruction of the government itself, and a consent on all hands that our system shall be brought down to a level with the existing disorganized state of affairs in Mexico. But this thing will hereafter be, as it is now, in the hands of the people; and if they desire to call a convention to remove any grievances complained of, or to give new guarantees for the permanence of vested rights, it is not mine to oppose.”

## JUDGE BLACK'S VIEWS.

Jeremiah S. Black, of Pennsylvania, was then Buchanan's Attorney General, and as his position has since been made the subject of lengthy controversy, it is pertinent to give the following copious extract from his “Opinion upon the Powers of the President,” in response to an official inquiry from the Executive:—

The existing laws put and keep the Federal Government strictly on the defensive. You can use force only to repel an assault on the public property, and aid the courts in the performance of their duty. If the means given you to collect the revenue and execute the other laws be insufficient for that purpose, Congress may extend and make them more effectual to that end.

If one of the States should declare her independence, your action cannot depend upon the rightfulness of the cause upon which such declaration is based. Whether the retirement of a State from the Union be the exercise of a right reserved in the Constitution or a revolutionary movement, it is certain that you have not in either case the authority to recognize her independence or to absolve her from her Federal obligations. Congress or the other States in convention assembled must take such measures as may be necessary and proper. In such an event I see no course for you but to go straight onward in the path you have hitherto trodden, that is, execute the laws to the extent of

the defensive means placed in your hands, and act generally upon the assumption that the present constitutional relations between the States and the Federal Government continue to exist until a new order of things shall be established, either by law or force.

Whether Congress has the constitutional right to make war against one or more States, and require the Executive of the Federal Government to carry it on by means of force to be drawn from the other States, is a question for Congress itself to consider. It must be admitted that no such power is expressly given; nor are there any words in the Constitution which imply it. Among the powers enumerated in article I. section 8, is that "to declare war, grant letters of marque and reprisal, and to make rules concerning captures on land and water." This certainly means nothing more than the power to commence, and carry on hostilities against the foreign enemies of the nation. Another clause in the same section gives Congress the power "to provide for calling forth the militia," and to use them within the limits of the State. But this power is so restricted by the words which immediately follow, that it can be exercised only for one of the following purposes: 1. To execute the laws of the Union; that is, to aid the Federal officers in the performance of their regular duties. 2. To suppress insurrections against the States; but this is confined by article IV. section 4, to cases in which the State herself shall apply for assistance against her own people. 3. To repel the invasion of a State by enemies who come from abroad to assail her in her own territory. All these provisions are made to protect the States, not to authorize an attack by one part of the country upon another; to preserve their peace, and not to plunge them into civil war. Our forefathers do not seem to have thought that war was calculated "to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity." There was undoubtedly a strong and universal conviction among the men who framed and ratified the Constitution, that military force would not only be useless, but pernicious as a means of holding the States together.

If it be true that war cannot be declared, nor a system of general hostilities carried on by the central government against a State, then it seems to follow that an attempt to do so would be *ipso facto* an expulsion of such State from the Union. Being treated as an alien and an enemy, she would be compelled to act accordingly. And if Congress shall break up the present Union by unconstitutionally putting strife

and enmity, and armed hostility, between different sections of the country, instead of the "domestic tranquillity" which the Constitution was meant to insure, will not all the States be absolved from their Federal obligations? Is any portion of the people bound to contribute their money or their blood to carry on a contest like that?

The right of the General Government to preserve itself in its whole constitutional vigor by repelling a direct and positive aggression upon its property or its officers, cannot be denied. But this is a totally different thing from an offensive war to punish the people for the political misdeeds of their State governments, or to prevent a threatened violation of the Constitution, or to enforce an acknowledgment that the Government of the United States is supreme. The States are colleagues of one another, and if some of them shall conquer the rest and hold them as subjugated provinces, it would totally destroy the whole theory upon which they are now connected.

If this view of the subject be as correct as I think it is, then the Union must totally perish at the moment when Congress shall arm one part of the people against another for any purpose beyond that of merely protecting the General Government in the exercise of its proper constitutional functions. I am, very respectfully, yours, etc.,

J. S. BLACK.

*To the President of the United States.*

The above expressions from Lincoln and Blackwell state the position of the Republican and the administration Democrats on the eve of the rebellion, and they are given for that purpose. The views of the original secessionists are given in South Carolina's declaration. Those of the conservatives of the South who hesitated and leaned toward the Union, were best expressed before the Convention of Georgia in the

#### SPEECH OF ALEX. H. STEPHENS.

This step (of secession) once taken can never be recalled; and all the baleful and withering consequences that must follow, will rest on the convention for all coming time. When we and our posterity shall see our lovely South desolated by the demon of war, *which this act of yours will inevitably invite and call forth*; when our green fields of waving harvest shall be trodden down by the murderous soldiery and fiery car of war sweeping over our land; our temples of justice laid in ashes; all the horrors and desolations of war upon us; *who but this Convention will be held responsible for it?* and who but him who shall have given his vote for this unwise

and ill-timed measure, as I honestly think and believe, *shall be held to strict account for this suicidal act by the present generation, and probably cursed and execrated by posterity for all coming time*, for the wide and desolating ruin that will inevitably follow this act you now propose to perpetrate? Pause, I entreat you, and consider for a moment what reasons you can give that will even satisfy yourselves in calmer moments—what reason you can give to your fellow sufferers in the calamity that it will bring upon us. *What reasons can you give to the nations of the earth to justify it?* They will be the calm and deliberate judges in the case; and what cause or one overt act can you name or point, on which to rest the plea of justification? *What right has the North assailed?* What interest of the South has been invaded? What justice has been denied? and what claim founded in justice and right has been withheld? Can either of you to-day name one governmental act of wrong, deliberately and purposely done by the government of Washington, of which the South has a right to complain? I challenge the answer. While on the other hand, let me show the facts (and believe me, gentlemen, I am not here the advocate of the North; but I am here the friend, the firm friend, and lover of the South and her institutions, and for this reason I speak thus plainly and faithfully for yours, mine, and every other man's interest, the words of truth and soberness), of which I wish you to judge, and I will only state facts which are clear and undeniable, and which now stand as records authentic in the history of our country. When we of the South demanded the slave-trade, or the importation of Africans for the cultivation of our lands, did they not yield the right for twenty years? When we asked a three-fifths representation in Congress for our slaves, was it not granted? When we asked and demanded the return of any fugitive from justice, or the recovery of those persons owing labor or allegiance, was it not incorporated in the Constitution, and again ratified and strengthened by the Fugitive Slave Law of 1850? But do you reply that in many instances they have violated this compact and have not been faithful to their engagements? As individual and local communities, they may have done so; but not by the sanction of Government; for that has always been true to Southern interests. Again, gentlemen, look at another act: when we have asked that more territory should be added, that we might spread the institution of slavery, have they not yielded to our demands in giving us Louisiana, Florida and Texas, out of which four States have been carved, and ample territory for four more to be added in due time, if you by this unwise and

impolitic act do not destroy this hope, and perhaps, by it lose all, and have your last slave wrenched from you by stern military rule, as South America and Mexico were; *or by the vindictive decree of a universal emancipation, which may reasonably be expected to follow?*

But, again, gentlemen, what have we to gain by this proposed change of our relation to the General Government? We have always had the control of it, and can yet, if we remain in it, and are as united as we have been. We have had a majority of the Presidents chosen from the South; as well as the control and management of most of those chosen from the North. We have had sixty years of Southern Presidents to their twenty-four, thus controlling the Executive department. So of the Judges of the Supreme Court, we have had eighteen from the South, and but eleven from the North; although nearly four-fifths of the judicial business has arisen in the Free States, yet a majority of the Court has always been from the South. This we have required so as to guard against any interpretation of the Constitution unfavorable to us. In like manner we have been equally watchful to guard our interests in the Legislative branch of Government. In choosing the presiding Presidents (*pro tem.*) of the Senate, we have had twenty-four to their eleven. Speakers of the House we have had twenty-three, and they twelve. While the majority of the Representatives, from their greater population, have always been from the North, yet we have so generally secured the Speaker, because he, to a great extent, shapes and controls the legislation of the country. Nor have we had less control in every other department of the General Government. Attorney-Generals we have had fourteen, while the North have had but five. Foreign ministers we have had eighty-six, and they but fifty-four. While three-fourths of the business which demands diplomatic agents abroad is clearly from the Free States, from their greater commercial interest, yet we have had the principal embassies so as to secure the world-markets for our cotton, tobacco, and sugar on the best possible terms. We have had a vast majority of the higher offices of both army and navy, while a larger proportion of the soldiers and sailors were drawn from the North. Equally so of Clerks, Auditors, and Comptrollers filling the executive department, the records show for the last fifty years that of the three thousand thus employed, we have had more than two-thirds of the same, while we have but one-third of the white population of the Republic.

Again, look at another item, and one, be assured, in which we have a great and vital interest; it is that of revenue, or

means of supporting Government. From official documents, we learn that a fraction over three-fourths of the revenue collected for the support of the Government has uniformly been raised from the North.

Pause now while you can, gentlemen, and contemplate carefully and candidly these important items. Look at another necessary branch of Government, and learn from stern statistical facts how matters stand in that department. I mean the mail and Post-Office privileges that we now enjoy under the General Government as it has been for years past. The expense for the transportation of the mail in the Free States was, by the report of the Postmaster-General for the year 1860 a little over \$13,000,000, while the income was \$19,000,000. But in the Slave States the transportation of the mail was \$14,716,000, while the revenue from the same was \$8,001,026, leaving a deficit of \$6,704,974, to be supplied by the North for our accommodation, and without it we must have been entirely cut off from this most essential branch of Government.

Leaving out of view, for the present, the countless millions of dollars you must expend in a war with the North; with tens of thousands of your sons and brothers slain in battle, and offered up as sacrifices upon the altar of your ambition—and for what, we ask again? Is it for the overthrow of the American Government, established by our common ancestry, cemented and built up by their sweat and blood, and founded on the broad principles of *Right, Justice and Humanity*? And as, such, I must declare here, as I have often done before, and which has been repeated by the greatest and wisest of statesmen and patriots in this and other lands, that it is the best and freest Government—the most equal in its rights, the most just in its decisions, the most lenient in its measures, and the most aspiring in its principles to elevate the race of men, that the sun of heaven ever shone upon. Now, for you to attempt to overthrow such a government as this, under which we have lived for more than three-quarters of a century—in which we have gained our wealth, our standing as a nation, our domestic safety while the elements of peril are around us, with peace and tranquillity accompanied with unbounded prosperity and rights unassailed—is the height of *madness, folly, and wickedness*, to which I can neither lend my sanction nor my vote.”

The seven seceding States (South Carolina, Mississippi, Georgia, Florida, Alabama, Louisiana and Texas,) as shown by data previously given, organized their Provisional Government, with Jefferson Davis, the most radical secession leader, as President; and Alex. H. Stephens, the most conservative leader, as Vice Presi-

dent. The reasons for these selections were obvious; the first met the views of the cotton States, the other example was needed in securing the secession of other States. The Convention adopted a constitution, the substance of which is given elsewhere in this work. Stephens delivered a speech at Savannah, March 21st, 1861, in explanation and vindication of this instrument, which says all that need be said about it:

“The new Constitution has put at rest forever all the agitating questions relating to our peculiar institutions—African slavery as it exists among us—the proper status of the negro in our form of civilization. *This was the immediate cause of the late rupture and present revolution. Jefferson, in his forecast, had anticipated this as the ‘rock upon which the old Union would split.’* He was right. What was conjecture with him, is now a realized fact. But whether he fully comprehended the great truth upon which that rock stood and stands, may be doubted. The prevailing ideas entertained by him and most of the leading statesmen at the time of the formation of the old Constitution, were that the enslavement of the African was in violation of the laws of nature: that it was wrong in principle, socially, morally, and politically. It was an evil they knew not well how to deal with, but the general opinion of the men of that day was, that somehow or other, in the order of Providence, the institution would be evanescent and pass away. This idea, though not incorporated in the Constitution, was the prevailing idea at the time. The Constitution, it is true, secured every essential guarantee to the institution while it should last, and hence no argument can be justly used against the constitutional guarantees thus secured, because of the common sentiment of the day. Those ideas, however, were fundamentally wrong. They rested upon the assumption of the equality of races. This was an error. It was a sandy foundation, and the idea of a government built upon it; when the ‘storm came and the wind blew, it fell.’

“Our new Government is founded upon exactly the opposite idea; its foundations are laid, its corner-stone rests upon the great truth that the negro is not equal to the white man. That slavery—subordination to the superior race, is his natural and normal condition. This, our new Government, is the first, in the history of the world, based upon this great physical and moral truth. This truth has been slow in the process of its development, like all other truths in the various departments of science. It has been so even amongst us. Many who hear me, perhaps, can recollect well, that this truth was not generally admitted, even within their day. The errors

of the past generation still clung to many as late as twenty years ago. Those at the North who still cling to these errors, with a zeal above knowledge, we justly denominate fanatics. \* \* \*

"In the conflict thus far, success has been, on our side, complete throughout the length and breadth of the Confederate States. It is upon this, as I have stated, our actual fabric is firmly planted; and I cannot permit myself to doubt the ultimate success of a full recognition of this principle throughout the civilized and enlightened world.

"As I have stated, the truth of this principle may be slow in development, as all truths are, and ever have been, in the various branches of science. It was so with the principles announced by Galileo—it was so with Adam Smith and his principles of political economy—it was so with Harvey and his theory of the circulation of the blood. It is stated that not a single one of the medical profession, living at the time of the announcement of the truths made by him, admitted them. Now they are universally acknowledged. May we not, therefore, look with confidence to the ultimate universal acknowledgment of the truths upon which our system rests. It is the first government ever instituted upon principles of strict conformity to nature, and the ordination of Providence, in furnishing the materials of human society. Many governments have been founded upon the principle of certain classes; but the classes thus enslaved, were of the same race, and in violation of the laws of nature. Our system commits no such violation of nature's laws. The negro, by nature, or by the curse against Canaan, is fitted for that condition which he occupies in our system. The architect, in the construction of buildings, lays the foundation with the proper materials, the granite; then comes the brick or the marble. The substratum of our society is made of the material fitted by nature for it, and by experience we know that it is best, not only for the superior, but for the inferior race that it should be so. It is, indeed, in conformity with the ordinance of the Creator. It is not for us to inquire into the wisdom of His ordinances, or to question them. For His own purposes He has made one race to differ from another, as He has made 'one star to differ from another star in glory.'

"The great objects of humanity are best attained when conformed to His laws and decrees, in the formation of governments, as well as in all things else. Our Confederacy is founded upon principles in strict conformity with these laws. This stone which was first rejected by the first builders 'is become the chief stone of the corner' in our new edifice.

"The progress of disintegration in the old Union may be expected to go on with almost absolute certainty. We are now the nucleus of a growing power, which, if we are true to ourselves, our destiny, and high mission, will become the controlling power on this continent. To what extent accessions will go on in the process of time, or where it will end, the future will determine."

It was determined by the secession of eleven States in all, the Border States except Missouri, remaining in the Union, and West Virginia dividing from old Virginia for the purpose of keeping her place in the Union.

The leaders of the Confederacy relied to a great extent upon the fact that President Buchanan, in his several messages and replies to commissioners, and in the explanation of the law by his Attorney-General, had tied his own hands against any attempt to reinforce the garrisons in the Southern forts, and they acted upon this faith and made preparations for their capture. The refusal of the administration to reinforce Fort Moultrie caused the resignation of General Cass, and by this time the Cabinet was far from harmonious. As early as the 10th of December, Howell Cobb resigned as Secretary of the Treasury, because of his "duty to Georgia;" January 26th, John B. Floyd resigned because Buchanan would not withdraw the troops from Southern forts; and before that, Attorney General Black, without publicly expressing his views, also resigned. Mr. Buchanan saw the wreck around him, and his administration closed in profound regret on the part of many of his northern friends, and, doubtless, on his own part. His early policy, and indeed up to the close of 1860, must have been unsatisfactory even to himself, for he supplied the vacancies in his cabinet by devoted Unionists—by Philip F. Thomas of Maryland, Gen'l Dix of New York, Joseph Holt of Kentucky, and Edwin M. Stanton of Pennsylvania—men who held in their hands the key to nearly every situation, and who did much to protect and restore the Union of the States. In the eyes of the North, the very last acts of Buchanan were the best.

With the close of Buchanan's administration all eyes turned to Lincoln, and fears were entertained that the date fixed by law for the counting of the electoral vote—February 15th, 1861—would inaugurate violence and bloodshed at the seat of government. It passed, however, peaceably. Both Houses met at 12 high noon in the hall of the House, Vice-President Breckinridge and Speaker Pennington, both democrats, sitting side by side, and the count was made without serious challenge or question.

On the 11th of February Mr. Lincoln

left his home for Washington, intending to perform the journey in easy stages. On parting with his friends at Springfield, he said:

“*My Friends*: No one, in my position, can realize the sadness I feel at this parting. To this people I owe all that I am. Here I have lived more than a quarter of a century. Here my children were born, and here one of them lies buried. I know not how soon I shall see you again. I go to assume a task more difficult than that which has devolved upon any other man since the days of Washington. He never would have succeeded except for the aid of Divine Providence, upon which he at all times relied. I feel that I cannot succeed without the same Divine blessing which sustained him; and on the same Almighty Being I place my reliance for support. And I hope you, my friends, will all pray that I might receive that Divine assistance, without which I cannot succeed, but with which success is certain. Again, I bid you all an affectionate farewell.”

Lincoln passed through Indiana, Ohio, New York, New Jersey and Pennsylvania on his way to the Capitol. Because of threats made that he should not reach the Capitol alive, some friends in Illinois employed a detective to visit Washington and Baltimore in advance of his arrival, and he it was who discovered a conspiracy in Baltimore to mob and assassinate him. He therefore passed through Baltimore in the night, two days earlier than was anticipated, and reached Washington in safety. On the 22d of February he spoke at Independence Hall and said:

“All the political sentiments I entertain have been drawn, so far as I have been able to draw them, from the sentiments which originated in, and were given to the world from, this hall. I never had a feeling, politically, that did not spring from the sentiments embodied in the Declaration of Independence.

\* \* \* \* \*

“It was not the mere matter of the separation of the Colonies from the motherland, but that *sentiment* in the Declaration of Independence, which gave liberty, not alone to the people of this country, but, I hope, to the world for all future time. It was that which gave promise that, in due time, the weight would be lifted from the shoulders of men. This is the sentiment embodied in the Declaration of Independence. Now, my friends, can this country be saved upon that basis? If it can, I will consider myself one of the happiest men in the world, if I can help to save it. If it cannot be saved upon that principle, it will be truly awful! But if this country cannot be saved without giving up the principle, I was about to say, ‘I would

rather be assassinated on the spot than surrender it.’ \* \* \* \* \*

I have said nothing but what I am willing to live by, and if it be the pleasure of Almighty God, to die by!”

#### Lincoln's First Administration.

Such was the feeling of insecurity that the President-elect was followed to Washington by many watchful friends, while Gen'l Scott, Col. Sumner, Major Hunter and the members of Buchanan's Cabinet quickly made such arrangements as secured his safety. Prior to his inauguration he took every opportunity to quell the still rising political excitement by assuring the Southern people of his kindly feelings, and on the 27th of February,\* “when waited upon by the Mayor and Common Council of Washington, he assured them, and through them the South, that he had no disposition to treat them in any other way than as neighbors, and that he had no disposition to withhold from them any constitutional right. He assured the people that they would have all of their rights under the Constitution—‘not grudgingly, but freely and fairly.’”

He was peacefully inaugurated on the 4th of March, and yet Washington was crowded as never before by excited multitudes. The writer himself witnessed the military arrangements of Gen'l Scott for preserving the peace, and with armed cavalry lining every curb stone on the line of march, it would have been difficult indeed to start or continue a riot, though it was apparent that many in the throng were ready to do it if occasion offered.

The inaugural ceremonies were more than usually impressive. On the eastern front of the capitol, surrounded by such of the members of the Senate and House who had not resigned their seats and entered the Confederacy, the Diplomatic Corps, the Judges of the Supreme Court, headed by Chief Justice Taney, the author of the Dred Scott decision; the higher officers of Army and Navy, while close by the side of the new President stood the retiring one—James Buchanan—tall, dignified, reserved, and to the eye of the close observer apparently deeply grieved at the part his party and position had compelled him to play in a National drama which was now reaching still another crisis. Near by, too, stood Douglas (holding Lincoln's hat) more gloomy than was his wont, but determined as he had ever been. Next to the two Presidents he was most observed.

If the country could then have been pacified, Lincoln's inaugural was well calculated to do it. That it exercised a wholesome influence in behalf of the Union,

\* From the “History of Abraham Lincoln and the Overtthrow of Slavery,” by Hon. Isaac N. Arnold.



and especially in the border States, soon became apparent. Indeed, its sentiments seemed for weeks to check the wild spirit of secession in the cotton States, and it took all the efforts of their most fiery orators to rekindle the flame which seemed to have been at its highest when Major Anderson was compelled to evacuate Fort Moultrie.

It is but proper in this connection, to make a few quotations from the inaugural address, for Lincoln then, as he did during the remainder of his life, better reflected the more popular Republican sentiment than any other leader. The very first thought was upon the theme uppermost in the minds of all. We quote:

"Apprehension seems to exist among the people of the Southern States that by the accession of a Republican Administration their property and their peace and personal security are to be endangered. There has never been any reasonable cause for such apprehension. Indeed, the most ample evidence to the contrary has all the while existed and been open to their inspection. It is found in nearly all the published speeches of him who now addresses you. I do but quote from one of those speeches when I declare that 'I have no purpose directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so.' Those who nominated and elected me did so with full knowledge that I had made this and many similar declarations, and had never recanted them. And more than this, they placed in the platform for my acceptance, and as a law to themselves and to me, the clear and emphatic resolution which I now read:

'Resolved, That the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to the balance of power on which the perfection and endurance of our political fabric depend, and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter under what pretext, as among the gravest of crimes.'

I now reiterate these sentiments; and in doing so, I only press upon the public attention the most conclusive evidence of which the case is susceptible, that the property, peace, and security of no section are to be in anywise endangered by the now incoming Administration. I add, too, that all the protection which, consistently with the Constitution and the laws, can be given, will be cheerfully given to all the States when lawfully demanded, for whatever cause—as cheerfully to one section as to another."

After conveying this peaceful assurance, he argued the question in his own way, and in a way matchless for its homely force:

"Physically speaking, we cannot separate. We cannot remove our respective sections from each other, nor build an impassable wall between them. A husband and wife may be divorced, and go out of the presence and beyond the reach of each other; but the different parts of our country cannot do this. They cannot but remain face to face; and intercourse, either amicable or hostile, must continue between them. Is it possible, then, to make that intercourse more advantageous or more satisfactory *after* separation than *before*? Can aliens make treaties easier than friends can make laws? Can treaties be more faithfully enforced between aliens than laws can among friends? Suppose you go to war, you cannot fight always; and when after much loss on both sides, and no gain on either, you cease fighting, the identical old questions, as to terms of intercourse, are again upon you.

"This country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing Government they can exercise their *constitutional* right of amending it, or their *revolutionary* right to dismember or overthrow it. I cannot be ignorant of the fact that many worthy and patriotic citizens are desirous of having the National Constitution amended. While I make no recommendation of amendments, I fully recognize the rightful authority of the people over the whole subject, to be exercised in either of the modes prescribed in the instrument itself; and I should under existing circumstances, favor rather than oppose a fair opportunity being afforded the people to act upon it. I will venture to add that to me the convention mode seems preferable, in that it allows amendments to originate with the people themselves, instead of only permitting them to take or reject propositions originated by others, not especially chosen for the purpose, and which might not be precisely such as they would wish to either accept or refuse. I understand a proposed amendment to the Constitution—which amendment, however, I have not seen—has passed Congress, to the effect that the Federal Government shall never interfere with the domestic institutions of the States, including that of persons held to service. To avoid misconstruction of what I have said, I depart from my purpose not to speak of particular amendments so far as to say that, holding such a provision now to be implied constitutional law, I have no objection to its being made express and irrevocable.

"The Chief Magistrate derives all his authority from the people, and they have conferred none upon him to fix terms for

the separation of the States. The people themselves can do this also if they choose; but the Executive, as such, has nothing to do with it. His duty is to administer the present Government, as it came to his hands, and to transmit it, unimpaired by him, to his successor. \* \* \*

"In *your* hands, my dissatisfied fellow-countrymen, and not in *mine*, is the momentous issue of civil war. The Government will not assail *you*. You can have no conflict without being yourselves the aggressors. *You* have no oath registered in heaven to destroy the Government, while I shall have the most solemn one to 'preserve, protect and defend it.'

"I am loth to close. We are not enemies but friends. We must not be enemies. Though passion may have strained, it must not break our bonds of affection. The mystic chords of memory, stretching from every battle-field and patriot grave to every living heart and hearth-stone, all over this broad land, will yet swell the chorus of the union, when again touched, as surely they will be, by the better angels of our nature."

Lincoln appointed a Cabinet in thorough accord with his own views, and well suited to whatever shades of difference there were in the Republican party. Wm. H. Seward, Secretary of State, and Salmon P. Chase represented the more advanced anti-slavery element; General Simon Cameron, Secretary of War, from the first saw only a prolonged war in which superior Northern resources and appliances would surely win, while Seward expressed the view that "all troubles would be over in three months;" Gideon Welles, Secretary of the Navy; Caleb B. Smith of the Interior; Edward Bates, Attorney General, and Montgomery Blair, Postmaster General, represented the more conservative Republican view—the two last named being well adapted to retaining the National hold on the Border States.

Political events now rapidly succeeded each other. As early as March 11, John Forsyth of Alabama and Martin J. Crawford of Georgia, submitted to the Secretary of State a proposition for an unofficial interview. Mr. Seward the next day, from "purely public considerations," declined. On the 13th the same gentlemen sent a sealed communication, saying they had been duly accredited by the Confederate government as Commissioners, to negotiate for a speedy adjustment of all questions growing out of the political separation of seven States, which had formed a government of their own, etc. They closed this remarkable document by requesting the Secretary of State to appoint as early a day as possible in order that they may present to the President of the United States the credentials which they bear, and the objects

of the mission with which they are charged.

Mr. Seward's reply in substance, said that his "official duties were confined, subject to the direction of the President, to the conducting of the foreign relations of the country, and do not at all embrace domestic questions or questions arising between the several States and the Federal Government, is unable to comply with the request of Messrs. Forsyth and Crawford, to appoint a day on which they may present the evidences of their authority and the object of their visit to the President of the United States. On the contrary, he is obliged to state to Messrs. Forsyth and Crawford that he has no authority, nor is he at liberty to recognize them as diplomatic agents, or hold correspondence or other communication with them."

An extended correspondence followed, but the administration in all similar cases, refused to recognize the Confederacy as a government in any way. On the 13th of April the President granted an interview to Wm. Ballard Preston, Alex. H. Stuart, and George W. Randolph, who had been sent by the Convention of Virginia, then in session, under a resolution recited in the President's reply, the text of which is herewith given:—

GENTLEMEN: As a committee of the Virginia Convention, now in session, you present me a preamble and resolution in these words:

"Whereas, in the opinion of this Convention, the uncertainty which prevails in the public mind as to the policy which the Federal Executive intends to pursue toward the seceded States is extremely injurious to the industrial and commercial interests of the country, tends to keep up an excitement which is unfavorable to the adjustment of pending difficulties, and threatens a disturbance of the public peace: Therefore,

"Resolved, That a committee of three delegates be appointed to wait on the President of the United States, present to him this preamble and resolution, and respectfully ask him to communicate to this Convention the policy which the Federal Executive intends to pursue in regard to the Confederate States."

"In answer I have to say, that, having at the beginning of my official term expressed my intended policy as plainly as I was able, it is with deep regret and some mortification I now learn that there is great and injurious uncertainty in the public mind as to what that policy is, and what course I intend to pursue.

"Not having as yet seen occasion to change, it is now my purpose to pursue the course marked out in the inaugural address. I commend a careful consideration of the whole document as the best expression I can give of my purposes. As I then and therein said, I now repeat:

"The power confided to me will be used to hold, occupy, and possess the property and places belonging to the Government, and to collect the duties and imposts; but beyond what is necessary for these objects there will be no invasion, no using of force against or among the people anywhere."

"By the words 'property and places belonging to the Government' I chiefly allude to the military posts and property which were in the possession of the Government when it came into my hands.

"But if, as now appears to be true, in pursuit of a purpose to drive the United States authority from these places, an unprovoked assault has been made upon Fort Sumter, I shall hold myself at liberty to repossess, if I can, like places which had been seized before the Government was devolved upon me. And, in any event, I shall, to the best of my ability, repel force by force.

"In case it proves true that Fort Sumter has been assaulted, as is reported, I shall perhaps cause the United States mails to be withdrawn from all the States which claim to have seceded, believing that the commencement of actual war against the Government justifies and possibly demands it."

"I scarcely need to say that I consider the military posts and property situated within the States which claim to have seceded as yet belonging to the Government of the United States as much as they did before the supposed secession.

"Whatever else I may do for the purpose, I shall not attempt to collect the duties and imposts by any armed invasion of any part of the country—not meaning by this, however, that I may not land a force deemed necessary to relieve a fort upon the border of the country.

"From the fact that I have quoted a part of the inaugural address, it must not be inferred that I repudiate any other part, the whole of which I reaffirm, except so far as what I now say of the mails may be regarded as a modification."

We have given the above as not only fair but interesting samples of the semi-official and official transactions and correspondence of the time. To give more could not add to the interest of what is but a description of the political situation.

The Border states and some others were "halting between two opinions." North Carolina at first voted down a proposition to secede by 46,671 for, to 47,333 against, but the secessionists called another convention in May, the work of which the people ratified, the minority, however, being very large.

Before Lincoln had entered office most of the Southern forts, arsenals, docks, custom houses, etc., had been seized, and now that preparations were being made for ac-

tive warfare by the Confederacy, many officers of the army and navy resigned or deserted, and joined it. The most notable were General Robert E. Lee, who for a time hesitated as to his "duty," and General David E. Twiggs, the second officer in rank in the United States Army, but who had purposely been placed by Secretary Floyd in command of the Department of Texas to facilitate his joining the Confederacy, which he intended to do from the beginning. All officers were permitted to go, the administration not seeking to restrain any, under the belief that until some open act of war was committed it ought to remain on the defensive. This was wise political policy, for it did more than all else to hold the Border States, the position of which Douglas understood fully as well as any statesman of that hour. It is remarked of Douglas (in Arnold's "History of Abraham Lincoln") that as early as January 1, 1861, he said to General Charles Stewart, of New York, who had made a New Year's call at his residence in Washington, and inquired, "What will be the result of the efforts of Jefferson Davis, and his associates, to divide the Union?" "Rising, and looking," says my informant, "like one inspired, Douglas replied, 'The cotton States are making an effort to draw in the border States to their schemes of secession, and I am but too fearful they will succeed. If they do succeed, there will be the most terrible civil war the world has ever seen, lasting for years.' Pausing a moment, he exclaimed, 'Virginia will become a charnel house, but the end will be the triumph of the Union cause. One of their first efforts will be to take possession of this Capitol to give them prestige abroad, but they will never succeed in taking it—the North will rise *en masse* to defend it;—but Washington will become a city of hospitals—the churches will be used for the sick and wounded—even this house (Minnesota block, afterwards, and during the war, the Douglas Hospital) may be devoted to that purpose before the end of the war.' The friend to whom this was said inquired, 'What justification for all this?' Douglas replied, 'There is NO justification, nor any pretense of any—if they remain in the Union, I will go as far as the Constitution will permit, to maintain their just rights, and I do not doubt a majority of Congress would do the same. But,' said he, again rising on his feet, and extending his arm, 'if the Southern States attempt to secede from this Union, without further cause, I am in favor of their having just so many slaves, and just so much slave territory, as they can hold at the point of the bayonet, and NO MORE.'"

In the border states of Maryland, Virginia, North Carolina, Tennessee and Mis-

souri there were sharp political contests between the friends of secession and of the Union. Ultimately the Unionists triumphed in Maryland, Kentucky and Missouri—in the latter state by the active aid of U. S. troops—in Maryland and Kentucky by military orders to arrest any members of the Legislature conspiring to take their states out. In Tennessee, the Union men, under the lead of Andrew Johnson, (Governor (“Parson”) Brownlow, Horace Maynard and others, who made a most gallant fight to keep the state in, and they had the sympathy of the majority of the people of East Tennessee. The Secessionists took Virginia out April 17th, and North Carolina May 20th. The leading Southerners encouraged the timid and hesitating by saying the North would not make war; that the political divisions would be too great there, and they were supported in this view by the speeches and letters of leaders like Clement L. Vallandigham. On the other hand they roused the excitable by warlike preparations, and, as we have stated, to prevent reconsideration on the part of those who had seceded, resolved to fire upon Sumter. Beauregard acted under direct instructions from the government at Montgomery when he notified Major Anderson on the 11th of April to surrender Fort Sumter. Anderson replied that he would evacuate on the 15th, but the original summons called for surrender by the 12th, and they opened their fire in advance of the time fixed for evacuation—a fact which clearly established the purpose to bring about a collision. It was this aggressive spirit which aroused and united the North, and made extensive political division therein impossible.

The Southern leaders, ever anxious for the active aid of the Border States, soon saw that they could only acquire it through higher sectional excitement than any yet cultivated, and they acted accordingly. Roger A. Pryor, in a speech at Richmond April 10th, gave expression to this thought, when he said in response to a serenade:—

“Gentlemen, I thank you, especially that you have at last annihilated this accursed Union, [applause,] reeking with corruption, and insolent with excess of tyranny. Thank God, it is at last blasted and riven by the lightning wrath of an outraged and indignant people. [Loud applause.] Not only is it gone, but gone forever. [Cries of ‘You’re right,’ and applause.] In the expressive language of Scripture, it is water spilt upon the ground, which cannot be gathered up [Applause.] Like Lucifer, son of the morning, it has fallen, never to rise again. [Continued applause.] *For my part, gentlemen, if Abraham Lincoln and Hannibal Hamlin to-morrow were to abdicate their offices and were to give me a blank sheet of paper to*

*write the conditions of reannexation to the defunct Union, I would scornfully spurn the overture. \* \* \* \* I invoke you, and I make it in some sort a personal appeal—personal so far as it tends to our assistance in Virginia—I do invoke you, in your demonstrations of popular opinion, in your exhibitions of official intent, to give no countenance to this idea of reconstruction. [Many voices, emphatically, ‘Never,’ and applause.] In Virginia they all say, if reduced to the dread dilemma of this memorable alternative, they will espouse the cause of the South as against the interest of the Northern Confederacy, but they whisper of reconstruction, and they say Virginia must abide in the Union, with the idea of reconstructing the Union which you have annihilated. *I pray you, gentlemen, rob them of that idea.* Proclaim to the world that upon no condition, and under no circumstance, will South Carolina ever again enter into political association with the Abolitionists of New England. [Cries of ‘Never,’ and applause.]*

“Do not distrust Virginia. As sure as to-morrow’s sun will rise upon us, just so sure will Virginia be a member of this Southern Confederation. [Applause.] *And I will tell you, gentlemen, what will put her in the Southern Confederation in less than an hour by Shrewsbury clock—STRIKE A BLOW!* [Tremendous applause.] *The very moment that blood is shed, old Virginia will make common cause with her sisters of the South.* [Applause.] It is impossible she should do otherwise.”

Warlike efforts were likewise used to keep some of the states firmly to their purpose. Hon. Jeremiah Clemens, formerly United States Senator from Alabama, and a member of the Alabama Seceding Convention who resisted the movement until adopted by the body, at an adjourned Reconstruction meeting held at Huntsville, Ala., March 13, 1864, made this significant statement:—

Mr. Clemens, in adjourning the meeting, said he would tell the Alabamians how their state was got out of the Union. “In 1861,” said Mr. C., “shortly after the Confederate Government was put in operation, I was in the city of Montgomery. One day I stepped into the office of the Secretary of War, General Walker, and found there, engaged in a very excited discussion, Mr. Jefferson Davis, Mr. Memminger, Mr. Benjamin, Mr. Gilchrist, a member of our Legislature from Loundes county, and a number of other prominent gentlemen. They were discussing the propriety of immediately opening fire on Fort Sumter, to which General Walker, the Secretary of War, appeared to be opposed. Mr. Gilchrist said to him, ‘Sir, unless you sprinkle blood in the face of the people of Alabama they will be back in the old Union in less

than ten days!' The next day General Beauregard opened his batteries on Sumter, and Alabama was saved to the Confederacy."

When the news flashed along the wires that Sumter had been fired upon, Lincoln immediately used his war powers and issued a call for 75,000 troops. All of the northern governors responded with promptness and enthusiasm; but this was not true of the governors of the southern states which at that time had not seceded, and the Border States.

We take from McPherson's admirable condensation, the evasive or hostile replies of the Governors referred to, and follow it with his statement of the military calls and legislation of both governments, but for the purposes of this work omit details which are too extended.

#### REPLIES OF SOUTHERN STATE GOVERNORS TO LINCOLN'S CALL FOR 75,000 TROOPS.

Governor BURTON, of Delaware, issued a proclamation, April 26, recommending the formation of volunteer companies for the protection of the lives and property of the people of Delaware against violence of any sort to which they may be exposed, the companies not being subject to be ordered by the Executive into the United States service, the law not vesting him with such authority, but having the option of offering their services to the General Government for the defence of its capital and the support of the Constitution and laws of the country.

Governor HICKS, of Maryland, May 14, issued a proclamation for the troops, stating that the four regiments would be detailed to serve within the limits of Maryland or for the defence of the capital of the United States.

Governor LETCHER, of Virginia, replied that "The militia of Virginia will not be furnished to the powers of Washington for any such use or purpose as they have in view. Your object is to subjugate the southern States, and a requisition made upon me for such an object—an object, in my judgment, not within the purview of the Constitution or the act of 1795—will not be complied with. You have chosen to inaugurate civil war, and having done so we will meet it in a spirit as determined as the Administration has exhibited toward the South."

Governor ELLIS, of North Carolina, replied April 15:

"Your dispatch is received, and if genuine—which its extraordinary character leads me to doubt—I have to say in reply that I regard the levy of troops made by the Administration, for the purpose of subjugating the States of the South, as in violation of the Constitution and a usurpation of power. I can be no party to this wicked

violation of the laws of the country, and to this war upon the liberties of a free people. You can get no troops from North Carolina. I will reply more in detail when your call is received by mail."

Governor MAGOFFIN, of Kentucky, replied, April 15:

"Your dispatch is received. In answer I say emphatically, Kentucky will furnish no troops for the wicked purpose of subduing her sister Southern States."

Governor HARRIS, of Tennessee, replied, April 18:

"Tennessee will not furnish a single man for coercion, but fifty thousand, if necessary, for the defence of our rights or those of our southern brethren."

Governor JACKSON, of Missouri, replied:

"Your requisition is illegal, unconstitutional, revolutionary, inhuman, diabolical, and cannot be complied with."

Governor RECTOR, of Arkansas, replied, April 22:

"None will be furnished. The demand is only adding insult to injury."

#### ALL OTHER CALLS FOR TROOPS.

May 3, 1861—The President called for thirty-nine volunteer regiments of infantry and one regiment of cavalry, with a minimum aggregate of 34,506 officers and enlisted men, and a maximum of 42,034; and for the enlistment of 18,000 seamen.

May 3, 1861—The President directed an increase of the regular army by eight regiments of infantry, one of cavalry, and one of artillery—minimum aggregate, 18,054; maximum, 22,714.

August 6—Congress legalized this increase, and all the acts, orders, and proclamations respecting the Army and Navy.

July 22 and 25, 1861—Congress authorized the enlistment of 500,000 volunteers.

September 17, 1861—Commanding officer at Hatteras Inlet, N. C., authorized to enlist a regiment of loyal North Carolinians.

November 7, 1861—The Governor of Missouri was authorized to raise a force of State militia for State defence.

December 3, 1861—The Secretary of War directed that no more regiments, batteries, or independent companies be raised by the Governors of States, except upon the special requisition of the War Department.

July 2, 1862—The President called for three hundred thousand volunteers.

Under the act of July 17, 1862.

August 4, 1862—The President ordered a draft of three hundred thousand militia, for nine months unless sooner discharged; and directed that if any State shall not, by the 15th of August, furnish its quota of the additional 300,000 authorized by law, the deficiency of volunteers in that State will also be made up by special draft from the

militia. Wednesday, September 3, was subsequently fixed for the draft.

May 8, 1863—Proclamation issued, defining the relations of aliens to the conscription act, holding all aliens who have declared on oath their intention to become citizens and may be in the country within sixty-five days from date, and all who have declared their intention to become citizens and have voted.

June 15, 1863 One hundred thousand men, for six months, called to repel the invasion of Maryland, West Virginia, Ohio, and Pennsylvania.

October 17, 1863—A proclamation was issued for 300,000 volunteers, to serve for three years or the war, not, however, exceeding three years, to fill the places of those whose terms expire "during the coming year," these being in addition to the men raised by the present draft. In States in default under this call, January 5, 1864, a draft shall be made on that day.

February 1, 1864—Draft for 500,000 men for three years or during the war, ordered for March 10, 1864.

March 14, 1864—Draft for 200,000 additional for the army, navy and marine corps, ordered for April 15, 1864, to supply the force required for the navy and to provide an adequate reserve force for all contingencies.

April 23, 1864—85,000 one hundred day men accepted, tendered by the Governors of Ohio, Indiana, Illinois, Iowa, and Wisconsin; 30,000, 20,000, 20,000, 10,000 and 5,000 being tendered respectively.

#### UNION MILITARY LEGISLATION.

1861, July 22—The President was authorized to accept the services of volunteers, not exceeding five hundred thousand, for a period not exceeding three years. July 27, this authority was duplicated.

1861, July 27—Nine regiments of infantry, one of cavalry, and one of artillery, added to the regular army.

August 5—Passed bill approving and legalizing the orders of the President respecting the army and navy, issued from 4th of March to that date.

1862, July 17—Authorized the President, when calling forth the militia of the States, to specify the period of such service, not exceeding nine months; and if by reason of defects in existing laws or in the execution of them, it shall be found necessary to provide for enrolling the militia, the President was authorized to make all necessary regulations, the enrollment to include all able bodied male citizens between eighteen and forty-five, and to be apportioned according to representative population. He was authorized, in addition to the volunteers now authorized, to accept 100,000 infantry, for nine months; also, for twelve months, to fill up old regiments, as

many as may be presented for the purpose.

1863, February 7—Authorized the Governor of Kentucky, by the consent and under the direction of the President, to raise twenty thousand volunteers, for twelve months, for service within the limits of the State, for repelling invasion, suppressing insurrection, and guarding and protecting the public property—two regiments to be mounted riflemen. With the consent of the President, these troops may be attached to, and become a part of, the body of three years' volunteers.

1863, March 3—The conscription act passed. It included as a part of the national forces, all able bodied male citizens of the United States, and persons of foreign birth who shall have declared on oath their intention to become citizens under and in pursuance of the laws thereof, between the ages of twenty-one and forty-five years, except such as are rejected as physically or mentally unfit for the service; also, the Vice President, the judges of the various courts of the United States, the heads of the various executive departments of the Government, and the Governors of the several States; also, the only son liable to military service, of a widow dependent upon his labor for support; also, the only son of aged or infirm parent or parents, dependent upon his labor for support; also, where there are two or more sons of aged or infirm parents, subject to draft, the father, or if he be dead, the mother, may elect which son shall be exempt; also, the only brother of children not twelve years old, having neither father nor mother, dependent upon his labor for support; also, the father of motherless children under twelve years of age, dependent upon his labor for support; also, where there are a father and sons in the same family and household, and two of them are in military service of the United States as non-commissioned officers, musicians, or privates, the residue of such family; provided that no person who has been convicted of any felony shall be enrolled or permitted to serve in said forces. It divided the forces into two classes: 1st, those between twenty and thirty-five and all unmarried persons above thirty-five and under forty-five; 2d, all others liable to military duty. It divided the country into districts, in each of which an enrollment board was established. The persons enrolled were made subject to be called into the military service for two years from July 1, 1863, and continue in service for three years. A drafted person was allowed to furnish an acceptable substitute, or pay \$300, and be discharged from further liability under that draft. Persons failing to report, to be considered deserters. All persons drafted shall be assigned by the President to military duty

in such corps, regiments, or branches of the service as the exigencies of the service may require.

1864, Feb. 24—Provided for equalizing the draft by calculating the quota of each district or precinct and counting the number previously furnished by it. Any person enrolled may furnish an acceptable substitute who is not liable to draft, nor, at any time, in the military or naval service of the United States; and such person so furnishing a substitute shall be exempt from draft during the time for which such substitute shall not be liable to draft, not exceeding the time for which such substitute shall have been accepted. If such substitute is liable to draft, the name of the person furnishing him shall again be placed on the roll and shall be liable to draft in future calls, but not until the present enrollment shall be exhausted. The exemptions are limited to such as are rejected as physically or mentally unfit for the service; to persons actually in the military or naval service of the Government, and all persons who have served in the military or naval service two years during the present war and been honorably discharged therefrom.

The separate enrollment of classes is repealed and the two classes consolidated.

Members of religious denominations, who shall by oath or affirmation declare that they are conscientiously opposed to the bearing of arms, and who are prohibited from doing so by the rules and articles of faith and practice of said religious denomination, shall when drafted, be considered non-combatants, and be assigned to duty in the hospitals, or the care of freedmen, or shall pay \$300 to the benefit of sick and wounded soldiers, if they give proof that their deportment has been uniformly consistent with their declaration.

No alien who has voted in county, State or Territory shall, because of alienage, be exempt from draft.

“All able-bodied male colored persons between the ages of twenty and forty-five years, resident in the United States, shall be enrolled according to the provisions of this act, and of the act to which this is an amendment, and form part of the national forces; and when a slave of a loyal master shall be drafted and mustered into the service of the United States, his master shall have a certificate thereof; and thereupon such slave shall be free, and the bounty of one hundred dollars, now payable by law for each drafted man, shall be paid to the person to whom such drafted person was owing service or labor at the time of his muster into the service of the United States. The Secretary of War shall appoint a commission in each of the slave States represented in Congress, charged to award to

each loyal person to whom a colored volunteer may owe service a just compensation, not exceeding three hundred dollars, for each such colored volunteer, payable out of the fund derived from commutations, and every such colored volunteer on being mustered into the service shall be free. And in all cases where men of color have been enlisted, or have volunteered in the military service of the United States, all the provisions of this act so far as the payment of bounty and compensation are provided, shall be equally applicable, as to those who may be hereafter recruited. But men of color, drafted or enlisted, or who may volunteer into the military service, while they shall be credited on the quotas of the several States, or sub-divisions of States, wherein they are respectively drafted, enlisted, or shall volunteer, shall not be assigned as State troops, but shall be mustered into regiments or companies as United States colored troops.”

1864, Feb. 29—Bill passed reviving the grade of Lieutenant General in the army, and Major General Ulysses S. Grant was appointed March 2d.

1864, June 15—All persons of color shall receive the same pay and emoluments, except bounty, as other soldiers of the regular or volunteer army from and after Jan. 1, 1864, the President to fix the bounty for those hereafter mustered, not exceeding \$100.

1864, June 20—The monthly pay of privates and non-commissioned officers was fixed as follows, on and after May 1:

Sergeant majors, twenty-six dollars; quartermaster and commissary sergeants of Cavalry, artillery, and infantry, twenty-two dollars; first sergeants of cavalry, artillery, and infantry, twenty-four dollars; sergeants of cavalry, artillery, and infantry, twenty dollars; sergeants of ordnance, sappers and miners, and pontoniers, thirty-four dollars; corporals of ordnance, sappers and miners, and pontoniers, twenty dollars; privates of engineers and ordnance of the first class, eighteen dollars, and of the second class, sixteen dollars; corporals of cavalry, artillery, and infantry, eighteen dollars; chief buglers of cavalry, twenty-three dollars; buglers, sixteen dollars; farriers and blacksmiths, of cavalry, and artificers of artillery, eighteen dollars; privates of cavalry, artillery and infantry, sixteen dollars; principal musicians of artillery and infantry, twenty-two dollars; leaders of brigade and regimental bands, seventy-five dollars; musicians, sixteen dollars; hospital stewards of the first class, thirty-three dollars; hospital stewards of the second class, twenty-five dollars; hospital stewards of the third class, twenty-three dollars.”

July 4—This bill became a law:

*Be it enacted, &c.* That the President of

the United States may, at his discretion, at any time hereafter call for any number of men as volunteers for the respective terms of one, two, and three years for military service; and any such volunteer, or, in case of draft, as hereinafter provided, any substitute, shall be credited to the town, township, ward of a city, precinct, or election district, or of a county not so subdivided towards the quota of which he may have volunteered or engaged as a substitute; and every volunteer who is accepted and mustered into the service for a term of one year, unless sooner discharged, shall receive, and be paid by the United States, a bounty of one hundred dollars; and if for a term of two years, unless sooner discharged, a bounty of two hundred dollars; and if for a term of three years, unless sooner discharged, a bounty of three hundred dollars; one third of which bounty shall be paid to the soldier at the time of his being mustered into the service, one-third at the expiration of one-half of his term of service, and one-third at the expiration of his term of service. And in case of his death while in service, the residue of his bounty unpaid shall be paid to his widow, if he shall have left a widow; if not, to his children; or if there be none, to his mother, if she be a widow.

\* \* \* \* \*

SEC. 8. That all persons in the naval service of the United States, who have entered said service during the present rebellion, who have not been credited to the quota of any town, district, ward, or State, by reason of their being in said service and not enrolled prior to February twenty-four, eighteen hundred and sixty-four, shall be enrolled and credited to the quotas of the town, ward, district, or State, in which they respectively reside, upon satisfactory proof of their residence made to the Secretary of War.

#### "CONFEDERATE" MILITARY LEGISLATION.

February 28, 1861, (four days before the inauguration of Mr. Lincoln)—The "Confederate" Congress passed a bill providing—

1st. To enable the Government of the Confederate States to maintain its jurisdiction over all questions of peace and war, and to provide for the public defence, the President be, and he is hereby authorized and directed to assume control of all military operations in every State, having reference to a connection with questions between the said States, or any of them, and Powers foreign to themselves.

2d. The President was authorized to receive from the several States the arms and munitions of war which have been acquired from the United States.

3d. He was authorized to receive into Government service such forces in the ser-

vice of the States, as may be tendered, in such number as he may require, for any time not less than twelve months, unless sooner discharged.

March 6, 1861—The President was authorized to employ the militia, military and naval forces of the Confederate States to repel invasion, maintain rightful possession of the territory, and secure public tranquillity and independence against threatened assault, to the extent of 100,000 men, to serve for twelve months.

May 4, 1861—One regiment of Zouaves authorized.

May 6, 1861—Letters of marque and reprisal authorized.

1861, August 8—The Congress authorized the President to accept the services of 400,000 volunteers, to serve for not less than twelve months nor more than three years after they shall be mustered into service, unless sooner discharged.

The Richmond *Enquirer* of that date announced that it was ascertained from official data, before the passage of the bill, that there were not less than 210,000 men then in the field.

August 21—Volunteers authorized for local defence and special service.

1862, January—Publishers of newspapers, or other printed matter are prohibited from giving the number, disposition, movement, or destination of the land or naval forces, or description of vessel, or battery, fortification, engine of war, or signal, unless first authorized by the President or Congress, or the Secretary of War or Navy, or commanding officer of post, district, or expedition. The penalty is a fine of \$1,000 and imprisonment not over twelve months.

1862, February—The Committee on Naval Affairs were instructed to inquire into the expediency of placing at the disposal of the President five millions of dollars to build gunboats.

1862—Bill passed to "regulate the destruction of property under military necessity," referring particularly to cotton and tobacco. The authorities are authorized to destroy it to keep it from the enemy; and owners, destroying it for the same purpose, are to be indemnified upon proof of the value and the circumstances of the destruction.

1862, April 16—The first "conscription" bill became a law.

1864, February. The second conscription bill became a law.

*The Richmond Sentinel* of February 17, 1864, contains a synopsis of what is called the military bill, heretofore forbidden to be printed:

The first section provides that all white men residents of the Confederate States, between the ages of seventeen and fifty, shall be in the military service for the war.

The second section provides that all be-



tween eighteen and forty-five, now in service, shall be continued during the war in the same regiments, battalions, and companies to which they belong at the passage of this act, with the organization, officers, &c., provided that companies from one State organized against their consent, expressed at the time, with regrets, &c., from another State, shall have the privilege of being transferred to the same arm in a regiment from their own State, and men can be transferred to a company from their own State.

Section three gives a bounty eight months hence of \$100 in rebel bonds.

Section four provides that no person shall be relieved from the operations of this act heretofore discharged for disability, *nor shall those who furnished substitutes be exempted, where no disability now exists*; but exempts religious persons who have paid an exemption tax. \* \* \*

The tenth section provides that no person shall be exempt except the following: ministers, superintendents of deaf, dumb, and blind, or insane asylums; one editor to each newspaper, and such employees as he may swear to be indispensable; the Confederate and State public printers, and the journeymen printers necessary to perform the public printing; one apothecary to each drug store, who was and has been continuously doing business as such since October 10, 1862; physicians over 30 years of age of seven years' practice, not including dentists; presidents and teachers of colleges, academies and schools, who have not less than thirty pupils; superintendents of public hospitals established by law, and such physicians and nurses as may be indispensable for their efficient management.

One agriculturist on such farm where there is no white male adult not liable to duty employing fifteen able-bodied slaves, between sixteen and fifty years of age, upon the following conditions:

The party exempted shall give bonds to deliver to the Government in the next twelve months, 100 pounds of bacon, or its equivalent in salt pork, at Government selection, and 100 pounds of beef for each such able-bodied slave employed on said farm at commissioner's rates.

In certain cases this may be commuted in grain or other provisions.

The person shall further bind himself to sell all surplus provisions now on hand, or which he may raise, to the Government, or the families of soldiers, at commissioner's rates, the person to be allowed a credit of 25 per cent. on any amount he may deliver in three months from the passage of this act; Provided that no enrollment since Feb. 1, 1864, shall deprive the person enrolled from the benefit of this exemption.

In addition to the above, the Secretary of War is authorized to make such details as the public security requires.

The vote in the House of Representatives was—yeas, 41; nays, 31.

#### GUERRILLAS.

1862, April 21—The President was authorized to commission such officers as he may deem proper, with authority to form bands of partisan rangers, in companies, battalions or regiments, either as infantry or cavalry, to receive the same pay, rations, and quarters, and be subject to the same regulations as other soldiers. For any arms and munitions of war captured from the enemy by any body of partisan rangers, and delivered to any quartermaster at designated place, the rangers shall pay their full value.\*

The following resolution, in relation to partisan service, was adopted by the Virginia Legislature, May 17, 1862:

Whereas, this General Assembly places a high estimate upon the value of the ranger or partisan service in prosecuting the present war to a successful issue, and regards it as perfectly legitimate; and it being understood that a Federal commander on the northern border of Virginia has intimated his purpose, if such service is not discontinued, to lay waste by fire the portion of our territory at present under his power.

*Resolved by the General Assembly, That in its opinion, the policy of employing such rangers and partisans ought to be carried out energetically, both by the authorities of this State and of the Confederate States, without the slightest regard to such threats.*

By another act, the President was authorized, in addition to the volunteer force authorized under existing laws, to accept the services of volunteers who may offer them, without regard to the place of enlistment, to serve for and during the existing war.

1862, May 27—Major General John B. Floyd was authorized by the Legislature of Virginia, to raise ten thousand men, not now in service or liable to draft, for twelve months.

1862, September 27—The President was authorized to call out and place in the military service for three years, all white men who are residents, between the ages of thirty-five and forty-five, at the time the call may be made, not legally exempt. And such authority shall exist in the President, during the present war, as to all persons who now are, or hereafter may become eighteen years of age, and all persons between eighteen and forty-five, once enrolled, shall serve their full time.

\* 1864, February 15—Repealed the above act, but provided for continuing organizations of partisan rangers acting as regular cavalry and so to continue; and authorizing the Secretary of War to provide for uniting all bands of partisan rangers with other organizations and bringing them under the general discipline of the provisional army.

## THE TWENTY-NEGRO EXEMPTION LAW.

1862, October 11—Exempted certain classes, described in the repealing law of the next session, as follows:

The dissatisfaction of the people with an act passed by the Confederate Congress, at its last session, by which persons owning a certain number of slaves were exempted from the operation of the conscription law, has led the members at the present session to reconsider their work, and already one branch has passed a bill for the repeal of the obnoxious law. This bill provides as follows:

*"The Congress of the Confederate States do enact, That so much of the act approved October 11, 1862, as exempts from military service 'one person, either as agent, owner, or overseer, on each plantation on which one white person is required to be kept by the laws or ordinances of any State, and on which there is no white male adult not liable to military service, and in States having no such law, one person, as agent, owner, or overseer on such plantation of twenty negroes, and on which there is no white male adult not liable to military service;' and also the following clause in said act, to wit: 'and furthermore, for additional police of every twenty negroes, on two or more plantations, within five miles of each other, and each having less than twenty negroes, and on which there is no white male adult not liable to military duty, one person, being the oldest of the owners or overseers on such plantations,' be and the same are hereby repealed; and the persons so hitherto exempted by said clauses of said act are hereby made subject to military duty in the same manner that they would be had said clauses never been embraced in said act."*

## THE POSITION OF DOUGLAS.

After the President had issued his first call, Douglas saw the danger to which the Capitol was exposed, and he promptly called upon Lincoln to express his full approval of the call. Knowing his political value and that of his following Lincoln asked him to dictate a despatch to the Associated Press, which he did in these words, the original being left in the possession of Hon. George Ashmun of Massachusetts:

"April 18, 1861, Senator Douglas, called on the President, and had an interesting conversation, on the present condition of the country. The substance of it was, on the part of Mr. Douglas, that while he was unalterably opposed to the administration in all its political issues, he was prepared to fully sustain the President, in the exercise of all his Constitutional functions, to preserve the Union, maintain the Government, and defend the Federal Capitol. A firm policy and prompt action was necessary. The

Capitol was in danger, and must be defended at all hazards, and at any expense of men and money. He spoke of the present and future, without any reference to the past."

Douglas followed this with a great speech at Chicago, in which he uttered a sentence that was soon quoted on nearly every Northern tongue. It was simply this, "that there now could be but two parties, patriots and traitors." It needed nothing more to rally the Douglas Democrats by the side of the Administration, and in the general feeling of patriotism awakened not only this class of Democrats, but many Northern supporters of Breckinridge also enlisted in the Union armies. The leaders who stood aloof and gave their sympathies to the South, were stigmatized as "Copperheads," and these where they were so impudent as to give expression to their hostility, were as odious to the mass of Northerners as the Unionists of Tennessee and North Carolina were to the Secessionists—with this difference—that the latter were compelled to seek refuge in their mountains, while the Northern leader who sought to give "aid and comfort to the enemy" was either placed under arrest by the government or proscribed politically by his neighbors. Civil war is ever thus. Let us now pass to

## THE POLITICAL LEGISLATION INCIDENT TO THE WAR.

The first session of the 37th Congress began July 4, 1861, and closed Aug. 6. The second began December 2, 1861, and closed July 17, 1862. The third began December 1, 1862 and closed March 4, 1863.

All of these sessions of Congress were really embarrassed by the number of volunteers offering from the North, and sufficiently rapid provision could not be made for them. And as illustrative of how political lines had been broken, it need only be remarked that Benjamin F. Butler, the leader of the Northern wing of Breckinridge's supporters, was commissioned as the first commander of the forces which Massachusetts sent to the field. New York, Pennsylvania, Ohio—the great West—all the States, more than met all early requirements. So rapid were enlistments that no song was as popular as that beginning with the lines:

"We are coming, Father Abraham,  
Six hundred thousand strong."

The first session of the 37th Congress was a special one, called by the President. McPherson, in his classification of the membership, shows the changes in a body made historic, if such a thing can be, not only by its membership present, but that which had gone or made itself subject to

expulsion by siding with the Confederacy. We quote the list so concisely and correctly presented:

## MEMBERS OF THE 37TH CONGRESS.

March 4, 1861, to March 4, 1863.

HANNIBAL HAMLIN, of Maine, President of the Senate.

## SENATORS.

*Maine*—Lot M. Morrill, Wm. Pitt Fessenden.

*New Hampshire*—John P. Hale, Daniel Clark.

*Vermont*—Solomon Foot, Jacob Collamer.

*Massachusetts*—Charles Sumner, Henry Wilson.

*Rhode Island*—James F. Simmons,\* Henry B. Anthony.

*Connecticut*—James Dixon, Lafayette S. Foster.

*New York*—Preston King, Ira Harris.

*New Jersey*—John B. Thomson,\* John C. Ten Eyck.

*Pennsylvania*—David Wilmot, Edgar Cowan.

*Delaware*—James A. Bayard, Willard Saulsbury.

*Maryland*—Anthony Kennedy, James A. Pearce.\*

*Virginia*.\*

*Ohio*—Benjamin F. Wade, John Sherman.

*Kentucky*—Lazarus W. Powell, John C. Breckinridge.\*

*Tennessee*—Andrew Johnson.

*Indiana*—Jesse D. Bright,\* Henry S. Lane.

*Illinois*—O. H. Browning,\* Lyman Trumbull.

*Missouri*—Trusten Polk,\* Waldo P. Johnson.\*

*Michigan*—Z. Chandler, K. S. Bingham.\*

*Iowa*—James W. Grimes, James Harlan.

*Wisconsin*—James R. Doolittle, Timothy O. Howe.

*California*—Milton S. Latham, James A. McDougall.

*Minnesota*—Henry M. Rice, Morton S. Wilkinson.

*Oregon*—Edward D. Baker,\* James W. Nesmith.

*Kansas*—James H. Lane, S. C. Pomeroy.

## REPRESENTATIVES.

GALUSHA A. GROW, of Pennsylvania, Speaker of the House.

*Maine*—John N. Goodwin, Charles W. Walton,\* Samuel C. Fessenden, Anson P. Morrill, John H. Rice, Frederick A. Pike.

*New Hampshire*—Gilman Marston, Edward H. Rollins, Thomas M. Edwards.

*Vermont*—E. P. Walton, Jr., Justin S. Morrill, Portus Baxter.

*Massachusetts*—Thomas D. Eliot, James Buffinton, Benjamin F. Thomas, Alexander H. Rice, William Appleton,\* John B. Alley, Daniel W. Gooch, Charles R. Train, Goldsmith F. Bailey,\* Charles Delano, Henry L. Dawes.

*Rhode Island*—William P. Sheffield, George H. Browne.

*Connecticut*—Dwight Loomis, James E. English, Alfred A. Burnham,\* George C. Woodruff.

*New York*—Edward H. Smith, Moses F. Odell, Benjamin Wood, James E. Kerrigan, William Wall, Frederick A. Conkling, Elijah Ward, Isaac C. Delaplaine, Edward Haight, Charles H. Van Wyck, John B. Steele, Stephen Baker, Abraham B. Olin, Erastus Corning, James B. McKean, William A. Wheeler, Socrates N. Sherman, Chauncey Vibbard, Richard Franchot, Roscoe Conkling, R. Holland Duell, William E. Lansing, Ambrose W. Clark, Charles B. Sedgwick, Theodore M. Pomeroy, Jacob P. Chamberlain, Alexander S. Diven, Robert B. Van Valkenburgh, Alfred Ely, Augustus Frank, Burt Van Horn, Elbridge G. Spalding, Reuben E. Fenton.

*New Jersey*—John T. Nixon, John L. N. Stratton, William G. Steele, George T. Cobb, Nehemiah Perry.

*Pennsylvania*—William E. Lehman, Charles J. Biddle,\* John P. Verree, William D. Kelley, William Morris Davis, John Hickman, Thomas B. Cooper,\* Sydenham E. Ancona, Thaddeus Stevens, John W. Killinger, James H. Campbell, Hendrick B. Wright, Philip Johnson, Galusha A. Grow, James T. Hale, Joseph Baily, Edward McPherson, Samuel S. Blair, John Covode, Jesse Lazear, James K. Moorhead, Robert McKnight, John W. Wallace, John Patton, Elijah Babbitt.

*Delaware*—George P. Fisher.

*Maryland*—John W. Crisfield, Edwin H. Webster, Cornelius L. L. Leary, Henry May, Francis Thomas, Charles B. Calvert.

*Virginia*—Charles H. Upton,\* William G. Brown, John S. Carlile,\* Kellian V. Whaley.

*Ohio*—George H. Pendleton, John A. Gurley, Clement L. Vallandigham, William Allen, James M. Ashley, Chilton A. White, Richard A. Harrison, Samuel Shellbarger, Warren P. Noble, Carey A. Trimble, Valentine B. Horton, Samuel S. Cox, Samuel T. Worcester, Harrison G. Blake, Robert H. Nugen, William P. Cutler, James R. Morris, Sidney Edgerton, Albert G. Riddle, John Hutchins, John A. Bingham.

*Kentucky*—Henry C. Burnett,\* James S. Jackson,\* Henry Grider, Aaron Harding, Charles A. Wickliffe, George W. Dunlap, Robert Mallory, John J. Crittenden, William H. Wadsworth, John W. Menzies.

\* See memorandum at the end of list.

See memorandum at end of list.

*Tennessee*—Horace Maynard,\* Andrew J. Clements,\* George W. Bridges.\*

*Indiana*—John Law, James A. Cravens, W. McKee Dunn, William S. Holman, George W. Julian, Albert G. Porter, Daniel W. Voorhees, Albert S. White, Schuyler Colfax, William Mitchell, John P. C. Shanks.

*Illinois*—Elihu B. Washburne, Isaac N. Arnold, Owen Lovejoy, William Kellogg, William A. Richardson,\* John A. McClernand,\* James C. Robinson, Philip B. Fouke, John A. Logan.\*

*Missouri*—Francis P. Blair, Jr., James S. Rollins, John B. Clark,\* Elijah H. Norton, John W. Reid,\* John S. Phelps,\* John W. Noell.

*Michigan*—Bradley F. Granger, Fernando C. Beaman, Francis W. Kellogg, Rowland E. Trowbridge.

*Iowa*—Samuel R. Curtis,\* William Van-dever.

*Wisconsin*—John F. Potter, Luther Hanchett,\* A. Scott Sloan.

*Minnesota*—Cyrus Aldrich, William Windom.

*Oregon*—Andrew J. Thayer.\*

*Kansas*—Martin F. Conway.

#### MEMORANDUM OF CHANGES.

The following changes took place during the Congress:

##### IN SENATE.

*Rhode Island*—1862, Dec. 1, Samuel G. Arnold succeeded James F. Simmons, resigned.

*New Jersey*—1862, Dec. 1, Richard S. Field succeeded, by appointment, John R. Thompson, deceased Sept. 12, 1862. 1863, Jan. 21, James W. Wall, succeeded, by election, Richard S. Field.

*Maryland*—1863, Jan. 14, Thomas H. Hicks, first by appointment and then by election succeeded James A. Pearce, deceased Dec. 20, 1862.

*Virginia*—1861, July 13, John S. Carlile and Waitman T. Willey, sworn in place of Robert M. T. Hunter and James M. Mason, withdrawn and abdicated.

*Kentucky*—1861, Dec. 23, Garrett Davis succeeded John C. Breckinridge, expelled December 4.

*Indiana*—1862, March 3, Joseph A. Wright succeeded Jesse D. Bright, expelled Feb. 5, 1863, Jan. 22, David Turpie, superseded, by election, Joseph A. Wright.

*Illinois*—1863, Jan. 30, William A. Richardson superseded, by election, O. H. Browning.

*Missouri*—1861, Jan. 24, R. Wilson succeeded Waldo P. Johnson, expelled Jan. 10. 1862, Jan. 29, John B. Henderson succeeded Truett Polk, expelled Jan. 10.

*Michigan*—1862, Jan. 17, Jacob M. Howard succeeded K. S. Bingham, deceased October 5, 1861.

*Oregon*—1862, Dec. 1, Benjamin F. Harding succeeded Edward D. Baker, deceased Oct. 21, 1862.

##### IN HOUSE OF REPRESENTATIVES

*Maine*—1862, December 1, Thomas A. D. Fessenden succeeded Charles W. Walton, resigned May 26, 1862.

*Massachusetts*—1861, December 1, Amasa Walker succeeded Goldsmith F. Bailey, deceased May 8, 1862; 1861, December 2, Samuel Hooper succeeded William Appleton, resigned.

*Connecticut*—1861, December 2, Alfred A. Burnham qualified.

*Pennsylvania*—1861, December 2, Charles J. Biddle qualified; 1862, June 3, John D. Stiles succeeded Thomas B. Cooper, deceased April 4, 1862.

*Virginia*,—1861, July 13, John S. Carlile resigned to take a seat in the Senate; 1861, December 2, Jacob B. Blair, succeeded John S. Carlile, resigned; 1862, February 28, Charles H. Upton unseated by a vote of the House; 1862, May 6, Joseph Segar qualified.

*Kentucky*—1862, December, 1, George H. Yeaman succeeded James S. Jackson, deceased; 1862, March 10, Samuel L. Casey succeeded Henry C. Burnett, expelled December 3, 1861.

*Tennessee*—1861, December 2, Horace Maynard qualified; 1862, January 13, Andrew J. Clements qualified; 1863, February 25, George W. Bridges qualified.

*Illinois*—1861, December 12, A. L. Knapp qualified, in place of J. A. McClernand, resigned; 1862, June 2, William J. Allen qualified, in place of John A. Logan, resigned; 1863, January 30, William A. Richardson withdrew to take a seat in the Senate.

*Missouri*—1862, January 21, Thomas L. Price succeeded John W. Reid, expelled December 2, 1861; 1862, January 20, William A. Hall succeeded John B. Clark, expelled July 13, 1861; 1862, May 9, John S. Phelps qualified.

*Iowa*—1861, December 2, James F. Wilson succeeded Samuel R. Curtis, resigned August 4, 1861.

*Wisconsin*—1863, January 26, Walter D. McIndoe succeeded Luther Hanchett, deceased November 24, 1862.

*Oregon*—1861, July 30, George K. Shiel succeeded Andrew J. Thayer, unseated.

*Louisiana*—1863, February 17, Michael Hahn qualified; 1863, February 23, Benjamin F. Flanders qualified.

Lincoln, in his message, recited the events which had transpired since his inauguration, and asked Congress to confer upon him the power to make the conflict short and decisive. He wanted 400,000 men, and four hundred millions of money, remarking that "the people will save their

\* See memorandum at end of list.

government if the government itself will do its part only indifferently well." Congress responded by adding an hundred thousand to each request.

There were exciting debates and scenes during this session, for many of the Southern leaders remained, either through hesitancy or with a view to check legislation and aid their section by adverse criticism on the measures proposed. Most prominent in the latter list was John C. Breckinridge, late Vice President and now Senator from Kentucky. With singular boldness and eloquence he opposed every war measure, and spoke with the undisguised purpose of aiding the South. He continued this course until the close of the extra session, when he accepted a General's commission in the Confederate army. But before its close, Senator Baker of Oregon, angered at his general course, said in reply to one of Breckinridge's speeches, Aug. 1st:

"What would the Senator from Kentucky, have? These speeches of his, sown broadcast over the land, what clear distinct meaning have they? Are they not intended for disorganization in our very midst? Are they not intended to destroy our zeal? Are they not intended to animate our enemies? Sir, are they not words of brilliant polished TREASON, even in the very Capitol of the Republic?" [Here there were such manifestations of applause in the galleries, as were with difficulty suppressed.]

Mr. Baker resumed, and turning directly to Mr. Breckinridge, inquired:

"What would have been thought, if, in another Capitol, in another republic, in a yet more martial age, a Senator as grave, not more eloquent or dignified than the Senator from Kentucky, yet with the Roman purple flowing over his shoulders, had risen in his place, surrounded by all the illustrations of Roman glory, and declared that the cause of the advancing Hannibal was just, and that Carthage ought to be dealt with in terms of peace? What would have been thought if, after the battle of Cannæ, a Senator there had risen in his place, and denounced every levy of the Roman people, every expenditure of its treasure, and every appeal to the old recollections and the old glories?"

There was a silence so profound throughout the Senate and galleries, that a pinfall could have been heard, while every eye was fixed upon Breckinridge. Fessenden exclaimed in deep low tones, "he would have been hurled from the Tarpeian Rock!"

Baker resumed:

"Sir, a Senator himself learned far more than myself, in such lore, (Mr. Fessenden) tells me, in a low voice, "he would have been hurled from the Tarpeian Rock." It is a grand commentary upon the American Constitution, that we permit these words of the Senator from Ken-

tucky, to be uttered. I ask the Senator to recollect, to what, save to send aid and comfort to the enemy, do these predictions amount to? Every word thus uttered, falls as a note of inspiration upon every Confederate ear. Every sound thus uttered, is a word, (and falling from his lips, a mighty word) of kindling and triumph to the foe that determines to advance."

The Republicans of the North were the distinctive "war party," *i. e.*, they gave unqualified support to every demand made by the Lincoln administration. Most of the Democrats, acting as citizens, did likewise, but many of those in official position, assuming the prerogative of a minority, took the liberty in Congress and State Legislature to criticise the more important war measures, and the extremists went so far, in many instances, as to organize opposition, and to encourage it among their constituents. Thus in the States bordering the Ohio and Mississippi rivers, organized and individual efforts were made to encourage desertions, and the "Knights of the Golden Circle," and the "Sons of Liberty," secret societies composed of Northern sympathizers with the South, formed many troublesome conspiracies. Through their action troops were even enlisted in Southern Indiana, Illinois and Missouri for the Confederate armies, while the border States in the Union sent whole regiments to battle for the South. The "Knights of the Golden Circle" conspired to release Confederate prisoners of war, and invited Morgan to raid their States. One of the worst forms of opposition took shape in a conspiracy to resist the draft in New York city. The fury of the mob was several days beyond control, and troops had to be recalled from the front to suppress it. The riot was really political, the prejudices of the mob under cover of resistance to the draft, being vented on the negroes, many of whom were killed before adequate numbers could be sent to their succor. The civil authorities of the city were charged with winking at the occurrence, and it was afterwards ascertained that Confederate agents really organized the riot as a movement to "take the enemy in the rear."

The Republican was as distinctively the war party during the Great Rebellion, as the Whigs were during the Revolution, the Democratic-Republicans during the War of 1812, and the Democrats during the War with Mexico, and, as in all of these war decades, kept the majority sentiment of the country with them. This is such a plain statement of facts that it is neither partisan to assert, nor a mark of party-fealty to deny. The history is indelibly written. It is stamped upon nearly every war measure, and certainly upon every political measure incident to growing out of the rebellion.

These were exciting and memorable scenes in the several sessions of the 37th Congress. During the first many Southern Senators and Representatives withdrew after angry statements of their reasons, generally in obedience to calls from their States or immediate homes. In this way the majority was changed. Others remained until the close of the first session, and then more quietly entered the rebellion. We have shown that of this class was Breckinridge, who thought he could do more good for his cause in the Federal Congress than elsewhere, and it is well for the Union that most of his colleagues disagreed with him as to the propriety and wisdom of his policy. If all had followed his lead or imitated his example, the war would in all probability have closed in another compromise, or possibly in the accomplishment of southern separations. These men could have so obstructed legislation as to make all its early periods far more discouraging than they were. As it was the Confederates had all the advantages of a free and fair start, and the effect was traceable in all of the early battles and negotiations with foreign powers. There was one way in which these advantages could have been supported and continued. Breckenridge, shrewd and able politician as he was, saw that the way was to keep Southern Representatives in Congress, at least as long as Northern sentiment would abide it, and in this way win victories at the very fountain-head of power. But at the close of the extra session this view had become unpopular at both ends of the line, and even Breckenridge abandoned it and sought to hide his original purpose by immediate service in the Confederate armies.

It will be noted that those who vacated their seats to enter the Confederacy were afterwards expelled. In this connection a curious incident can be related, occurring as late as the Senate session of 1882:

The widow of the late Senator Nicholson, of Tennessee, who was in the Senate when Tennessee seceded, a short time ago sent a petition to Congress asking that the salary of her late husband, after he returned to Tennessee, might be paid to her. Mr. Nicholson's term would have expired in 1865 had he remained in his seat. He did not appear at the special session of Congress convened in July, 1861, and with other Senators from the South was expelled from the Senate on July 11th of that year. The Senate Committee on Claims, after examining the case thoroughly, submitted to the Senate an adverse report. After giving a concise history of the case the committee say: "We do not deem it proper, after the expiration of twenty years, to pass special acts of Congress to compensate the Senators and Representatives who

seceded in 1861 for their services in the early part of that year. We recommend that the claim of the petitioner be disallowed."

The Sessions of the 37th Congress changed the political course of many public men. It made the Southern believers in secession still more vehement; it separated the Southern Unionists from their former friends, and created a wall of fire between them; it changed the temper of Northern Abolitionists, in so far as to drive from them all spirit of faction, all pride of methods, and compelled them to unite with a republican sentiment which was making sure advances from the original declaration that slavery should not be extended to the Territories, to emancipation, and, finally, to the arming of the slaves. It changed many Northern Democrats, and from the ranks of these, even in representative positions, the lines of the Republicans were constantly strengthened on pivotal questions. On the 27th of July Breckinridge had said in a speech: "When traitors become numerous enough treason becomes respectable." Senator Andrew Johnson, of Tennessee, replied to this, and said: "God being willing, whether traitors be many or few, as I have hitherto waged war against traitors and treason, I intend to continue it to the end." And yet Johnson had the year before warmly supported Breckinridge in his presidential campaign.

Among the more conspicuous Republicans and anti-Lecompton Democrats in this session were Charles Sumner, a man who then exceeded all others in scholarly attainments and as an orator, though he was not strong in current debate. Great care and preparation marked every important effort, but no man's speeches were more admired throughout the North, and hated throughout the South, than those of Charles Sumner. An air of romance surrounded the man, because he was the first victim of a senatorial outrage, when beaten by Brooks of South Carolina; but, sneered his political enemies, "no man more carefully preserved his wounds for exhibition to a sympathetic world." He had some minor weaknesses, which were constantly displayed, and these centred in egotism and high personal pride—not very popular traits—but no enemy was so malicious as to deny his greatness.

Fessenden of Maine was one of the great lights of that day. He was apt, almost beyond example, in debate, and was a recognized leader of the Republicans until, in the attempt to impeach President Johnson, he disagreed with the majority of his party and stepped "down and out." Yet no one questioned his integrity, and all believed that his vote was cast on this question in a line with his convictions. The leading character in the House was Thad-

deus Stevens, an original Abolitionist in sentiment, but a man eminently practical and shrewd in all his methods.

The chances of politics often carry men into the Presidential Chair, into Cabinets, and with later and demoralizing frequency into Senate seats; but chance never makes a Commoner, and Thaddeus Stevens was throughout the war, and up to the hour of his death, recognized as the great Commoner of the Northern people. He led in every House battle, and a more unflinching party leader was never known to parliamentary bodies. Limp and infirm, he was not liable to personal assault, even in days when such assaults were common; but when on one occasion his fiery tongue had so exasperated the Southerners in Congress as to make them show their knives and pistols, he stepped out into the aisle, and facing, bid them defiance. He was a Radical of the Radicals, and constantly contended that the government—the better to preserve itself—could travel outside of the Constitution. What cannot be said of any other man in history, can be said of Thaddeus Stevens. When he lay dead, carried thus from Washington to his home in Lancaster, with all of his people knowing that he was dead, he was, on the day following the arrival of his corpse, and within a few squares of his residence, unanimously renominated by the Republicans for Congress. If more poetic and less practical sections or lands than the North had such a hero, hallowed by such an incident, both the name and the incident would travel down the ages in song and story.\*

The "rising" man in the 37th Congress was Schuyler Colfax, of Indiana, elected Speaker of the 33th, and subsequently Vice President. A great parliamentarian, he was gifted with rare eloquence, and with a kind which won friends without offending enemies—something too rare to last. In the House were also Justin S. Morrill, the author of the Tariff Bill which supplied the "sinews of war," Henry L. Dawes of Massachusetts, then "the man of Statistics" and the "watch-dog of the treasury." Roscoe Conkling was then the admitted leader of the New York delegation, as he was the admitted mental superior of any other in subsequent terms in the Senate, up to the time of his resignation in 1881. Reuben E. Fenton, his factional opponent, was also there. Ohio was strongly represented in both parties—Pendleton, Cox and Vallandigham on the side of the Democrats; Bingham and Ashley on the part of the Republicans. Illinois showed four prominent anti-Lecompton supporters of the administration—

Douglas in the Senate; Logan, McClelland and Richardson in the House; while prominent among the Republicans were Lovejoy (an original Abolitionist), Washburne, a candidate for the Presidential nomination in 1880—Kellogg and Arnold. John F. Potter was one of the prominent Wisconsin men, who had won additional fame by accepting the challenge to duel of Roger A. Pryor of Virginia, and naming the American rifle as the weapon. Fortunately the duel did not come off. Pennsylvania had then, as she still has, Judge Kelley of Philadelphia, chairman of Ways and Means in the 46th Congress; also Edward McPherson, frequently since Clerk of the House, temporary President of the Cincinnati Convention, whose decision overthrew the unit rule, and author of several valuable political works, some of which we freely quote in this history. John Hickman, subsequently a Republican, but one of the earliest of the anti-Lecompton Democrats, was an admitted leader, a man of rare force and eloquence. So radical did he become that he refused to support the re-election of Lincoln. He was succeeded by John M. Broomall, who made several fine speeches in favor of the constitutional amendments touching slavery and civil rights. Here also were James Campbell, Hendricks B. Wright, John Covode, James K. Morehead, and Speaker Grow—the father of the Homestead Bill, which will be found in Book V., giving the Existing Political Laws.

At this session Senator Trumbull of Illinois, renewed the agitation of the slavery question, by reporting from the Judiciary Committee of which he was Chairman, a bill to confiscate all property and free all slaves used for insurrectionary purposes.\* Breckinridge fought the bill, as indeed he did all bills coming from the Republicans, and said if passed it would eventuate in "the loosening of all bonds." Among the facts stated in support of the measure was this, that the Confederates had at Bull Run used the negroes and slaves against the Union army—a statement never well established. The bill passed the Senate by 33 to 6, and on the 3d of August passed the House, though several Republicans there voted against it, fearing a too rapid advance would prejudice the Union cause. Indeed this fear was entertained by Lincoln when he recommended

#### COMPENSATED EMANCIPATION

in the second session of the 37th Congress, which recommendation excited official discussion almost up to the time the emancipation proclamation was issued as a war necessity. The idea of compensated eman-

\*This incident was related to the writer by Col. A. K. McClure of Philadelphia, who was in Lancaster at the time.

\*Arnold's "History of Abraham Lincoln."

icipation originated with or was first formulated by James B. McKean of New York, who on Feb. 11th, 1861, at the 2d session of the 36th Congress, introduced the following resolution:

WHEREAS, The "Gulf States" have assumed to secede from the Union, and it is deemed important to prevent the "border slave States" from following their example; and whereas it is believed that those who are inflexibly opposed to any measure of compromise or concession that involves, or may involve, a sacrifice of principle or the extension of slavery, would nevertheless cheerfully concur in any lawful measure for the emancipation of the slaves: Therefore,

*Resolved*, That the select committee of five be instructed to inquire whether, by the consent of the people, or of the State governments, or by compensating the slaveholders, it be practicable for the General Government to procure the emancipation of the slaves in some, or all, of the "border States;" and if so, to report a bill for that purpose.

Lincoln was so strongly impressed with the fact, in the earlier struggles of the war, that great good would follow compensated emancipation, that on March 2d, 1862, he sent a special message to the 2d session of the 37th Congress, in which he said:

"I recommend the adoption of a joint resolution by your honorable bodies, which shall be substantially as follows:

*Resolved*, That the United States ought to co-operate with any State which may adopt gradual abolishment of slavery, giving to such State pecuniary aid, to be used by such State in its discretion, to compensate for the inconveniences, public and private, produced by such change of system.

"If the proposition contained in the resolution does not meet the approval of Congress and the country, there is the end; but if it does command such approval, I deem it of importance that the States and people immediately interested should be at once distinctly notified of the fact, so that they may begin to consider whether to accept or reject it. The Federal Government would find its highest interest in such a measure, as one of the most efficient means of self-preservation. The leaders of the existing insurrection entertain the hope that this Government will ultimately be forced to acknowledge the independence of some part of the disaffected region, and that all the slave States north of such part will then say, 'the Union for which we have struggled being already gone, we now choose to go with the southern section.' To deprive them of this hope, substantially ends the rebellion; and the initiation of emancipation completely deprives them of it as to all the States initiating it. The

point is not that *all* the States tolerating slavery would very soon, if at all, initiate emancipation; but that, while the offer is equally made to all, the more northern shall, by such initiation, make it certain to the more southern that in no event will the former ever join the latter in their proposed confederacy. I say 'initiation,' because, in my judgment, gradual, and not sudden emancipation, is better for all. In the mere financial or pecuniary view, any member of Congress, with the census tables and Treasury reports before him, can readily see for himself how very soon the current expenditures of this war would purchase, at fair valuation, all the slaves in any named State. Such a proposition on the part of the General Government sets up no claim of a right by Federal authority to interfere with slavery within State limits, referring, as it does the absolute control of the subject in each case to the State and its people immediately interested. It is proposed as a matter of perfectly free choice with them.

"In the annual message last December, I thought fit to say, 'the Union must be preserved; and hence all indispensable means must be employed.' I said this not hastily, but deliberately. War has been made, and continues to be an indispensable means to this end. A practical acknowledgment of the national authority would render the war unnecessary, and it would at once cease. If, however, resistance continues, the war must also continue; and it is impossible to foresee all the incidents which may attend, and all the ruin which may follow it. Such as may seem indispensable, or may obviously promise great efficiency toward ending the struggle, must and will come.

"The proposition now made, though an offer only, I hope it may be esteemed no offence to ask whether the pecuniary consideration tendered would not be of more value to the States and private persons concerned, than are the institution, and property in it, in the present aspect of affairs?

"While it is true that the adoption of the proposed resolution would be merely initiatory, and not within itself a practical measure, it is recommended in the hope that it would soon lead to important practical results. In full view of my great responsibility to my God and to my country, I earnestly beg the attention of Congress and the people to the subject."

Mr. Conkling called the question up in the House March 10th, and under a suspension of the rules, it was passed by 97 to 36. It passed the Senate April 2, by 32 to 10, the Republicans, as a rule, voting for it, the Democrats, as a rule, voting against it; and this was true even of those in the Border States.



The fact last stated excited the notice of President Lincoln, and in July, 1862, he sought an interview with the Border State Congressmen, the result of which is contained in *McPherson's Political History of the Great Rebellion*, as follows:

—

**The President's Appeal to the Border States.**

The Representatives and Senators of the border slaveholding States, having, by special invitation of the President, been convened at the Executive Mansion, on Saturday morning last, (July 12,) Mr. Lincoln addressed them as follows from a written paper held in his hand:

"GENTLEMEN: After the adjournment of Congress, now near, I shall have no opportunity of seeing you for several months. Believing that you of the border States hold more power for good than any other equal number of members, I feel it a duty which I cannot justifiably waive, to make this appeal to you.

"I intend no reproach or complaint when I assure you that, in my opinion, if you all had voted for the resolution in the gradual emancipation message of last March, the war would now be substantially ended. And the plan therein proposed is yet one of the most potent and swift means of ending it. Let the States which are in rebellion see definitely and certainly that in no event will the States you represent ever join their proposed Confederacy, and they cannot much longer maintain the contest. But you cannot divest them of their hope to ultimately have you with them so long as you show a determination to perpetuate the institution within your own States. Beat them at elections, as you have overwhelmingly done, and, nothing daunted, they still claim you as their own. You and I know what the lever of their power is. Break that lever before their faces, and they can shake you no more forever.

"Most of you have treated me with kindness and consideration, and I trust you will not now think I improperly touch what is exclusively your own, when, for the sake of the whole country, I ask, 'Can you, for your States, do better than to take the course I urge?' Discarding *punctilio* and maxims adapted to more manageable times, and looking only to the unprecedentedly stern facts of our case, can you do better in any possible event? You prefer that the constitutional relations of the States to the nation shall be practically restored without disturbance of the institution; and, if this were done, my whole duty, in this respect, under the Constitution and my oath of office, would be performed. But it is not done, and we are

trying to accomplish it by war. The incidents of the war cannot be avoided. If the war continues long, as it must, if the object be not sooner attained, the institution in your States will be extinguished by mere friction and abrasion—by the mere incidents of the war. It will be gone, and you will have nothing valuable in lieu of it. Much of its value is gone already. How much better for you and for your people to take the step which at once shortens the war and secures substantial compensation for that which is sure to be wholly lost in any other event! How much better to thus save the money which else we sink forever in the war! How much better to do it while we can, lest the war ere long render us pecuniarily unable to do it! How much better for you, as seller, and the nation, as buyer, to sell out and buy out that without which the war could never have been, than to sink both the thing to be sold and the price of it in cutting one another's throats!

"I do not speak of emancipation *at once*, but of a *decision* at once to emancipate *gradually*. Room in South America for colonization can be obtained cheaply and in abundance, and when numbers shall be large enough to be company and encouragement for one another, the freed people will not be so reluctant to go.

"I am pressed with a difficulty not yet mentioned, one which threatens division among those who, united, are none too strong. An instance of it is known to you. General Hunter is an honest man. He was, and I hope still is, my friend. I valued him none the less for his agreeing with me in the general wish that all men everywhere could be freed. He proclaimed all men free within certain States, and I repudiated the proclamation. He expected more good and less harm from the measure than I could believe would follow. Yet, in repudiating it, I gave dissatisfaction, if not offence, to many whose support the country cannot afford to lose. And this is not the end of it. The pressure in this direction is still upon me, and is increasing. By conceding what I now ask you can relieve me, and, much more, can relieve the country in this important point.

"Upon these considerations I have again begged your attention to the message of March last. Before leaving the Capitol, consider and discuss it among yourselves. You are patriots and statesmen, and as such I pray you consider this proposition; and at the least commend it to the consideration of your States and people. As you would perpetuate popular government for the best people in the world, I beseech you that you do in no wise omit this. Our common country is in great peril, demanding the loftiest

views and boldest action to bring a speedy relief. Once relieved, its form of government is saved to the world, its beloved history and cherished memories are vindicated, and its happy future fully assured and rendered inconceivably grand. To you, more than to any others, the privilege is given to assure that happiness and swell that grandeur, and to link your own names therewith forever."

At the conclusion of these remarks some conversation was had between the President and several members of the delegations from the border States, in which it was represented that these States could not be expected to move in so great a matter as that brought to their notice in the foregoing address while as yet the Congress had taken no step beyond the passage of a resolution, expressive rather of a sentiment than presenting a substantial and reliable basis of action.

The President acknowledged the force of this view, and admitted that the border States were entitled to expect a substantial pledge of pecuniary aid as the condition of taking into consideration a proposition so important in its relations to their social system.

It was further represented, in the conference, that the people of the border States were interested in knowing the great importance which the President attached to the policy in question, while it was equally due to the country, to the President, and to themselves, that the representatives of the border slave-holding States should publicly announce the motives under which they were called to act, and the considerations of public policy urged upon them and their constituents by the President.

With a view to such a statement of their position, the members thus addressed met in council to deliberate on the reply they should make to the President, and, as the result of a comparison of opinions among themselves, they determined upon the adoption of a majority and minority answer.

#### REPLY OF THE MAJORITY.

The following paper was yesterday sent to the President, signed by the majority of the Representatives from the border slave-holding States:—

WASHINGTON, *July 14, 1862.*

To the PRESIDENT:

The undersigned, Representatives of Kentucky, Virginia, Missouri, and Maryland, in the two Houses of Congress, have listened to your address with the profound sensibility naturally inspired by the high source from which it emanates, the earnestness which marked its delivery, and the overwhelming importance of the sub-

ject of which it treats. We have given it a most respectful consideration, and now lay before you our response. We regret that want of time has not permitted us to make it more perfect.

We have not been wanting, Mr. President, in respect to you, and in devotion to the Constitution and the Union. We have not been indifferent to the great difficulties surrounding you, compared with which all former national troubles have been but as the summer cloud; and we have freely given you our sympathy and support. Repudiating the dangerous heresies of the secessionists, we believed, with you, that the war on their part is aggressive and wicked, and the objects for which it was to be prosecuted on ours, defined by your message at the opening of the present Congress, to be such as all good men should approve. We have not hesitated to vote all supplies necessary to carry it on vigorously. We have voted all the men and money you have asked for, and even more; we have imposed onerous taxes on our people, and they are paying them with cheerfulness and alacrity; we have encouraged enlistments and sent to the field many of our best men; and some of our number have offered their persons to the enemy as pledges of their sincerity and devotion to the country.

We have done all this under the most discouraging circumstances, and in the face of measures most distasteful to us and injurious to the interests we represent, and in the hearing of doctrines avowed by those who claim to be your friends, must be abhorrent to us and our constituents. But, for all this, we have never faltered, nor shall we as long as we have a Constitution to defend and a Government which protects us. And we are ready for renewed efforts, and even greater sacrifices, yea, any sacrifice, when we are satisfied it is required to preserve our admirable form of government and the priceless blessings of constitutional liberty.

A few of our number voted for the resolution recommended by your message of the 6th of March last, the greater portion of us did not, and we will briefly state the prominent reasons which influenced our action.

In the first place, it proposed a radical change of our social system, and was hurried through both Houses with undue haste, without reasonable time for consideration and debate, and with no time at all for consultation with our constituents, whose interests it deeply involved. It seemed like an interference by this Government with a question which peculiarly and exclusively belonged to our respective States, on which they had not sought advice or solicited aid. Many of us doubted

the constitutional power of this Government to make appropriations of money for the object designated, and all of us thought our finances were in no condition to bear the immense outlay which its adoption and faithful execution would impose upon the national Treasury. If we pause but a moment to think of the debt its acceptance would have entailed, we are appalled by its magnitude. The proposition was addressed to all the States, and embraced the whole number of slaves.

According to the census of 1860 there were then nearly four million slaves in the country; from natural increase they exceed that number now. At even the low average of \$300, the price fixed by the emancipation act for the slaves of this District, and greatly below their real worth, their value runs up to the enormous sum of \$1,200,000,000; and if to that we add the cost of deportation and colonization, at \$100 each, which is but a fraction more than is actually paid by the Maryland Colonization Society, we have \$400,000,000 more. We were not willing to impose a tax on our people sufficient to pay the interest on that sum, in addition to the vast and daily increasing debt already fixed upon them by the exigencies of the war, and if we had been willing, the country could not bear it. Stated in this form the proposition is nothing less than the deportation from the country of \$1,600,000,000 worth of producing labor, and the substitution in its place of an interest-bearing debt of the same amount.

But, if we are told that it was expected that only the States we represent would accept the proposition, we respectfully submit that even then it involves a sum too great for the financial ability of this Government at this time. According to the census of 1860—

	<i>Slaves.</i>
Kentucky had.....	225,490
Maryland.....	87,188
Virginia.....	490,887
Delaware.....	1,798
Missouri.....	114,965
Tennessee.....	275,784
<hr/>	
Making in the whole.....	1,196,112
At the same rate of valuation these would amount to....	\$353,933,500
Add for deportation and colo- nization \$100 each.....	118,244,533
<hr/>	
And we have the enormous sum of.....	\$478,038,133

We did not feel that we should be justified in voting for a measure which, if carried out, would add this vast amount to our public debt at a moment when the Treasury was reeling under the enormous expenditure of the war.

Again, it seemed to us that this resolution was but the annunciation of a sentiment which could not or was not likely to be reduced to an actual tangible proposition. No movement was then made to provide and appropriate the funds required to carry it into effect; and we were not encouraged to believe that funds would be provided. And our belief has been fully justified by subsequent events. Not to mention other circumstances, it is quite sufficient for our purpose to bring to your notice the fact that, while this resolution was under consideration in the Senate, our colleague, the Senator from Kentucky, moved an amendment appropriating \$500,000 to the object therein designated, and it was voted down with great unanimity. What confidence, then, could we reasonably feel that if we committed ourselves to the policy it proposed, our constituents would reap the fruits of the promise held out; and on what ground could we, as fair men, approach them and challenge their support?

The right to hold slaves is a right appertaining to all the States of this Union. They have the right to cherish or abolish the institution, as their tastes or their interests may prompt, and no one is authorized to question the right or limit the enjoyment. And no one has more clearly affirmed that right than you have. Your inaugural address does you great honor in this respect, and inspired the country with confidence in your fairness and respect for the law. Our States are in the enjoyment of that right. We do not feel called on to defend the institution or to affirm it is one which ought to be cherished; perhaps, if we were to make the attempt, we might find that we differ even among ourselves. It is enough for our purpose to know that it is a right; and, so knowing, we did not see why we should now be expected to yield it. We had contributed our full share to relieve the country at this terrible crisis; we had done as much as had been required of others in like circumstances; and we did not see why sacrifices should be expected of us from which others, no more loyal, were exempt. Nor could we see what good the nation would derive from it.

Such a sacrifice submitted to by us would not have strengthened the arm of this Government or weakened that of the enemy. It was not necessary as a pledge of our loyalty, for that had been manifested beyond a reasonable doubt, in every form, and at every place possible. There was not the remotest probability that the States we represent would join in the rebellion, nor is there now, or of their electing to go with the southern section in the event of a recognition of the independence of any part of the disaffected region. Our

States are fixed unalterably in their resolution to adhere to and support the Union. They see no safety for themselves, and no hope for constitutional liberty but by its preservation. They will, under no circumstances, consent to its dissolution; and we do them no more than justice when we assure you that, while the war is conducted to prevent that deplorable catastrophe, they will sustain it as long as they can muster a man or command a dollar. Nor will they ever consent, in any event, to unite with the Southern Confederacy. The bitter fruits of the peculiar doctrines of that region will forever prevent them from placing their security and happiness in the custody of an association which has incorporated in its organic law the seeds of its own destruction.

\* \* \* \* \*

Mr. President, we have stated with frankness and candor the reasons on which we forbore to vote for the resolution you have mentioned; but you have again presented this proposition, and appealed to us with an earnestness and eloquence which have not failed to impress us, to "consider it, and at the least to commend it to the consideration of our States and people." Thus appealed to by the Chief Magistrate of our beloved country, in the hour of its greatest peril, we cannot wholly decline. We are willing to trust every question relating to their interest and happiness to the consideration and ultimate judgment of our own people. While differing from you as to the necessity of emancipating the slaves of our States as a means of putting down the rebellion, and while protesting against the propriety of any extra-territorial interference to induce the people of our States to adopt any particular line of policy on a subject which peculiarly and exclusively belongs to them, yet, when you and our brethren of the loyal States sincerely believe that the retention of slavery by us is an obstacle to peace and national harmony, and are willing to contribute pecuniary aid to compensate our States and people for the inconveniences produced by such a change of system, we are not unwilling that our people shall consider the propriety of putting it aside.

But we have already said that we regarded this resolution as the utterance of a sentiment, and we had no confidence that it would assume the shape of a tangible, practical proposition, which would yield the fruits of the sacrifice it required. Our people are influenced by the same want of confidence, and will not consider the proposition in its present impalpable form. The interest they are asked to give up is to them of much importance, and they ought not to be expected even to entertain the proposal until they are assured that when they accept it their just expect-

ations will not be frustrated. We regard your plan as a proposition from the Nation to the States to exercise an admitted constitutional right in a particular manner and yield up a valuable interest. Before they ought to consider the proposition, it should be presented in such a tangible, practical, efficient shape as to command their confidence that its fruits are contingent only upon their acceptance. We cannot trust anything to the contingencies of future legislation.

If Congress, by proper and necessary legislation, shall provide sufficient funds and place them at your disposal, to be applied by you to the payment of any of our States or the citizens thereof who shall adopt the abolishment of slavery, either gradual or immediate, as they may determine, and the expense of deportation and colonization of the liberated slaves, then will our State and people take this proposition into careful consideration, for such decision as in their judgment is demanded by their interest, their honor, and their duty to the whole country. We have the honor to be, with great respect,

C. A. WICKLIFFE, *Ch'n*,  
GARRETT DAVIS,  
R. WILSON,  
J. J. CRITTENDEN,  
JOHN S. CARLILE,  
J. W. CRISFIELD,  
J. S. JACKSON,  
H. GRIDER,  
JOHN S. PHELPS,  
FRANCIS THOMAS,  
CHAS. B. CALVERT,  
C. L. LEARY,  
EDWIN H. WEBSTER,  
R. MALLORY,  
AARON HARDING,  
JAMES S. ROLLINS,  
J. W. MENZIES,  
THOMAS L. PRICE,  
G. W. DUNLAP,  
WM. A. HALL.

Others of the minority, among them Senator Henderson and Horace Maynard, forwarded separate replies, but all rejecting the idea of compensated emancipation. Still Lincoln adhered to and advocated it in his recent annual message sent to Congress, Dec. 1, 1862, from which we take the following paragraphs, which are in themselves at once curious and interesting:

"We have two million nine hundred and sixty-three thousand square miles. Europe has three million and eight hundred thousand, with a population averaging seventy-three and one-third persons to the square mile. Why may not our country, at some time, average as many? Is it less fertile? Has it more waste surface, by mountains, rivers, lakes, deserts, or other causes? Is it inferior to Europe in any natural ad-

vantage? If, then, we are at some time to be as populous as Europe, how soon? As to when this *may* be, we can judge by the past and the present; as to when it *will* be, if ever, depends much on whether we maintain the Union. Several of our States are already above the average of Europe—seventy-three and a third to the square mile. Massachusetts has 157; Rhode Island, 133; Connecticut, 99; New York and New Jersey, each, 80. Also two other great states, Pennsylvania and Ohio, are not far below, the former having 63 and the latter 59. The states already above the European average, except New York, have increased in as rapid a ratio, since passing that point, as ever before; while no one of them is equal to some other parts of our country in natural capacity for sustaining a dense population.

“Taking the nation in the aggregate, and we find its population and ratio of increase, for the several decennial periods, to be as follows:

Year	Population	Ratio of increase.
1790.....	3,929,827	
1800.....	5,305,937	35.02 per cent.
1810.....	7,239,814	36.45 “
1820.....	9,638,131	33.13 “
1830.....	12,866,020	33.49 “
1840.....	17,069,453	32.67 “
1850.....	23,191,876	35.87 “
1860.....	31,443,790	35.58 “

This shows an annual decennial increase of 34.69 per cent. in population through the seventy years from our first to our last census yet taken. It is seen that the ratio of increase, at no one of these seven periods is either two per cent. below or two per cent. above the average; thus showing how inflexible, and, consequently, how reliable, the law of increase in our case is. Assuming that it will continue, gives the following results:

1870.....	42,323,341
1880.....	56,967,216
1890.....	76,677,872
1900.....	103,208,415
1910.....	138,918,526
1920.....	186,984,335
1930.....	251,680,914

“These figures show that our country *may* be as populous as Europe now is at some point between 1920 and 1930—say about 1925—our territory, at seventy-three and a third persons to the square mile, being of capacity to contain 217,186,000.

“And we *will* reach this, too, if we do not ourselves relinquish the chance by the folly and evils of disunion, or by long and exhausting war springing from the only great element of national discord among us. While it cannot be foreseen exactly how much one huge example of secession, breeding lesser ones indefinitely, would retard population, civilization, and prosperity

no one can doubt that the extent of it would be very great and injurious.

The proposed emancipation would shorten the war, perpetuate peace, insure this increase of population, and proportionately the wealth of the country. With these, we should pay all the emancipation would cost, together with our other debt, easier than we should pay our other debt without it. If we had allowed our old national debt to run at six per cent. per annum, simple interest, from the end of our revolutionary struggle until to-day, without paying anything on either principal or interest, each man of us would owe less upon that debt now than each man owed upon it then; and this because our increase of men through the whole period has been greater than six per cent.; has run faster than the interest upon the debt. Thus, time alone relieves a debtor nation, so long as its population increases faster than unpaid interest accumulates on its debt.

“This fact would be no excuse for delaying payment of what is justly due; but it shows the great importance of time in this connection—the great advantage of a policy by which we shall not have to pay until we number a hundred millions, what, by a different policy, we would have to pay now, when we number but thirty-one millions. In a word, it shows that a dollar will be much harder to pay for the war than will be a dollar for emancipation on the proposed plan. And then the latter will cost no blood, no precious life. It will be a saving of both.”

Various propositions and measures relating to compensated emancipation, were afterwards considered in both Houses, but it was in March, 1863, dropped after a refusal of the House to suspend the rules for the consideration of the subject.

#### Emancipation as a War Necessity.

Before the idea of compensated emancipation had been dropped, and it was constantly discouraged by the Democrats and Border Statesmen, President Lincoln had determined upon a more radical policy, and on the 22d of September, 1862, issued his celebrated proclamation declaring that he would emancipate “all persons held as slaves within any State or designated part of a State, the people whereof shall be in rebellion against the United States”—by the first of January, 1863, if such sections were not “in good faith represented in Congress.” He followed this by actual emancipation at the time stated.

#### Proclamation of Sept. 22, 1862.

I, ABRAHAM LINCOLN, President of the United States of America, and Commander-in-Chief of the army and navy thereof, do

hereby proclaim and declare that hereafter, as heretofore, the war will be prosecuted for the object of practically restoring the constitutional relation between the United States and each of the States and the people thereof, in which States that relation is or may be suspended or disturbed.

That it is my purpose, upon the next meeting of Congress, to again recommend the adoption of a practical measure tendering pecuniary aid to the free acceptance or rejection of all slave States, so called, the people thereof may not then be in rebellion against the United States, and which States may then have voluntarily adopted, or thereafter may voluntarily adopt, immediate or gradual abolishment of slavery within their respected limits; and that the effort to colonize persons of African descent with their consent upon this continent or elsewhere, with the previously obtained consent of the Governments existing there, will be continued.

That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free; and the Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

That the Executive will, on the first day of January aforesaid, by proclamation, designate the States and parts of States, if any, in which the people thereof respectively, shall then be in rebellion against the United States; and the fact that any State, or the people thereof, shall on that day be, in good faith, represented in the Congress of the United States by members chosen thereto at elections wherein a majority of the qualified voters of such State shall have participated, shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such State, and the people thereof, are not in rebellion against the United States.

That attention is hereby called to an act of Congress entitled "An act to make an additional article of war," approved March 13, 1862, and which act is in the words and figures following:

*"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the following shall be promulgated as an additional article of war, for the government of the army of the United States, and shall be obeyed and observed as such.*

*"ARTICLE —. All officers or persons in*

the military or naval service of the United States are prohibited from employing any of the forces under their respective commands for the purpose of returning fugitives from service or labor who may have escaped from any persons to whom such service or labor is claimed to be due, and any officer who shall be found guilty by a court-martial of violating this article shall be dismissed from the service.

*"SEC. 2. And be it further enacted, That this act shall take effect from and after its passage."*

Also to the ninth and tenth sections of an act entitled "An act to suppress insurrection, to punish treason and rebellion, to seize and confiscate property of rebels, and for other purposes," approved July 17, 1862, and which sections are in the words and figures following:

*"SEC. 9. And be it further enacted, That all slaves of persons who shall hereafter be engaged in rebellion against the Government of the United States or who shall in any way give aid or comfort thereto, escaping from such persons and taking refuge within the lines of the army; and all slaves captured from such persons or deserted by them, and coming under the control of the Government of the United States; and all slaves of such persons found on [or] being within any place occupied by rebel forces and afterwards occupied by the forces of the United States, shall be deemed captives of war, and shall be forever free of their servitude, and not again held as slaves.*

*"SEC. 10. And be it further enacted, That no slave escaping into any State, Territory, or the District of Columbia, from any other State, shall be delivered up, or in any way impeded or hindered of his liberty, except for crime, or some offence against the laws, unless the person claiming said fugitive shall first make oath that the person to whom the labor or service of such fugitive is alleged to be due is his lawful owner, and has not borne arms against the United States in the present rebellion, nor in any way given aid and comfort thereto; and no person engaged in the military or naval service of the United States shall, under any pretence whatever, assume to decide on the validity of the claim of any person to the service or labor of any other person, or surrender up any such person to the claimant, on pain of being dismissed from the service."*

And I do hereby enjoin upon and order all persons engaged in the military and naval service of the United States to observe, obey, and enforce, within their respective spheres of service, the act and sections above recited.

And the Executive will in due time recommend that all citizens of the United States who shall have remained

loyal thereto throughout the rebellion shall (upon the restoration of the constitutional relation between the United States and their respective States and people, if that relation shall have been suspended or disturbed) be compensated for all losses by acts of the United States, including the loss of slaves.

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the city of Washington this twenty-second day of September, in the year of our Lord one thousand eight hundred and sixty-two, and of the Independence of the United States the eighty-seventh.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

**Proclamation of January 1, 1863.**

WHEREAS, on the twenty-second day of September, in the year of our Lord one thousand eight hundred and sixty-two, a proclamation was issued by the President of the United States, containing among other things, the following, to wit:

"That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever, free; and the Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

"That the Executive will, on the first day of January aforesaid, by proclamation, designate the States and parts of States, if any, in which the people thereof, respectively, shall then be in rebellion against the United States; and the fact that any State, or the people thereof, shall on that day be in good faith represented in the Congress of the United States, by members chosen thereto at elections wherein a majority of the qualified voters of such States shall have participated, shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such State, and the people thereof, are then in rebellion against the United States."

Now, therefore, I, ABRAHAM LINCOLN, President of the United States, by virtue of the power in me vested as Commander-in-Chief of the Army and Navy of the United States, in time of actual armed rebellion against the authority and Govern-

ment of the United States, and as a fit and necessary war measure for suppressing said rebellion, do, on this first day of January, in the year of our Lord one thousand eight hundred and sixty-three, and in accordance with my purpose so to do, publicly proclaimed for the full period of one hundred days from the day first above mentioned, order and designate as the States and parts of States wherein the people thereof, respectively, are this day in rebellion against the United States, the following, to wit:

Arkansas, Texas, Louisiana, (except the parishes of St. Bernard, Plaquemines, Jefferson, St. John, St. Charles, St. James, Ascension, Assumption, Terre Bonne, Lafourche, St. Mary, St. Martin, and Orleans, including the city of New Orleans,) Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, and Virginia, (except the forty-eight counties designated as West Virginia, and also the counties of Berkeley, Accomac, Northampton, Elizabeth City, York, Princess Ann, and Norfolk, including the cities of Norfolk and Portsmouth,) and which excepted parts are for the present left precisely as if this proclamation were not issued.

And by virtue of the power and for the purpose aforesaid, I do order and declare that all persons held as slaves within said designated States and parts of States are, and henceforward shall be, free; and that the Executive Government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons.

And I hereby enjoin upon the people so declared to be free to abstain from all violence, unless in necessary self-defence; and I recommend to them that, in all cases when allowed, they labor faithfully for reasonable wages.

And I further declare and make known that such persons, of suitable condition, will be received into the armed service of the United States to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service.

And upon this act, sincerely believed to be an act of justice, warranted by the Constitution upon military necessity, I invoke the considerate judgment of mankind and the gracious favor of Almighty God.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this first day of January, in the year of our Lord one thousand eight hundred and sixty-three, and of the independence of the United States of America the eighty-seventh.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD,

*Secretary of State.*

These proclamations were followed by many attempts on the part of the Democrats to declare them null and void, but all such were tabled. The House on the 15th of December, 1862, endorsed the first by a vote of 78 to 51, almost a strict party vote. Two classed as Democrats, voted for emancipation—Haight and Noell; seven classed as Republicans, voted against it—Granger, Harrison, Leary, Maynard, Benj. F. Thomas, Francis Thomas, and Whaley.

Just previous to the issuance of the first proclamation a meeting of the Governors of the Northern States had been called to consider how best their States could aid the general conduct of the war. Some of them had conferred with the President, and while that meeting and the date of the emancipation proclamation are the same, it was publicly denied on the floor of Congress by Mr. Boutwell (June 25, 1864,) that the proclamation was the result of that meeting of the Governors. That they fully endorsed and knew of it, however, is shown by the following

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**Address of loyal Governors to the President.**

Adopted at a meeting of Governors of loyal States, held to take measures for the more active support of the Government, at Altoona, Pennsylvania, on the 22d day of September, 1862.

After nearly one year and a half spent in contest with an armed and gigantic rebellion against the national Government of the United States, the duty and purpose of the loyal States and people continue, and must always remain as they were at its origin—namely, to restore and perpetuate the authority of this Government and the life of the nation. No matter what consequences are involved in our fidelity, this work of restoring the Republic, preserving the institutions of democratic liberty, and justifying the hopes and toils of our fathers shall not fail to be performed.

And we pledge without hesitation, to the President of the United States, the most loyal and cordial support, hereafter as heretofore, in the exercise of the functions of his great office. We recognize in him the Chief Executive Magistrate of the nation, the Commander-in-chief of the Army and Navy of the United States, their responsible and constitutional head, whose rightful authority and power, as well as the constitutional powers of Congress, must be rigorously and religiously guarded and preserved, as the condition on which alone our form of Government and the constitutional rights and liberties of the people themselves can be saved from the wreck of anarchy or from the gulf of despotism.

In submission to the laws which may have been or which may be duly enacted,

and to the lawful orders of the President, co-operating always in our own spheres with the national Government, we mean to continue in the most vigorous exercise of all our lawful and proper powers, contending against treason, rebellion, and the public enemies, and, whether in public life or in private station, supporting the arms of the Union, until its cause shall conquer, until final victory shall perch upon its standard, or the rebel foe shall yield a dutiful, rightful, and unconditional submission.

And, impressed with the conviction that an army of reserve ought, until the war shall end, to be constantly kept on foot, to be raised, armed, equipped, and trained at home, and ready for emergencies, we respectfully ask the President to call for such a force of volunteers for one year's service, of not less than one hundred thousand in the aggregate, the quota of each State to be raised after it shall have filled its quota of the requisitions already made, both for volunteers and militia. We believe that this would be a measure of military prudence, while it would greatly promote the military education of the people.

We hail with heartfelt gratitude and encouraged hope the proclamation of the President, issued on the 22d instant, declaring emancipated from their bondage all persons held to service or labor as slaves in the rebel States, whose rebellion shall last until the first day of January now next ensuing. The right of any person to retain authority to compel any portion of the subjects of the national Government to rebel against it, or to maintain its enemies, implies in those who are allowed possession of such authority the right to rebel themselves; and therefore the right to establish martial law or military government in a State or territory in rebellion implies the right and the duty of the Government to liberate the minds of all men living therein by appropriate proclamations and assurances of protection, in order that all who are capable, intellectually and morally, of loyalty and obedience, may not be forced into treason as the unwilling tools of rebellious traitors. To have continued indefinitely the most efficient cause, support, and stay of the rebellion, would have been, in our judgment, unjust to the loyal people whose treasure and lives are made a willing sacrifice on the altar of patriotism—would have discriminated against the wife who is compelled to surrender her husband, against the parent who is to surrender his child to the hardships of the camp and the perils of battle, in favor of rebel masters permitted to retain their slaves. It would have been a final decision alike against humanity, justice, the rights and dignity of the Government, and against sound and



wise national policy. The decision of the President to strike at the root of the rebellion will lend new vigor to the efforts and new life and hope to the hearts of the people. Cordially tendering to the President our respectful assurance of personal and official confidence, we trust and believe that the policy now inaugurated will be crowned with success, will give speedy and triumphant victories over our enemies, and secure to this nation and this people the blessing and favor of Almighty God. We believe that the blood of the heroes who have already fallen, and those who may yet give their lives to their country, will not have been shed in vain.

The splendid valor of our soldiers, their patient endurance, their manly patriotism, and their devotion to duty, demand from us and from all their countrymen the homage of the sincerest gratitude and the pledge of our constant reinforcement and support. A just regard for these brave men, whom we have contributed to place in the field, and for the importance of the duties which may lawfully pertain to us hereafter, has called us into friendly conference. And now, presenting to our national Chief Magistrate this conclusion of our deliberations, we devote ourselves to our country's service, and we will surround the President with our constant support, trusting that the fidelity and zeal of the loyal States and people will always assure him that he will be constantly maintained in pursuing with the utmost vigor this war for the preservation of the national life and the hope of humanity.

A. G. CURTIN,  
JOHN A. ANDREW,  
RICHARD YATES,  
ISRAEL WASHBURNE, JR.,  
EDWARD SOLOMON,  
SAMUEL J. KIRKWOOD,  
O. P. MORTON,  
By D. G. ROSE, his representative,  
WM. SPRAGUE,  
F. H. PEIRPOINT,  
DAVID TOD,  
N. S. BERRY,  
AUSTIN BLAIR.

#### Repeal of the Fugitive Slave Law.

The first fugitive slave law passed was that of February 12th, 1793, the second and last that of September 18th, 1850. Various efforts had been made to repeal the latter before the war of the rebellion, without a prospect of success. The situation was now different. The war spirit was high, and both Houses of Congress were in the hands of the Republicans as early as December, 1861, but all of them were not then ready to vote for repeal, while the

Democrats were at first solidly against it. The bill had passed the Senate in 1850 by 27 yeas to 12 nays; the House by 109 yeas to 76 nays, and yet as late as 1861 such was still the desire of many not to offend the political prejudices of the Border States and of Democrats whose aid was counted upon in the war, that sufficient votes could not be had until June, 1864, to pass the repealing bill. Republican sentiment advanced very slowly in the early years of the war, when the struggle looked doubtful and when there was a strong desire to hold for the Union every man and county not irrevocably against it; when success could be foreseen the advances were more rapid, but never as rapid as the more radical leaders desired. The record of Congress in the repeal of the Fugitive Slave Law will illustrate this political fact, in itself worthy of grave study by the politician and statesman, and therefore we give it as compiled by McPherson:—

#### Second Session, Thirty-Seventh Congress.\*

In Senate, 1861, December 26—Mr. Howe, of Wisconsin, introduced a bill to repeal the fugitive slave law; which was referred to the Committee on the Judiciary.

1862, May 24—Mr. Wilson, of Massachusetts, introduced a bill to amend the fugitive slave law; which was ordered to be printed and lie on the table.

June 10—Mr. Wilson moved to take up the bill; which was agreed to—Yeas 25, nays 10, as follows:

YEAS—Messrs. Anthony, Browning, Chandler, Clark, Cowan, Dixon, Doolittle, Fessenden, Foot, Grimes, Hale, Harlan, Harris, Howard, Howe, King, Lane of Kansas, Morrill, Pomeroy, Simmons, Sumner, Ten Eyck, Trumbull, Wade, Wilson, of Massachusetts.—25.

NAYS—Messrs. *Carlile, Davis, Latham,*

\* On the 23d of July, 1861, the Attorney General, in answer to a letter from the United States Marshal of Kansas, inquiring whether he should assist in the execution of the fugitive slave law, wrote:

ATTORNEY GENERAL'S OFFICE, July 23, 1861.

J. L. McDOWELL, U. S. Marshal, Kansas:

Your letter, of the 11th of July, received 19th, (under frank of Senator Lane, of Kansas,) asks advice whether you should give your official services in the execution of the fugitive slave law.

It is the President's constitutional duty to "take care that the laws be faithfully executed." That means all the laws. He has no right to discriminate, no right to execute the laws he likes, and leave unexecuted those he dislikes. And of course you and I, his subordinates, can have no wider latitude of discretion than he has. Missouri is a State in the Union. The insurrectionary disorders in Missouri are but individual crimes, and do not change the legal status of the State, nor change its rights and obligations as a member of the Union.

A refusal by a ministerial officer to execute any law which properly belongs to his office, is an official misdemeanor, of which I have no doubt the President would take notice.

Very respectfully

EDWARD BATES.

*McDougall, Nesmith, Powell, Saulsbury, Stark, Willey, Wright*—10.\*

The bill was to secure to claimed fugitives a right to a jury trial in the district court for the United States for the district in which they may be, and to require the claimant to prove his loyalty. The bill repeals sections 6, 7, 8, 9, and 10 of the act of 1850, and that part of section 5, which authorizes the summoning of the *posse comitatus*. When a warrant of return is made either on jury trial or confession of the party in the presence of counsel, having been warned of his rights, the fugitive is to be surrendered to the claimant, or the marshal where necessary, who shall remove him to the boundary line of the district, and there deliver him to the claimant. The bill was not further considered.

In House, 1861, December 20—Mr. Julian offered this resolution:

*Resolved*, That the Judiciary Committee be instructed to report a bill, so amending the fugitive slave law enacted in 1850 as to forbid the recapture or return of any fugitive from labor without satisfactory proof first made that the claimant of such fugitive is loyal to the Government.

Mr. Holman moved to table the resolution, which was disagreed to—yeas 39, nays 78, as follows:

YEAS—Messrs. *Ancona, Joseph Baily, Biddle, George H. Browne, Cobb, Cooper, Cox, Cravens, Crittenden, Dunlap, English, Fouke, Grider, Harding, Holman, Johnson, Law, Lazear, Leary, Lehman, Mallory, Morris, Noble, Noell, Norton, Nugen, Odell, Pendleton, Robinson, Shiel, John B. Steele, William G. Steele, Vallandigham, Wadsworth, Webster, Chilton A. White, Wickliffe, Woodruff, Wright*—39.

NAYS—Messrs. Aldrich, Alley, Arnold, Babbitt, Baker, Baxter, Beaman, Bingham, Francis P. Blair, Samuel S. Blair, Blake, Buffinton, Burnham, Chamberlain, Clark, Colfax, Frederick A. Conkling, Roscoe Conkling, Cutler, Davis, Dawes, Delano, Duell, Edwards, Eliot, Fessenden, Franchot, Frank, Gooch, Goodwin, Gurley, Hale, Hanchett, Harrison, Hooper, Hutchins, Julian, William Kellogg, Lansing, Loomis, Lovejoy, McKnight, McPherson, Marston, Mitchell, Moorhead, Anson P. Morrill, Justin S. Morrill, Olin, Patton, Pike, Pomeroy, Porter, John H. Rice, Riddle, Edward H. Rollins, Sargent, Sedgwick, Shanks, Shellabarger, Sherman, Sloan, Spaulding, Stevens, Benjamin F. Thomas, Train, Vandever, Wall, Wallace, Walton, Washburne, Wheeler, Whaley, Albert S. White, Wilson, Windom, Worcester—78.

The resolution was then adopted—yeas 78, nays 39.

1862, June 9—Mr. Julian, of Indiana,

introduced into the House a resolution instructing the Judiciary Committee to report a bill for the purpose of repealing the fugitive slave law; which was tabled—yeas 66, nays 51, as follows:

YEAS—Messrs. *William J. Allen, Ancona, Baily, Biddle, Francis P. Blair, Jacob B. Blair, George H. Browne, William G. Brown, Burnham, Calvert, Casey, Clements, Cobb, Corning, Crittenden, Delano, Diven, Granger, Grider, Haight, Hale, Harding, Holman, Johnson, William Kellogg, Kerrigan, Knapp, Lazear, Low, Maynard, Menzies, Moorhead, Morris, Noble, Noell, Norton, Odell, Pendleton, John S. Phelps, Timothy G. Phelps, Porter, Richardson, Robinson, James S. Rollins, Sargent, Segar, Sheffield, Shiel, Smith, John B. Steele, William G. Steele, Benjamin F. Thomas, Francis Thomas, Trimble, Vallandigham, Verree, Vibbard, Voorhees, Wadsworth, Webster, Chilton A. White, Wickliffe, Wood, Woodruff, Worcester, Wright*—66.

NAYS—Messrs. Aldrich, Alley, Baker, Baxter, Beaman, Bingham, Blake, Buffinton, Chamberlain, Colfax, Frederick A. Conkling, Davis, Dawes, Edgerton, Edwards, Eliot, Ely, Franchot, Gooch, Goodwin, Hanchett, Hutchins, Julian, Kelley, Francis W. Kellogg, Lansing, Lovejoy, McKnight, McPherson, Mitchell, Anson P. Morrill, Pike, Pomeroy, Potter, Alexander H. Rice, John H. Rice, Riddle, Edward H. Rollins, Shellabarger, Sloan, Spaulding, Stevens, Train, Trowbridge, Van Horn, Van Valkenburgh, Wall, Wallace, Washburne, Albert S. White, Windom—51.

Same day—Mr. Colfax, of Indiana, offered this resolution:

*Resolved*, That the Committee on the Judiciary be instructed to report a bill modifying the fugitive slave law so as to require a jury trial in all cases where the person claimed denies under oath that he is a slave, and also requiring any claimant under such act to prove that he has been loyal to the Government during the present rebellion.

Which was agreed to—yeas 77, nays 43, as follows:

YEAS—Messrs. Aldrich, Alley, Arnold, Ashley, Babbitt, Baker, Baxter, Beaman, Bingham, Francis P. Blair, Blake, Buffinton, Burnham, Chamberlain, Colfax, Frederick A. Conkling, Davis, Dawes, Delano, Diven, Edgerton, Edwards, Eliot, Ely, Franchot, Gooch, Goodwin, Granger, Gurley, Haight, Hale, Hanchett, Hutchins, Julian, Kelley, Francis W. Kellogg, William Kellogg, Lansing, Loomis, Lovejoy, Lowe, McKnight, McPherson, Mitchell, Anson P. Morrill, Justin S. Morrill, Nixon, Timothy G. Phelps, Pike, Pomeroy, Porter, Potter, Alexander H. Rice, John H. Rice, Riddle, Edward H. Rollins, Sargent, Shanks, *Sheffield*, Shellabarger, Sloan, Spaulding, Stevens, Stratton, Benjamin F.

\* Republicans in Roman; Democrats in italics.

Thomas, Train, Trimble, Trowbridge, Van Valkenburgh, Verree, Wall, Wallace, Washburne, Albert, S. White, Wilson, Windom, Worcester—77.

NAYS—Messrs. *William J. Allen, Ancona, Baily, Biddle, Jacob B. Blair, William G. Brown, Calvert, Casey, Clements, Cobb, Corning, Crittenden, Fouke, Grider, Harding, Holman, Johnson, Knapp, Maynard, Menzies, Noble, Noell, Norton, Pendleton, John S. Phelps, Richardson, Robinson, James S. Rollins, Segar, Shiel, Smith, John B. Steele, William G. Steele, Francis Thomas, Vallandigham, Vibbard, Voorhees, Wadsworth, Webster, Chilton A. White, Wickliffe, Wood, Wright.*—43.

**Third Session, Thirty-Seventh Congress.**

In Senate, 1863, February 11—Mr. Ten Eyck, from the Committee on the Judiciary, to whom was referred a bill, introduced by Senator Howe, in second session, December 26, 1861, to repeal the fugitive slave act of 1850, reported it back without amendment, and with a recommendation that it do not pass.

**First Session, Thirty-Eighth Congress.**

In House, 1863, Dec. 14.—Mr. Julian, of Indiana, offered this resolution:

*Resolved*, That the Committee on the Judiciary be instructed to report a bill for a repeal of the third and fourth sections of the "act respecting fugitives from justice and persons escaping from the service of their masters," approved February 12, 1793, and the act to amend and supplementary to the aforesaid act, approved September 18, 1850.

Mr. Holman moved that the resolution lie upon the table, which was agreed to—yeas 81, nays 73, as follows:

YEAS—Messrs. *James C. Allen, William J. Allen, Ancona, Anderson, Baily, Augustus C. Baldwin, Jacob B. Blair, Bliss, Brooks, James S. Brown, William G. Browne, Clay, Cobb, Coffroth, Cox, Cravens, Creswell, Dawson, Demming, Denison, Eden, Edger-ton, Eldridge, English, Finck, Ganson, Grider, Griswold, Hall, Harding, Harrington, Benjamin G. Harris, Charles M. Harris, Higby, Holman, Hutchins, William Johnson, Kernan, King, Knapp, Law, Lazear, Le Blond, Long, Mallory, Marcy, Marvin, McBride, McDowell, McKinney, William H. Miller, James R. Morris, Morrison, Nelson, Noble, Odell, John O'Neil, Pendleton, William H. Randall, Robinson, Rogers, James S. Rollins, Ross, Scott, Smith, Smithers, Stebbins, John B. Steele, Stuart, Sweet, Thomas, Voorhees, Wadsworth, Ward, Wheeler, Chilton A. White, Joseph W. White, Williams, Winfield, Fernando Wood, Yeaman*—81.

NAYS—Messrs. *Alley, Allison, Ames, Arnold, Ashley, John D. Baldwin, Baxter, Beaman, Blaine, Blow, Boutwell, Boyd,*

*Brandegge, Broomall, Ambrose W. Clark, Freeman Clark, Cole, Henry Winter Davis, Dawes, Dixon, Donnelly, Driggs, Dumont, Eckley, Eliot, Farnsworth, Fenton, Frank, Garfield, Gooch, Grinnell, Hooper, Hotchkiss, Asahel W. Hubbard, John H. Hubbard, Hulburd, Jenckes, Julian, Francis W. Keillogg, Orlando Kellogg, Loan, Longyear, Lovejoy, McClurg, McIndoe, Samuel F. Miller, Moorhead, Morrill, Amos Myers, Leonard Myers, Norton, Charles O'Neill, Orth, Patterson, Pike, Pomeroy, Price, Alexander H. Rice, John H. Rice, Edward H. Rollins, Schenck, Scofield, Shannon, Spalding, Thayer, Van Valkenburgh, Elihu B. Washburne, William B. Washburn, Whaley, Wilder, Wilson, Windom, Woodbridge*—73.

1864, June 6, Mr. Hubbard, of Connecticut, offered this resolution:

*Resolved*, That the Committee on the Judiciary be instructed to report to this House a bill for the repeal of all acts and parts of acts which provide for the rendition of fugitive slaves, and that they have leave to make such report at any time.

Which went over under the rule. May 30, he had made an ineffectual effort to offer it, Mr. Holman objecting.

REPEALING BILLS.

1864, April 19, the Senate considered the bill to repeal all acts for the rendition of fugitives from service or labor. The bill was taken up—yeas 26, nays 10.

Mr. Sherman moved to amend by inserting these words at the end of the bill:

Except the act approved February 12, 1793, entitled "An act respecting fugitives from justice, and persons escaping from the service of their masters."

Which was agreed to—yeas 24, nays 17, as follows:

YEAS—Messrs. *Buckalew, Carlile, Col-lamer, Cowan, Davis, Dixon, Doolittle, Foster, Harris, Henderson, Hendricks, Howe, Johnson, Lane of Indiana, McDougall, Nesmith, Powell, Riddle, Saulsbury, Sherman, Ten Eyck, Trumbull, Van Win- kle, Willey*—24.

NAYS—Messrs. *Anthony, Brown, Clark, Conness, Fessenden, Grimes, Hale, How- ard, Lane of Kansas, Morgan, Morrill, Pomeroy, Ramsay, Sprague, Sumner, Wil- kinson, Wilson*—17.

Mr. Saulsbury moved to add these sec- tions:

*And be it further enacted*, That no white inhabitant of the United States shall be arrested, or imprisoned, or held to answer for a capital or otherwise infamous crime, except in cases arising in the land or na- val forces, or in the militia when in actual service in time of war or public danger, without due process of law.

*And be it further enacted*, That no per- son engaged in the executive, legislative,

or judicial departments of the Government of the United States, or holding any office or trust recognized in the Constitution of the United States, and no person in military or naval service of the United States, shall, without due process of law, arrest or imprison anywhite inhabitant of the United States who is not, or has not been, or shall not at the time of such arrest or imprisonment be, engaged in levying war against the United States, or in adhering to the enemies of the United States, giving them aid and comfort, nor aid, abet, procure or advise the same, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger. And any person as aforesaid so arresting, or imprisoning, or holding, as aforesaid, as in this and the second section of this act mentioned, or aiding, abetting, or procuring, or advising the same, shall be deemed guilty of felony, and, upon conviction thereof in any court of competent jurisdiction, shall be imprisoned for a term of not less than one nor more than five years, shall pay a fine of not less than \$1,000 nor more than \$5000, and shall be forever incapable of holding any office or public trust under the Government of the United States.

Mr. HALE moved to strike out the word "white" wherever it occurs; which was agreed to.

The amendment of Mr. SAULSBURY, as amended, was then disagreed to—yeas 9, nays 27, as follows:

YEAS—Messrs. *Buckalew, Carlile, Cowan, Davis, Hendricks, McDougall, Powell, Riddle, Saulsbury*—9.

NAYS—Messrs. Anthony, Clark, Collamer, Conness, Doolittle, Fessenden, Foster, Grimes, Hale, Harris, Howard, Howe, Lane of Indiana, Lane, of Kansas, Morgan, Morrill, Pomeroy, Ramsey, Sherman, Sprague, Sumner, Ten Eyck, Trumbull, Van Winkle, Wilkinson, Willey, Wilson—27.

Mr. CONNESS moved to table the bill; which was disagreed to—yeas 9, (Messrs. *Buckalew, Carlile, Conness, Davis, Hendricks, Nesmith, Powell, Riddle, Saulsbury,*) nays 31.

It was not again acted upon.

1864, June 13—The House passed this bill, introduced by Mr. SPALDING, of Ohio, and reported from the Committee on the Judiciary by Mr. MORRIS, of New York, as follows:

*Be it enacted, etc.,* that sections three and four of an act entitled "An act respecting fugitives from justice and persons escaping from the service of their masters," passed February 12, 1793, and an Act entitled "An act to amend, and supplementary to, the act entitled 'An act respecting fugitives from justice, and persons escaping from their masters,' passed February 12,

1793," passed September 18, 1850, be, and the same are hereby, repealed.

Yeas 86, nays 60, as follows:

YEAS—Messrs. Alley, Allison, Ames, Arnold, Ashley, John D. Baldwin, Baxter, Beaman, Blaine, Blair, Blow, Boutwell, Boyd, Brandegee, Broomall, Ambrose W. Clarke, Freeman Clark, Cobb, Cole, Creswell, Henry Winter Davis, Thomas T. Davis, Dawes, Dixon, Donnelly, Driggs, Eckley, Eliot, Farnsworth, Fenton, Frank, Garfield, Gooch, *Griswold*, Higby, Hooper, Hotchkiss, Asahel W. Hubbard, John K. Hubbard, Hulburd, Ingersoll, Jenckes, Julian, Kelley, Francis W. Kellogg, O. Kellogg, Littlejohn, Loan, Longyear, Marvin, McClurg, McIndoe, Samuel F. Miller, Moorhead, Morrill, Daniel Morris, Amos Myers, Leonard Myers, Norton, Charles O'Neill, Orth, Patterson, Perham, Pike, Price, Alexander H. Rice, John H. Rice, Schenck, Scofield, Shannon, Sloan, Spalding, Starr, Stevens, Thayer, Thomas, Tracy, Upson, Van Valkenburgh, Webster, Whaley, Williams, Wilder, Wilson, Windom, Woodbridge—86.

NAYS—Messrs. *James C. Allen, William J. Allen, Ancona, Augustus C. Baldwin, Bliss, Brooks, James S. Brown, Chanler, Coffroth, Cox, Cravens, Dawson, Denison, Eden, Edgerton, Eldridge, English, Finck, Ganson, Grider, Harding, Harrington, Charles M. Harris, Herrick, Holman, Hutchins, Kallfleisch, Kernan, King, Knapp, Law, Lazear, Le Blond, Mallory, Marcy, McDowell, McKinney, Wm. H. Miller, James R. Morris, Morrison, Odell, Pendleton, Pruyn, Radford, Robinson, Jas. S. Rollins, Ross, Smithers, John B. Steele, Wm. G. Steele, Stiles, Strouse, Stuart, Sweat, Wadsworth, Ward, Wheeler, Chilton A. White, Joseph W. White, Fernando Wood*—60.

June 22—This bill was taken up in the Senate, when Mr. SAULSBURY moved this substitute:

That no person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due; and Congress shall pass all necessary and proper laws for the rendition of all such persons who shall so, as aforesaid, escape.

Which was rejected—yeas 9, nays 29, as follows:

YEAS—Messrs. *Buckalew, Carlile, Cowan, Davis, McDougall, Powell, Richardson, Riddle, Saulsbury*—9.

NAYS—Messrs. Anthony, Brown, Chandler, Clark, Conness, Dixon, Foot, Grimes, Hale, Harlan, Harris, Hicks, Howard, Howe, Johnson, Lane of Indiana, Lane of Kansas, Morgan, Morrill, Pomeroy, Ramsey, Sprague, Sumner, Ten Eyck, Trumbull, Van Winkle, Wade, Willey—29.

Mr. JOHNSON, of Maryland, moved an amendment to substitute a clause repealing the act of 1850; which was rejected—yeas 17, nays 22, as follows:

YEAS—Messrs. *Buckalew, Carlile, Cowan, Davis, Harris, Hicks, Johnson, Lane of Indiana, McDougall, Powell, Richardson, Riddle, Saulsbury, Ten Eyck, Trumbull, Van Winkle, Willey*—17.

NAYS—Messrs. *Anthony, Brown, Chandler, Clark, Conness, Dixon, Fessenden, Foot, Grimes, Hale, Harlan, Howard, Howe, Lane of Kansas, Morgan, Morrill, Pomeroy, Ramsey, Sprague, Sumner, Wade, Wilson*—22.

The bill then passed—yeas 27, nays 12, as follows:

YEAS—Messrs. *Anthony, Brown, Chandler, Clark, Conness, Dixon, Fessenden, Foot, Grimes, Hale, Harlan, Harris, Hicks, Howard, Howe, Lane of Indiana, Lane of Kansas, Morgan, Morrill, Pomeroy, Ramsey, Sprague, Sumner, Ten Eyck, Trumbull, Wade, Wilson*—27.

NAYS—Messrs. *Buckalew, Carlile, Cowan, Davis, Johnson, McDougall, Powell, Richardson, Riddle, Saulsbury, Van Winkle, Willey*—12.

ABRAHAM LINCOLN, *President*, approved it, June 23, 1864.

#### Seward as Secretary of State.

Wm. H. Seward was a master in diplomacy and Statecraft, and to his skill the Unionists were indebted for all avoidance of serious foreign complications while the war was going on. The most notable case coming under his supervision was that of the capture of Mason and Slidell, by Commodore Wilkes, who, on the 8th of November, 1861, had intercepted the *Trent* with *Sin Jacinto*. The prisoners were Confederate agents on their way to St. James and St. Cloud. Both had been prominent Senators, early secessionists, and the popular impulse of the North was to hold and punish them. Both Lincoln and Seward wisely resisted the passions of the hour, and when Great Britain demanded their release under the treaty of Ghent, wherein the right of future search of vessels was disavowed, Seward yielded, and referring to the terms of the treaty, said:

“If I decide this case in favor of my own Government, I must disavow its most cherished principles, and reverse and forever abandon its essential policy. The country cannot afford the sacrifice. If I maintain those principles and adhere to that policy, I must surrender the case itself.”

The North, with high confidence in their President and Cabinet, readily conceded the wisdom of the argument, especially as it was clinched in the newspapers of the day by one of Lincoln's homely remarks:

“*One war at a time.*” A war with Great Britain was thus happily avoided.

With the incidents of the war, however, save as they affected politics and politicians, this work has little to do, and we therefore pass the suspension of the *writ of habeas corpus*, which suspension was employed in breaking up the Maryland Legislature and other bodies when they contemplated secession, and it facilitated the arrest and punishment of men throughout the North who were suspected of giving “aid and comfort to the enemy.” The alleged arbitrary character of these arrests caused much complaint from Democratic Senators and Representatives, but the right was fully enforced in the face of every form of protest until the war closed. The most prominent arrest was that of Clement L. Vallandigham, member of Congress from Ohio, who was sent into the Southern lines. From thence he went to Canada, and when a candidate for Governor in Ohio, was defeated by over 100,000 majority.

#### Financial Legislation—Internal Taxes.

The Financial legislation during the war was as follows:

1860, *December 17*—Authorized an issue of \$10,000,000 in TREASURY NOTES, to be redeemed after the expiration of one year from the date of issue, and bearing such a rate of interest as may be offered by the lowest bidders. Authority was given to issue these notes in payment of warrants in favor of public creditors at their par value, bearing six per cent. interest per annum.

1861, *February 8*—Authorized a LOAN of \$25,000,000, bearing interest at a rate not exceeding six per cent. per annum, and reimbursable within a period not beyond twenty years nor less than ten years. This loan was made for the payment of the current expenses, and was to be awarded to the most favorable bidders.

*March 2*—Authorized a LOAN of \$10,000,000, bearing interest at a rate not exceeding six per cent. per annum, and reimbursable after the expiration of ten years from July 1, 1861. In case proposals for the loan were not acceptable, authority was given to issue the whole amount in TREASURY NOTES, bearing interest at a rate not exceeding six per cent. per annum. Authority was also given to substitute TREASURY NOTES for the whole or any part of the loans for which the Secretary was by law authorized to contract and issue bonds, at the time of the passage of this act, and such treasury notes were to be made receivable in payment of all public dues, and redeemable at any time within two years from March 2, 1861.

*March 2*—Authorized an issue, should the Secretary of the Treasury deem it expedient, of \$2,800,000 in coupon BONDS, bearing interest at the rate of six per cent.

per annum, and redeemable in twenty years, for the payment of expenses incurred by the Territories of Washington and Oregon in the suppression of Indian hostilities during the year 1855-'56.

*July 17*—Authorized a loan of \$250,000,000, for which could be issued BONDS bearing interest at a rate not exceeding 7 per cent. per annum, irredeemable for twenty years, and after that redeemable at the pleasure of the United States.

TREASURY NOTES bearing interest at the rate of 7.30 per cent. per annum, payable three years after date; and

United States NOTES without interest, payable on demand, to the extent of \$50,000,000. (Increased by act of February 12, 1862, to \$60,000,000.)

The bonds and treasury NOTES to be issued in such proportions of each as the Secretary may deem advisable.

*August 5*—Authorized an issue of BONDS bearing 6 per cent. interest per annum, and payable at the pleasure of the United States after twenty years from date, which may be issued in exchange for 7.30 treasury notes; but no such bonds to be issued for a less sum than \$500, and the whole amount of such bonds not to exceed the whole amount of 7.30 treasury notes issued.

*February 6, 1862*—Making \$50,000,000 of notes, of denominations less than \$5, a legal tender, as recommended by Secretary Chase, was passed January 17, 1862. In the House it received the votes of the Republicans generally, and 38 Democrats. In the Senate it had 30 votes for to 1 against, that of Senator Powell.

*1862, February 25*—Authorized the issue of \$15,000,000 in *legal tender United States NOTES*, \$50,000,000 of which to be in lieu of demand notes issued under act of July 17, 1861, \$500,000,000 in 6 per cent. bonds, redeemable after five years, and payable twenty years from date, which may be exchanged for United States notes, and a temporary loan of \$25,000,000 in United States notes for not less than thirty days, payable after ten days' notice at 5 per cent. interest per annum.

*March 17*—Authorized an increase of TEMPORARY LOANS of \$25,000,000, bearing interest at a rate not exceeding 5 per cent. per annum.

*July 11*—Authorized a further increase of TEMPORARY LOANS of \$50,000,000, making the whole amount authorized \$100,000,000.

*March 1*—Authorized an issue of CERTIFICATES OF INDEBTEDNESS, payable one year from date, in settlement of audited claims against the Government. Interest 6 per cent. per annum, payable in gold on those issued prior to March 4, 1863, and in lawful currency on those issued on and after that date. Amount of issue not specified.

*1862, July 11*—Authorized an additional issue of \$150,000,000 *legal tender NOTES*, \$35,000,000 of which might be in denominations less than five dollars. Fifty million dollars of this issue to be reserved to pay temporary loans promptly in case of emergency.

*July 17*—Authorized an issue of NOTES of the fractional part of one dollar, receivable in payment of all dues, except customs, less than five dollars. Amount of issue not specified.

*1863, January 17*—Authorized the issue of \$100,000,000 in United States NOTES for the immediate payment of the army and navy; such notes to be a part of the amount provided for in any bill that may hereafter be passed by this Congress. The amount in this resolution is included in act of March 3, 1863.

*March 3*—Authorized a LOAN of \$300,000,000 for this and \$600,000,000 for next fiscal year, for which could be issued bonds running not less than ten nor more than forty years, principal and interest payable in coin, bearing interest at a rate not exceeding 6 per cent. per annum, payable on bonds not exceeding \$100, annually, and on all others semi-annually. And TREASURY NOTES (to the amount of \$400,000,000) not exceeding three years to run, with interest not over 6 per cent. per annum, principal and interest payable in lawful money, which may be made a legal tender for their face value, excluding interest, or convertible into United States notes. And a further issue of \$150,000,000 in United States NOTES for the purpose of converting the Treasury notes which may be issued under this act, and for no other purpose. And a further issue, if necessary, for the payment of the army and navy, and other creditors of the Government, of \$150,000,000 in United States NOTES, which amount includes the \$100,000,000 authorized by the joint resolution of Congress, January 17, 1863. The whole amount of bonds, treasury notes, and United States notes issued under this act not to exceed the sum of \$900,000,000.

*March 3*—Authorized to issue not exceeding \$50,000,000 in FRACTIONAL CURRENCY, (in lieu of postage or other stamps,) exchangeable for United States notes in sums not less than three dollars, and receivable for any dues to the United States less than five dollars, except duties on imports. The whole amount issued, including postage and other stamps issued as currency, not to exceed \$50,000,000. Authority was given to prepare it in the Treasury Department, under the supervision of the Secretary.

*1864, March 3*—Authorized, in lieu of so much of the loan of March 3, 1863, a LOAN of \$200,000,000 for the current fiscal year, for which may be issued bonds redeemable

after five and within forty years, principal and interest payable in coin, bearing interest at a rate not exceeding 6 per cent. per annum, payable annually on bonds not over \$100, and on all others semi-annually. These bonds to be exempt from taxation by or under State or municipal authority.

1864, June 30—Authorized a LOAN of \$400,000,000, for which may be issued bonds, redeemable after five nor more than thirty years, or if deemed expedient, made payable at any period not more than forty years from date—interest not exceeding six per cent. semi-annually, in coin.

Pending the loan bill of June 22, 1862, before the House in Committee of the Whole, and the question being on the first section, authorizing a loan of \$400,000,000, closing with this clause:

And all bonds, Treasury notes, and other obligations of the United States shall be exempt from taxation by or under state or municipal authority.

There was a sharp political controversy on this question, but the House finally agreed to it by 77 to 71. Party lines were not then distinctly drawn on financial issues.

#### INTERNAL TAXES.

The system of internal revenue taxes imposed during the war did not evenly divide parties until near its close, when Democrats were generally arrayed against these taxes. They cannot, from the record, be correctly classed as political issues, yet their adoption and the feelings since engendered by them, makes a brief summary of the record essential.

##### First Session, Thirty-Seventh Congress.

The bill to provide increased revenue from imports, &c., passed the House August 2, 1861—yeas 89, nays 39.

Same day, it passed the Senate—yeas 34, nays 8, (Messrs. *Breckinridge, Bright, Johnson, of Missouri, Kennedy, Latham, Polk, Powell, Saulsbury.*)\*

##### Second Session, Thirty-Seventh Congress.

*The Internal Revenue Act of 1862.*

1862, April 8—The House passed the bill to provide internal revenue, support the Government, and pay interest on the public debt—yeas 126, nays 15. The NAYS were:

Messrs. *William Allen, George H. Browne, Buffinton, Cox, Kerrigan, Knapp, Law, Norton, Pendleton, Richardson, Shiel, Vollandigham, Voorhees, Chilton A. White, Wickliffe*—15.

June 6—The bill passed in the Senate—yeas 37, nay 1, (Mr. *Powell.*)

##### First Session Thirty-Eighth Congress.

*Internal Revenue Act of 1864.*

April 28—The House passed the act of 1864—yeas 110, nays 39. The NAYS were:

Messrs. *James C. Allen, William J. Allen,*

\* Democrats in italics.

*Ancona, Brooks, Chanler, Cox, Dawson, Denison, Eden, Eldridge, Finck, Harrington, Benjamin G. Harris, Herrick, Philip Johnson, William Johnson, Knapp, Law, Le Blond, Long, Marcy, McDowell, McKinney, James R. Morris, Morrison, Noble, John O'Neil, Pendleton, Perry, Robinson, Ross, Stiles, Strouse, Stuart, Voorhees, Ward, Chilton A. White, Joseph W. White, Fernando Wood*—39.

June 6—The Senate amended and passed the bill—yeas 22, nays 3, (Messrs. *Davis, Hendricks, Powell.*)

The bill, as finally agreed upon by a Committee of Conference, passed without a division.

##### Second Session, Thirty-Seventh Congress.

*Tariff Act of 1862.*

In House—1862, July 1—The House passed, without a division, a bill increasing temporarily the duties on imports, and for other purposes.

July 8—The Senate passed it without a division.

##### THE TARIFF ACT OF 1864.

June 4—The House passed the bill—yeas 81, nays 28. The NAYS were:

Messrs. *James C. Allen, Bliss, James S. Brown, Cox, Edgerton, Eldridge, Finck, Grider, Harding, Harrington, Chas. M. Harris, Herrick, Holman, Hutchins, Le Blond, Long, Mallory, Marcy, McDowell, Morrison, Noble, Pendleton, Perry, Pruyn, Ross, Wadsworth, Chilton A. White, Joseph W. White*—28.

June 17—The Senate passed the bill—yeas 22, nays 5, (Messrs. *Buckalew, Hendricks, McDougall, Powell, Richardson.*)

##### Second Session, Thirty-Seventh Congress.

*Taxes in Insurrectionary Districts, 1862.*

1862, May 12—The bill for the collection of taxes in the insurrectionary districts passed the Senate—yeas 32, nays 3, as follows:

YEAS—Messrs. Anthony, Browning, Chandler, Clark, *Davis, Dixon, Doolittle, Fessenden, Foot, Foster, Harlan, Harris, Henderson, Howe, King, Lane of Indiana, Lane of Kansas, Latham, McDougall, Morrill, Nesmith, Pomeroy, Rice, Sherman, Sumner, Ten Eyck, Trumbull, Wade, Wilkinson, Willey, Wilson, of Massachusetts, Wright*—32.

NAYS—Messrs. *Howard, Powell, Saulsbury*—3.

May 28—The bill passed House—yeas 98, nays 17. The NAYS were:

Messrs. *Biddle, Culbert, Cravens, Johnson, Kerrigan, Law, Mallory, Menzies, Noble, Norton, Pendleton, Perry.* Francis Thomas *Vollandigham, Ward, Wickliffe, Wood*—17.

The Democrats who voted Aye were:

Messrs. *Ancona, Baily, Cobb, English, Haight, Holman, Lehman, Odell, Phelps,*

\* Democrats in italics.

*Richardson, James S. Rollins, Sheffield, Smith, John B. Steele, Wm. G. Steele.*

TAXES IN INSURRECTIONARY DISTRICTS, 1864.

In Senate, June 27—The bill passed the Senate without a division.

July 2—It passed the House without a division.

Many financial measures and propositions were rejected, and we shall not attempt to give the record on these. All that were passed and went into operation can be more readily understood by a glance at our Tabulated History, in Book VII., which gives a full view of the financial history and sets out all the loans and revenues. We ought not to close this review, however, without giving here a tabulated statement, from "McPherson's History of the Great Rebellion," of

**The Confederate Debt.**

December 31, 1862, the receipts of the Treasury from the commencement of the "Permanent Government," (February 18, 1862,) were as follows:

RECEIPTS.	
Patent fund . . . . .	\$13,920 00
Customs . . . . .	668,566 00
Miscellaneous . . . . .	2,291,812 00
Repayments of disbursing officers . . . . .	3,839,263 00
Interest on loans . . . . .	26,583 00
Call loan certificates . . . . .	59,742,796 00
One hundred million loan . . . . .	41,398,286 00
Treasury notes . . . . .	215,554,885 00
Interest bearing notes . . . . .	113,740,000 00
War tax . . . . .	16,664,513 00
Loan 28th of February, 1861 . . . . .	1,375,476 00
Coin received from Bank of Louisiana . . . . .	2,539,799 00

Total . . . . .	\$457,855,704 00
Total debt up to December 31, 1862 . . . . .	556,105,100 00
Estimated amount at that date necessary to support the Government to July, 1863, was	357,929,229 00

Up to December 31, 1862, the issues of the Treasury were:

Notes . . . . .	\$440,678,510 00
Redeemed . . . . .	30,193,479 50
Outstanding . . . . .	\$410,485,030 50

From January 1, 1863, to September 30, 1863, the receipts of the Treasury were:

For 8 per cent. stock . . . . .	\$107,292,900 70
For 7 per cent. stock . . . . .	38,757,650 70
For 6 per cent. stock . . . . .	6,810,050 00
For 5 per cent. stock . . . . .	22,992,900 00
For 4 per cent. stock . . . . .	482,200 00
Cotton certificates . . . . .	2,000,000 00
Interest on loans . . . . .	140,210 00
War tax . . . . .	4,128,988 97

Treasury notes . . . . .	391,623,530 00
Sequestration . . . . .	1,862,550 27
Customs . . . . .	934,798 68
Export duty on cotton . . . . .	8,101 78
Patent fund . . . . .	10,794 04
Miscellaneous, including repayments by disbursing officers . . . . .	24,498,217 93
Total . . . . .	\$601,522,893 12

EXPENDITURES DURING THAT TIME.

War Department . . . . .	\$377,988,244 00
Navy Department . . . . .	38,437,661 00
Civil, miscellaneous, etc . . . . .	11,629,278 00
Customs . . . . .	56,636 00
Public debt . . . . .	32,212,290 00
Notes cancelled and redeemed	59,044,449 00

Total expenditures . . . . .	\$519,368,559 00
Total receipts . . . . .	601,522,893 00

Balance in treasury . . . . . \$82,154,334 00

But from this amount is to be deducted the amount of all Treasury notes that have been funded, but which have not yet received a true estimation, \$65,000,000; total remaining, \$17,154,334.

CONDITION OF THE TREASURY, JANUARY 1, 1864.

Jan. 25—The Secretary of the Treasury (C. G. Memminger) laid before the Senate a statement in reply to a resolution of the 20th, asking information relative to the funded debt, to call certificates, to non-interest and interest-bearing Treasury notes, and other financial matters. From this it appears that, January, 1864, the funded debt was as follows:

Act Feb. 28, 1861, 8 <sup>3</sup> / <sub>4</sub> cent.,	15,000,000 00
Act May 16, 1861, 8 <sup>3</sup> / <sub>4</sub> cent.,	8,774,900 00
Act Aug. 19, 1861, 8 <sup>3</sup> / <sub>4</sub> cent.,	100,000,000 00
Act Apr. 12, 1862, 8 <sup>3</sup> / <sub>4</sub> cent.,	3,612,300 00
Act Feb. 20, 1863, 8 <sup>3</sup> / <sub>4</sub> cent.,	95,785,000 00
Act Feb. 20, 1863, 7 <sup>3</sup> / <sub>4</sub> cent.,	63,615,750 00
Act Mar. 23, 1863, 6 <sup>3</sup> / <sub>4</sub> cent.,	2,831,700 00
Act April 30, 1863 (cotton interest coupons).....	8,252,000 00
Total . . . . .	\$297,871,650 00
Call certificates.....	89,206,770 00
Non-interest bearing Treasury notes outstanding:	
Act May 16, 1861—Payable two years after date.....	8,320,875 00
Act Aug. 19, 1861—General currency.....	189,719,251 00
Act Oct. 13, 1861—All denominations.....	131,028,366 50
Act March 23—All denominations.....	391,829,702 50
Total . . . . .	720,898,095 00

Interest-bearing Treasury notes outstanding . . . . . 102,465,450 00

Amount of Treasury notes under \$5, outstanding Jan. 1, 1864, viz:	
Act April 17, 1862, denominations of \$1 and \$2.....	4,860,277 50
Act Oct. 13, 1862, \$1 and \$2	2,344,800 00
Act March 23, 1863, 50 cents.....	3,419,000 00
Total under \$5.....	10,424,077 50

Total debt, Jan 1, 1864..... \$1,220,866,042 50



ITS CONDITION, MARCH 31, 1864.

The Register of the Treasury, Robert Tyler, gave a statement, which appeared in the *Richmond Sentinel* after the passage of the funding law, which gives the amount of outstanding non-interest-bearing Treasury notes, March 31, 1864, as \$796,264,403, as follows:

Act May 16, 1861—Ten-year notes . . . . .	\$7,201,375 00
Act Aug. 19, 1861—General currency . . . . .	154,365,631 00
Act Apr. 19, 1862—ones and twos . . . . .	4,516,509 00
Act Oct. 18, 1862—General currency . . . . .	118,997,321 50
Act Mar. 23, 1863—General currency . . . . .	511,182,566 50
Total . . . . .	\$796,264,403 00

He also publishes this statement of the issue of non-interest-bearing Treasury notes since the organization of the "Confederate" government:

Fifty cents . . . . .	\$911,258 50
Ones . . . . .	4,882,000 00
Twos . . . . .	6,086,320 00
Fives . . . . .	79,090,315 00
Tens . . . . .	157,982,750 00
Twenties . . . . .	217,425,120 00
Fifties . . . . .	188,088,200 00
Total . . . . .	\$973,277,363 50

#### Confederate Taxes.

We also append as full and fair a statement of Confederate taxes as can be procured, beginning with a summary of the act authorizing the issue of Treasury notes and bonds, and providing a war tax for their redemption:

#### THE TAX ACT OF JULY, 1861.

The *Richmond Enquirer* gives the following summary of the act authorizing the issue of Treasury notes and bonds, and providing a war tax for their redemption:

Section one authorizes the issue of Treasury notes, payable to bearer at the expiration of six months after the ratification of a treaty of peace between the Confederate States and the United States. The notes are not to be of a less denomination than five dollars, to be re-issued at pleasure, to be received in payment of all public dues, except the export duty on cotton, and the whole issue outstanding at one time, including the amount issued under former acts, are not to exceed one hundred millions of dollars.

Section two provides that, for the purpose of funding the said notes, or for the purpose of purchasing specie or military stores, &c., bonds may be issued, payable not more than twenty years after date, to

the amount of one hundred millions of dollars, and bearing an interest of eight per cent. per annum. This amount includes the thirty millions already authorized to be issued. The bonds are not to be issued in less amounts than \$100, except when the subscription is for a less amount, when they may be issued as low as \$50.

Section three provides that holders of Treasury notes may at any time exchange them for bonds.

Section four provides that, for the special purpose of paying the principal and interest of the public debt, and of supporting the Government, a war tax shall be assessed and levied of fifty cents upon each one hundred dollars in value of the following property in the Confederate States, namely: Real estate of all kinds; slaves; merchandise; bank stocks; railroad and other corporation stocks; money at interest or invested by individuals in the purchase of bills, notes, and other securities for money, except the bonds of the Confederate States of America, and cash on hand or on deposit in bank or elsewhere; cattle, horses, and mules; gold watches, gold and silver plate; pianos and pleasure carriages: *Provided, however,* That when the taxable property, herein above enumerated, of any head of a family is of value less than five hundred dollars, such taxable property shall be exempt from taxation under this act. It provides further that the property of colleges, schools, and religious associations shall be exempt.

The remaining sections provide for the collection of the tax.

#### THE TAX ACT OF DECEMBER 19, 1861.

*An act supplementary to an act to authorize the issue of Treasury notes, and to provide a war tax for their redemption.*

SEC. 1. *The Congress of the Confederate States of America do enact,* That the Secretary of the Treasury is hereby authorized to pay over to the several banks, which have made advances to the Government, in anticipation of the issue of Treasury notes, a sufficient amount, not exceeding \$10,000,000, for the principal and interest due upon the said advance, according to the engagements made with them.

SEC. 2. The time affixed by the said act for making assignments is hereby extended to the 1st day of January next, and the time for the completion and delivery of the lists is extended to the 1st day of March next, and the time for the report of the said lists to the chief collector is extended to the 1st day of May next; and in cases where the time thus fixed shall be found insufficient, the Secretary of the Treasury shall have power to make further extension, as circumstances may require.

SEC. 3. The cash on hand, or on deposit in the bank, or elsewhere, mentioned in

the fourth section of said act, is hereby declared to be subject to assessment and taxation, and the money at interest, or invested by individuals in the purchase of bills, notes, and other securities for money, shall be deemed to include securities for money belonging to non-residents, and such securities shall be returned, and the tax thereon paid by any agent or trustee having the same in possession or under his control. The term merchandise shall be construed to include merchandise belonging to any non-resident, and the property shall be returned, and the tax paid by any person having the same in possession as agent, attorney, or consignee: *Provided*, That the words "money at interest," as used in the act to which this act is an amendment, shall be so construed as to include all notes, or other evidences of debt, bearing interest, without reference to the consideration of the same. The exception allowed by the twentieth section for agricultural products shall be construed to embrace such products only when in the hands of the producer, or held for his account. But no tax shall be assessed or levied on any money at interest when the notes, bond, bill, or other security taken for its payment, shall be worthless from the insolvency and total inability to pay of the payer or obligor, or person liable to make such payment; and all securities for money payable under this act shall be assessed according to their value, and the assessor shall have the same power to ascertain the value of such securities as the law confers upon him with respect to other property.

SEC. 4. That an amount of money, not exceeding \$25,000, shall be and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, to be disbursed under the authority of the Secretary of the Treasury, to the chief State tax collectors, for such expenses as shall be actually incurred for salaries of clerks, office hire, stationery, and incidental charges; but the books and printing required shall be at the expense of the department, and subject to its approval.

SEC. 5. The lien for the tax shall attach from the date of the assessment, and shall follow the same into every State in the Confederacy; and in case any person shall attempt to remove any property which may be liable to tax, beyond the jurisdiction of the State in which the tax is payable, without payment of the tax, the collector of the district may distrain upon and sell the same, in the same manner as is provided in cases where default is made in the payment of the tax.

SEC. 6. On the report of any chief collector, that any county, town or district, or any part thereof, is occupied by the public enemy, or has been so occupied as

to occasion destruction of crops or property, the Secretary of the Treasury may suspend the collection of tax in such region until the same can be reported to Congress, and its action had thereon.

SEC. 7. In case any of the Confederate States shall undertake to pay the tax to be collected within its limits before the time at which the district collectors shall enter upon the discharge of their duties, the Secretary of the Treasury may suspend the appointment of such collectors, and may direct the chief collector to appoint assessors, and to take proper measures for the making and perfecting the returns, assessments and lists required by law; and the returns, assessments and lists so made, shall have the same legal validity, to all intents and purposes, as if made according to the provisions of the act to which this act is supplementary.

SEC. 8. That tax lists already given, varying from the provisions of this act, shall be corrected so as to conform thereto.

#### THE TAX ACT OF APRIL 24, 1863.

[From the Richmond Whig, April 21.]

We present below a synopsis of the bill to lay taxes for the common defence and to carry on the government of the Confederate States, which has passed both branches of Congress. It is substantially the bill proposed by the committee on conference:

1. The first section imposes a tax of eight per cent. upon the value of all naval stores, salt, wines and spirituous liquors, tobacco, manufactured or unmanufactured, cotton, wool, flour, sugar, molasses, syrup, rice, and other agricultural products, held or owned on the 1st day of July next, and not necessary for family consumption for the unexpired portion of the year 1863, and of the growth or production of any year preceding the year 1863; and a tax of one per cent. upon all moneys, bank notes or other currency on hand or on deposit on the 1st day of July next, and on the value of all credits on which the interest has not been paid, and not employed in a business, the income derived from which is taxed under the provisions of this act: *Provided*, That all moneys owned, held or deposited beyond the limits of the Confederate States shall be valued at the current rate of exchange in Confederate treasury notes. The tax to be assessed on the first day of July and collected on the first day of October next, or as soon thereafter as may be practicable.

2. Every person engaged, or intending to engage, in any business named in the fifth section, shall, within sixty days after the passage of the act, or at the time of beginning business, and on the first of January in each year thereafter, register with the district collector a true account of the

name and residence of each person, firm, or corporation engaged or interested in the business, with a statement of the time for which, and the place and manner in which the same is to be conducted, &c. At the time of the registry there shall be paid the specific tax for the year ending on the next 31st of December, and such other tax as may be due upon sales or receipts in such business.

3. Any person failing to make such registry and pay such tax, shall, in addition to all other taxes upon his business imposed by the act, pay double the amount of the specific tax on such business, and a like sum for every thirty days of such failure.

4. Requires a separate registry and tax for each business mentioned in the fifth section, and for each place of conducting the same; but no tax for mere storage of goods at a place other than the registered place of business. A new registry required upon every change in the place of conducting a registered business, upon the death of any person conducting the same, or upon the transfer of the business to another, but no additional tax.

5. Imposing the following taxes for the year ending 31st of December, 1863, and for each year thereafter:

Bankers shall pay \$500.

Auctioneers, retail dealers, tobacconists, pedlars, cattle brokers, apothecaries, photographers, and confectioners, \$50, and two and a half per centum on the gross amount of sales made.

Wholesale dealers in liquors, \$200, and five per centum on gross amount of sales. Retail dealers in liquors, \$100, and ten per centum on gross amount of sales.

Wholesale dealers in groceries, goods, wares, merchandise, &c., \$200, and two and a half per centum.

Pawnbrokers, money and exchange brokers, \$200.

Distillers, \$200, and twenty per centum. Brewers, \$100, and two and a half per centum.

Hotels, inns, taverns, and eating-houses, first class, \$500; second class, \$300; third class, \$200; fourth class, 100; fifth class, \$30. Every house where food or refreshments are sold, and every boarding house where there shall be six boarders or more, shall be deemed an eating house under this act.

Commercial brokers or commission merchants, \$200, and two and a half per centum.

Theatres, \$500, and five per centum on all receipts. Each circus, \$100, and \$10 for each exhibition. Jugglers and other persons exhibiting shows, \$50.

Bowling alleys and billiard rooms, \$40 for each alley or table registered.

Livery stable keepers, lawyers, physicians, surgeons, and dentists, \$50.

Butchers and bakers, \$50, and one per centum.

6. Every person registered and taxed is required to make returns of the gross amount of sales from the passage of the act to the 30th of June, and every three months thereafter.

7. A tax upon all salaries, except of persons in the military or naval service, of one per cent. when not exceeding \$1,500, and two per cent. upon an excess over that amount: *Provided*, That no taxes shall be imposed by virtue of this act on the salary of any person receiving a salary not exceeding \$1,000 per annum, or at a like rate for another period of time, longer or shorter.

8. Provides that the tax on annual incomes, between \$500 and \$1,500, shall be five per cent.; between \$1,500 and \$3,000, five per cent. on the first \$1,500 and ten per cent. on the excess; between \$3,000 and \$5,000, ten per cent.; between \$5,000 and \$10,000, twelve and a half per cent.; over \$10,000, fifteen per cent., subject to the following deductions: On incomes derived from rents of real estate, manufacturing, and mining establishments, &c., a sum sufficient for necessary annual repairs; on incomes from any mining or manufacturing business, the rent, (if rented,) cost of labor actually hired, and raw material; on incomes from navigating enterprises, the hire of the vessel, or allowance for wear and tear of the same, not exceeding ten per cent.; on incomes derived from the sale of merchandise or any other property, the prime cost of transportation, salaries of clerks, and rent of buildings; on incomes from any other occupation, the salaries of clerks, rent, cost of labor, material, &c.; and in case of mutual insurance companies, the amount of losses paid by them during the year. Incomes derived from other sources are subject to no deductions whatever.

All joint stock companies and corporations shall pay one tenth of the dividend and reserved fund annually. If the annual earnings shall give a profit of more than ten and less than twenty per cent. on capital stock, one eighth to be paid; if more than twenty per cent., one sixth. The tax to be collected on the 1st of January next, and of each year thereafter.

9. Relates to estimates and deductions, investigations, referees, &c.

10. A tax of ten per cent. on all profits in 1862 by the purchase and sale of flour, corn, bacon, pork, oats, hay, rice, salt, iron or the manufactures of iron, sugar, molasses made of cane, butter, woolen cloths, shoes, boots, blankets, and cotton cloths. Does not apply to regular retail business.

11. Each farmer, after reserving for his

own use fifty bushels sweet and fifty bushels Irish potatoes, one hundred bushels corn or fifty bushels wheat produced this year, shall pay and deliver to the Confederate Government one tenth of the grain, potatoes, forage, sugar, molasses, cotton, wool, and tobacco produced. After reserving twenty bushels peas or beans he shall deliver one tenth thereof.

12. Every farmer, planter, or grazier, one tenth of the hogs slaughtered by him, in cured bacon, at the rate of sixty pounds of bacon to one hundred pounds of pork; one per cent. upon the value of all neat cattle, horses, mules, not used in cultivation, and asses, to be paid by the owners of the same; beeves sold to be taxed as income.

13. Gives in detail the duties of post quartermasters under the act.

14. Relates to the duties of assessors and collectors.

15. Makes trustees, guardians, &c., responsible for taxes due from estates, &c., under their control.

16. Exempts the income and moneys of hospitals, asylums churches, schools, and colleges from taxation under the act.

17. Authorizes the Secretary of the Treasury to make all rules and regulations necessary to the operation of the act.

18. Provides that the act shall be in force for two years from the expiration of the present year, unless sooner repealed; that the tax on naval stores, flour, wool, cotton, tobacco, and other agricultural products of the growth of any year preceding 1863, imposed in the first section, shall be levied and collected only for the present year.

The tax act of February 17, 1864, levies, in addition to the above rates, the following, as stated in the *Richmond Sentinel* of February, 1864:

SEC. 1. Upon the value of real, personal, and mixed property, of every kind and description, except the exemptions hereafter to be named, five per cent.; the tax levied on property employed in agriculture to be credited by the value of property in kind.

On gold and silver ware, plate, jewels, and watches, ten per cent.

The tax to be levied on the value of property in 1860, except in the case of land, slaves, cotton, and tobacco, purchased since January 1st, 1862, upon which the tax shall be levied on the price paid.

SEC. 2. A tax of five per cent. on the value of all shares in joint stock companies of any kind, whether incorporated or not. The shares to be valued at their market value at the time of assessment.

SEC. 3. Upon the market value of gold and silver coin or bullion, five per cent.; also the same upon moneys held abroad, or all bills of exchange drawn therefor.

A tax of five per cent. on all solvent credits, and on all bank bills and papers used as currency, except non-interest-bear-

ing Confederate Treasury notes, and not employed in a registered business taxed twenty-five per cent.

SEC. 4. Profits in trade and business taxed as follows:

On the purchase and sale of agricultural products and mercantile wares generally, from January 1, 1863, to January 1, 1865, ten per cent. in addition to the tax under the act of April 24, 1863.

The same on the purchase and sale of coin, exchange, stocks, notes, and credits of any kind, and any property not included in the foregoing.

On the amount of profits exceeding twenty-five per cent. of any bank, banking company, or joint stock company of any description, incorporated or not, twenty-five per cent. on such excess.

SEC 5. The following are exempted from taxation.

Five hundred dollars' worth of property for each head of a family, and a hundred dollars additional for each minor child; and for each son in the army or navy, or who has fallen in the service, and a member of the family when he enlisted, the further sum of \$500.

One thousand dollars of the property of the widow or minor children of any officer, soldier, sailor, or marine, who has died in the service.

A like amount of property of any officer, soldier, sailor, or marine, engaged in the service, or who has been disabled therein, provided said property, exclusive of furniture, does not exceed in value \$1,000.

When property has been injured or destroyed by the enemy, or the owner unable temporarily to use or occupy it by reason of the presence or proximity of the enemy, the assessment may be reduced in proportion to the damage sustained by the owner, and the tax in the same ratio by the district collector.

SEC. 6. The taxes on property for 1864 to be assessed as on the day of the passage of this act, and collected the 1st of June next, with ninety days extension west of the Mississippi. The additional tax on incomes or profits for 1863, to be paid forthwith; the tax on incomes, &c., for 1864, to be collected according to the acts of 1863.

SEC. 7. Exempts from tax on income for 1864, all property herein taxed *ad valorem*. The tax on Confederate bonds in no case to exceed the interest payable on the same; and said bonds exempt from tax when held by minors or lunatics, if the interest do not exceed one thousand dollars.

#### THE TAX LAW.

We learn that, according to the construction of the recent tax law in the Treasury Department, tax payers will be required to state the articles and objects subjected to a specific or *ad valorem* tax, held, owned, or

possessed by them on the 17th day of February, 1864, the date of the act.

The daily wages of detailed soldiers and other employés of the Government are not liable to taxation as income, although they may amount, in the aggregate, to the sum of \$1,000 per annum.

A tax additional to both the above was imposed as follows, June 1, 1864:

A bill to provide supplies for the army, and to prescribe the mode of making impressments.

SEC. 1. *The Congress of the Confederate States of America do enact*, Every person required to pay a tax in kind, under the provisions of the "Act to lay taxes for the common defense and carry on the Government of the Confederate States," approved April 24, 1863, and the act amendatory thereof, approved February 17, 1864, shall, in addition to the one tenth required by said acts to be paid as a tax in kind, deliver to the Confederate Government, of the products of the present year and of the year 1865, one other tenth of the several products taxed in kind by the acts aforesaid, which additional one tenth shall be ascertained, assessed and collected, in all respects, as is provided by law for the said tax in kind, and shall be paid for, on delivery, by the Post-Quartermasters in the several districts at the assessed value thereof, except that payment for cotton and tobacco shall be made by the agents of the Treasury Department appointed to receive the same.

SEC. 2. The supplies necessary to the support of the producer and his family, and to carry on his ordinary business, shall be exempted from the contribution required by the preceding section, and from the additional impressments authorized by the act: *Provided, however*, That nothing herein contained shall be construed to repeal or affect the provisions of an act entitled "An act to authorize the impressment of meat for the use of the army, under certain circumstances," approved Feb. 17, 1864, and if the amount of any article or product so necessary cannot be agreed upon between the assessor and the producer, it shall be ascertained and determined by disinterested freeholders of the vicinage, as is provided in cases of disagreement as to the estimates and assessments of tax in kind. If required by the assessor, such freeholder shall ascertain whether a producer, who is found unable to furnish the additional one tenth of any one product, cannot supply the deficiency by the delivery of an equivalent in other products, and upon what terms such commutation shall be made. Any commutation thus awarded shall be enforced and collected, in all respects, as is provided for any other contribution required by this act.

SEC. 3. The Secretary of War may, at his discretion, decline to assess, or, after assessment, may decline to collect the whole or any part of the additional one tenth herein provided for, in any district or locality; and it shall be his duty promptly to give notice of any such determination, specifying, with reasonable certainty, the district or locality and the product, or the proportion thereof, as to which he so declines.

SEC. 4. The products received for the contribution herein required, shall be disposed of and accounted for in the same manner as those received for the tax in kind; and the Secretary of War may, whenever the exigencies of the public service will allow, authorize the sale of products received from either source, to public officers or agents charged in any State with the duty of providing for the families of soldiers. Such sale shall be at the prices paid or assessed for the products sold, including the actual cost of collections.

SEC. 5. If, in addition to the tax in kind and the contribution herein required, the necessities of the army or the good of the service shall require other supplies of food or forage, or any other private property, and the same cannot be procured by contract, then impressments may be made of such supplies or other property, either for absolute ownership or for temporary use, as the public necessities may require. Such impressments shall be made in accordance with the provisions, and subject to the restrictions of the existing impressment laws, except so far as is herein otherwise provided.

SEC. 6. The right and the duty of making impressments is hereby confided exclusively to the officers and agents charged in the several districts with the assessment and collection of the tax in kind and of the contribution herein required; and all officers and soldiers in any department of the army are hereby expressly prohibited from undertaking in any manner to interfere with these officers and agents in any part of their duties in respect to the tax in kind, the contribution, or the impressment herein provided for: *Provided*, That this prohibition shall not be applicable to any district, county, or parish in which there shall be no officer or agent charged with the appointment and collection of the tax in kind.

SEC. 7. Supplies or other property taken by impressment shall be paid for by the post quartermasters in the several districts, and shall be disposed of and accounted for by them as is required in respect to the tax in kind and the contribution herein required; and it shall be the duty of the post quartermasters to equalize and apportion the impressments within their dis-

tricts, as far as practicable, so as to avoid oppressing any portion of the community.

SEC. 8. If any one not authorized by law to collect the tax in kind or the contribution herein required, or to make impressments, shall undertake, on any pretence of such authority, to seize or impress, or to collect or receive any such property, or shall, on any such pretence, actually obtain such property, he shall, upon conviction thereof, be punished by fine not exceeding five times the value of such property, and be imprisoned not exceeding five years, at the discretion of the court having jurisdiction. And it shall be the duty of all officers and agents charged with the assessment and collection of the tax in kind and of the contribution herein required, promptly to report, through the post quartermasters in the several districts, any violation or disregard of the provisions of this act by any officer or soldier in the service of the Confederate States.

SEC. 9. That it shall not be lawful to impress any sheep, milch cows, brood mares, stud horses, jacks, bulls, or other stock kept or necessary for raising horses, mules, or cattle.

The following is the vote by which the bill passed the Senate:

YEAS—Messrs. Caperton, Graham, Haynes, Jemison, Johnson (Ark.), Johnson (Mo.), Mitchell, Orr, Walker, Watson—10.

NAYS—Messrs. Baker, Burnett, Henry, Hunter, Maxwell, Semmes, Sparrow—7.

#### Admitting West Virginia.

An important political movement in the early years of the war was the separation of West Virginia from the mother State, which had seceded, and her admission into the Union.

#### SECOND SESSION, THIRTY-SEVENTH CONGRESS.

In Senate, 1862, July 14.—The bill providing for the admission of the State of West Virginia into the Union, passed—yeas 23, nays 17, as follows:

YEAS—Messrs. Anthony, Clark, Collamer, Fessenden, Foot, Foster, Grimes, Hale, Harlan, Harris, Howe, Lane of Indiana, Lane of Kansas, Morrill, Pomeroy, Rice, Sherman, Simmons, Ten Eyck, Wade, Wilkinson, Willey, Wilson of Massachusetts—23.

NAYS—Messrs. Bayard, Browning, Carlile, Chandler, Cowan, Davis, Howard, Kennedy, King, McDougal, Powell, Saulsbury, Stark, Sumner, Trumbull, Wilson of Missouri, Wright—17.

During the pendency of this bill, July 14, 1862, Mr. Sumner moved to strike from the first section of the second article the words: "the children of all slaves born

within the limits of said State shall be free," and insert:

Within the limits of the said State there shall be neither slavery nor involuntary servitude, otherwise than in punishment of crimes whereof the party shall be duly convicted.

Which was rejected---yeas 11, nays 24, as follows:

YEAS—Messrs. Chandler, Clark, Grimes, King, Lane of Kansas, Pomeroy, Sumner, Trumbull, Wilkinson, Wilmot, Wilson, of Massachusetts—11.

NAYS—Messrs. Anthony, Bayard, Browning, Carlile, Collamer, Doolittle, Foot, Foster, Harris, Henderson, Howe, Kennedy, Lane of Indiana, Powell, Rice, Saulsbury, Sherman, Simmons, Stark, Ten Eyck, Wade, Wiley, Wilson of Missouri, Wright—24.

Mr. Willey proposed to strike out all after the word "That" in the first section, and insert:

That the State of West Virginia be, and is hereby, declared to be one of the United States of America, and admitted into the Union on an equal footing with the original States in all respects whatever, and until the next general census shall be entitled to three members in the House of Representatives of the United States: *Provided always,* That this act shall not take effect until after the proclamation of the President of the United States hereinafter provided for.

SEC. 2. It being represented to Congress that since the convention of the 26th of November, 1861, that framed and proposed the constitution for the said State of West Virginia, the people thereof have expressed a wish to change the seventh section of the eleventh article of said constitution by striking out the same, and inserting the following in its place, namely, "The children of slaves born within the limits of this State after the 4th day of July, 1863, shall be free, and no slave shall be permitted to come into the State for permanent residence therein:" therefore,

*Be it further enacted,* That whenever the people of West Virginia shall, through their said convention, and by a vote to be taken at an election to be held within the limits of the State at such time as the convention may provide, make and ratify the change aforesaid and properly certify the same under the hand of the president of the convention, it shall be lawful for the President of the United States to issue his proclamation stating the fact, and thereupon this act shall take effect and be in force from and after sixty days from the date of said proclamation.

Mr Lane of Kansas moved to amend the amendment by inserting after the word "Herein," and before the word, "Therefore" the words:

And that all slaves within the said State who shall at the time aforesaid be under the age of ten years shall be free when they arrive at the age of twenty-one years; and all slaves over ten and under twenty-one years shall be free when they arrive at the age of twenty-five years.

Which was agreed to—yeas 25, nays 12, as follows:

YEAS—Messrs. Anthony, Clark, Collamer, Doolittle, Foot, Foster, Grimes, Harlan, Harris, Howard, Howe, King, Lane of Indiana, Lane of Kansas, Morrill, Pomeroy, Sherman, Simmons, Sumner, Ten Eyck, Trumbull, Wade, Wilkinson, Wilmot, Wilson, of Massachusetts—25.

NAYS—Messrs. Browning, *Carlile*, *Davis*, Henderson, *Kennedy*, *McDougall*, *Powell*, *Saulsbury*, *Stark*, Willey, *Wilson* of Missouri, *Wright*—12.

The amendment as amended was then agreed to.

A motion to postpone the bill to the first Monday of the next December was lost—yeas 17, nays 23.

In House, July 16—The bill was postponed until the second Tuesday of the next December—yeas 63, nays 33.

#### THIRD SESSION, THIRTY-SEVENTH CONGRESS.

1863, Dec. 10, the House passed the bill—yeas 96, nays 57.

1863, April 20, the President issued a proclamation announcing the compliance, by West Virginia, of the conditions of admission.

#### COLOR IN WAR POLITICS.

Emancipation and its attendant agitations brought to the front a new class of political questions, which can best be grouped under the above caption. The following is a summary of the legislation:

##### Second Session, Thirty-Seventh Congress.

*To Remove Disqualification of Color in Carrying the Mails.*

In Senate, 1862, April 11—The Senate considered a bill "to remove all disqualification of color in carrying the mails of the United States." It directed that after the passage of the act no person, by reason of color, shall be disqualified from employment in carrying the mails, and all acts and parts of acts establishing such disqualification, including especially the seventh section of the act of March 3, 1825, are hereby repealed.

The vote in the Senate was, yeas 24, nays 11, as follows:

YEAS—Messrs. Anthony, Browning, Chandler, Clark, Collamer, Dixon, Doolittle, Fessenden, Foot, Foster, Grimes, Hale, Howard, Howe, King, Lane of Kansas, Morrill, Pomeroy, Sherman, Simmons,

Sumner, Wade, Wilkinson, and Wilson of Massachusetts—24.

NAYS—Messrs. *Davis*, Henderson, *Kennedy*, Lane of Indiana, *Latham*, *Nesmith*, *Powell*, *Stark*, Willey, *Wilson* of Missouri, *Wright*—11.\*

In House, May 21—It was considered in the House and laid on the table—yeas 83, nays 43.

##### First Session, Thirty-Eighth Congress.

1864, February 26—The Senate considered the bill—the question being on agreeing to a new section proposed by the Committee on Post Offices and Post Roads—as follows:

SEC. 2. That in the courts of the United States there shall be no exclusion of any witness on account of color.

Mr. Powell moved to amend by inserting after the word "States" the words: "in all cases for robbing or violating the mails of the United States."

No further progress was made on the bill.

##### NEGRO SUFFRAGE IN MONTANA TERRITORY.

1864, March 18—The House passed, without a division, a bill in the usual form, to provide a temporary government for the Territory of Montana.

March 31—The Senate considered it, when Mr. Wilkinson moved to strike from the second line of the fifth section, (defining the qualifications of voters,) the words "white male inhabitant" and insert the words: "male citizen of the United States, and those who have declared their intention to become such;" which was agreed to—yeas 22, nays 17, as follows:

YEAS—Messrs. Brown, Chandler, Clark, Collamer, Conness, Dixon, Fessenden, Foot, Foster, Grimes, Hale, Harlan, Harris, Howard, Howe, Morgan, Morrill, Pomeroy, Sumner, Wade, Wilkinson, Wilson—22.

NAYS—Messrs. *Buckalew*, *Carlile*, Cowan, *Davis*, Harding, Henderson, Johnson, Lane of Indiana, *Nesmith*, *Powell*, *Riddle*, *Saulsbury*, Sherman, Ten Eyck, Trumbull, Van Winkle, Willey—17.

The bill was then passed—yeas 29, nays 8, (Messrs. *Buckalew*, *Davis*, *Johnson*, *Powell*, *Riddle*, *Saulsbury*, Van Winkle, Willey.)

April 15—The Senate adopted the report of the Committee of Conference on the Montana bill, which recommended the Senate to recede from their second amendment, and the House to agree to the first and third amendments of the Senate, (including the above.)

April 15—Mr. Beaman presented the report of the Committee of Conference on the Montana bill, a feature of which was that the House should recede from its dis-

\* Republicans in roman; Democrats in italics.

agreement to the Senate amendment striking out the word "white" in the description of those authorized to vote.

Mr. Holman moved that the report be tabled; which was lost by the casting vote of the Speaker—yeas 66, nays 66.

Upon agreeing to the report the yeas were 54, nays 85.

On motion to adhere to its amendments, and ask another Committee of Conference, Mr. Webster moved instructions:

And that said committee be instructed to agree to no report that authorizes any other than free white male citizens, and those who have declared their intention to become such, to vote.

Which was agreed to—yeas 75, nays 67.

April 15—The Senate declined the conference upon the terms proposed by the House resolution of that day.

April 18—The House proposed a further free conference, to which, April 25, the Senate acceded.

May 17—In Senate, Mr. Morrill submitted a report from the Conference Committee who recommend that qualified voters shall be:

All citizens of the United States, and those who have declared their intention to become such, and who are otherwise described and qualified under the fifth section of the act of Congress providing for a temporary government for the Territory of Idaho approved March 3, 1863.

The report was concurred in—yeas 26, nays 13.

May 20—The above report was made by Mr. Webster in the House, and agreed to—yeas 102, nays 26.

IN WASHINGTON CITY.\*

1864, May 6—The Senate considered the bill for the registration of voters in the city of Washington, when

Mr. Cowan moved to insert the word "white" in the first section, so as to confine the right of voting to white male citizens.

May 12—Mr. Morrill moved to amend the amendment by striking out the words—

\*In 1860 a vote was had in the State of New York on a proposition to permit negro suffrage without a property qualification. The result of the city was—yeas 1,640, nays 37,47. In the State—yeas 197,505, nays 337,984. In 1864 a like proposition was defeated—yeas 85,406, nays 224,336.

In 1862, in August, a vote was, had in the State of Illinois, on several propositions relating to negroes and mulattoes, with this result:

For excluding them from the State.....	171,893	
Against.....	71,306	
		100,587
Against granting them suffrage or right to office.....	21,920	
For.....	35,649	
		176,271
For the enactment of laws to prohibit them from going to, or voting in, the State.....	198,938	
Against.....	44,414	
		154,524

—From McPherson's History of the Great Rebellion.

And shall have paid all school taxes and all taxes on personal property properly assessed against him, shall be entitled to vote for mayor, collector, register, members of the board of aldermen and board of common council, and assessor, and for every officer authorized to be elected at any election under any act or acts to which this is amendatory or supplementary, and inserting the words—

And shall within the year next preceding the election have paid a tax, or been assessed with a part of the revenue of the District, county, or cities, therein, or been exempt from taxation having taxable estate, and who can read and write with facility, shall enjoy the privileges of an elector.

May 26—Mr. Sumner moved to amend the bill by adding this proviso:

*Provided*, That there shall be no exclusion of any person from the registry on account of color.

May 27—Mr. Harlan moved to amend the amendment by making the word "person" read "persons," and adding the words—

Who have borne arms in the military service of the United States, and have been honorably discharged therefrom.

Which was agreed to yeas 26, nays 12, as follows:

YEAS—Messrs. Anthony, Chandler, Clark, Collamer, Conness, Dixon, Fessenden, Foot, Foster, Grimes, Hale, Harlan, Harris, Johnson, Lane of Indiana, Lane of Kansas, Morgan, Morrill, Pomeroy, Ramsey, Sherman, Ten Eyck, Trumbull, Wade, Willey, Wilson—26.

NAYS—Messrs. *Buckalew, Carlile, Cowan, Davis, Hendricks, McDougall, Powell, Richardson, Saulsbury, Sumner, Van Winkle, Wilkinson*—12.

May 28—Mr. Sumner moved to add these words to the last proviso:

*And provided further*, That all persons, without distinction of color, who shall, within the year next preceding the election, have paid a tax on any estate, or been assessed with a part of the revenue of said District, or been exempt from taxation having taxable estate, and who can read and write with facility, shall enjoy the privilege of an elector. But no person now entitled to vote in the said District, continuing to reside therein, shall be disfranchised hereby.

Which was rejected—yeas 8, nays 27, as follows:

YEAS—Messrs. Anthony, Clark, Lane of Kansas, Morgan, Pomeroy, Ramsey, Sumner, Wilkinson—8.

NAYS—Messrs. *Buckalew, Carlile, Collamer, Cowan, Davis, Dixon, Fessenden, Foot, Foster, Grimes, Hale, Harlan, Harris, Hendricks, Hicks, Johnson, Lane of Indiana, McDougall, Morrill, Powell, Sauls-*



bury, Sherman, Ten Eyck, Trumbull, Van Winkle, Willey, Wilson—27.

The other proposition of Mr. Sumner, amended on motion of Mr. Harlan, was then rejected—yeas 18, nays 20, as follows:

YEAS—Messrs. Anthony, Chandler, Clark, Dixon, Foot, Foster, Hale, Harlan, Howard, Howe, Lane of Kansas, Morgan, Pomeroy, Ramsey, Sherman, Sumner, Wilkinson, Wilson—18.

NAYS—Messrs. *Buckalew, Carlile, Cowan, Davis, Grimes, Harris, Hendricks, Hicks, Johnson, Lane of Indiana, McDougall, Morrill, Nesmith, Powell, Richardson, Saulsbury, Ten Eyck, Trumbull, Van Winkle, Willey*—20.

The bill then passed the Senate, and afterward the House, without amendment.

### Third Session, Thirty-Seventh Congress.

*Excluding Colored Persons from Cars.*

In Senate—1863, February 27—Pending a supplement to the charter of the Washington and Alexandria Railroad Company, Mr. Sumner offered this proviso to the first section:

That no person shall be excluded from the cars on account of color.

Which was agreed to—yeas 19, nays 18, as follows:

YEAS—Messrs. Arnold, Chandler, Clark, Fessenden, Foot, Grimes, Harris, Howard, King, Lane of Kansas, Morrill, Pomeroy, Sumner, Ten Eyck, Trumbull, Wade, Wilkinson, Wilmot, Wilson, of Massachusetts—19.

NAYS—Messrs. Anthony, *Bayard, Carlile, Cowan, Davis, Henderson, Hicks, Howe, Kennedy, Lane of Indiana, Latham, McDougall, Powell, Richardson, Saulsbury, Turpie, Willey, Wilson* of Missouri—18.

March 2.—The House concurred in the amendment without debate, under the previous question.

### First Session, Thirty-Eighth Congress.

In Senate—1864, February 10—Mr. Sumner offered the following:

*Resolved*, That the Committee on the District of Columbia be directed to consider the expediency of further providing by law against the exclusion of colored persons from the equal enjoyment of all railroad privileges in the District of Columbia.

Which was agreed to—yeas 30, nays 10.

February 24—Mr. Willey, from the Committee on the District of Columbia, made this report, and the committee were discharged:

The Committee on the District of Columbia, who were required by resolution of the Senate, passed February 8, 1864, "to consider the expediency of further providing by law against the exclusion of colored persons from the equal enjoyment of all railroad privileges in the District of

Columbia," have had the matter thus referred to them under consideration, and beg leave to report:

The act entitled "An act to incorporate the Washington and Georgetown Railroad Company," approved May 17, 1862, makes no distinction as to passengers over said road on account of the color of the passengers, and that in the opinion of the committee colored persons are entitled to all the privileges of said road which other persons have, and to all remedies for any denial or breach of such privileges which belongs to any person.

The committee therefore ask to be discharged from the further consideration of the premises.

March 17—The Senate considered the bill to incorporate the Metropolitan Railroad Company, in the District of Columbia, the pending question being an amendment, offered by Mr. Sumner, to add to the fourteenth section the words:

*Provided*, That there shall be no regulation excluding any person from any car on account of color.

Which was agreed to—yeas 19, nays 17, as follows:

YEAS—Messrs. Anthony, Brown, Clark, Conness, Fessenden, Foot, Foster, Grimes, Harlan, Howe, Lane of Kansas, Morgan, Morrill, Pomeroy, Ramsey, Sumner, Wade, Wilkinson, Wilson—19.

NAYS—Messrs. *Buckalew, Carlile, Davis, Doolittle, Harding, Harris, Hendricks, Johnson, Lane of Indiana, Powell, Riddle, Saulsbury, Sherman, Ten Eyck, Trumbull, Van Winkle, Willey*—17.

The bill then passed the Senate.

June 19—The House refused to strike out the proviso last adopted in the Senate—yeas 60, nays 76.

And the bill passed the House and was approved by the President.

### Second Session, Thirty-Seventh Congress.

*Colored Persons as Witnesses.*

In Senate—Pending the confiscation bill, June 28, 1862.

Mr. Sumner moved these words as an addition to the 14th section:

And in all the proceedings under this act there shall be no exclusion of any witness on account of color.

Which was rejected—yeas 14, nays 25, as follows:

YEAS—Messrs. Chandler, Grimes, Harlan, Howard, King, Lane of Kansas, Morrill, Pomeroy, Sumner, Trumbull, Wade, Wilkinson, Wilmot—14.

NAYS—Messrs. Anthony, Browning, *Carlile, Clark, Collamer, Cowan, Davis, Dixon, Doolittle, Fessenden, Foot, Foster, Harris, Henderson, Lane of Indiana, Nesmith, Pearce, Powell, Sherman, Simmons, Stark, Ten Eyck, Willey, Wilson* of Missouri, *Wright*—25.

Pending the consideration of the supplement to the emancipation bill for the District of Columbia,

1862, July 7—Mr. Sumner moved a new section :

That in all the judicial proceedings in the District of Columbia there shall be no exclusion of any witness on account of color.

Which was adopted—yeas 25, nays 11.

The bill then passed—yeas 29, nays 6; (Messrs. *Carlile, Davis, Kennedy, Powell, Wilson*, of Missouri, *Wright*.)

July 9—The bill passed the House—yeas 69, nays 36. There was no separate vote on the above proposition.

Pending the consideration in the Senate of the House bill in relation to the competency of witnesses in trials of equity and admiralty,

1862, July 15—Mr. Sumner offered this proviso to the first section :

*Provided*, That there shall be no exclusion of any witness on account of color.

Which was rejected—yeas 14, nays 23.

#### First Session, Thirty-Eighth Congress.

1864, June 25—Pending the civil appropriation bill, in Committee of the Whole, Mr. Sumner offered this proviso :

*Provided*, That in the courts of the United States there shall be no exclusion of any witness on account of color.

Mr. Buckalew moved to add :

Nor in civil actions because he is a party to or interested in the issue tried.

Which was agreed to ; and the amendment as amended was agreed to—yeas 22, nays 16.

The Senate subsequently concurred in this amendment—yeas 29, nays 10.

#### IN HOUSE.

June 29—The question being on agreeing to the amendment,

Mr. Mallory moved to add this proviso to the section amended in the Senate :

*Provided*, That negro testimony shall only be taken in the United States courts in those States the laws of which authorize such testimony.

Which was rejected—yeas 47, nays 66.

The amendment of the Senate was then agreed to—yeas 67, nays 48.

#### COLORED SCHOOLS.

June 8.—The House passed a bill to provide for the public instruction of youth in Washington city, with an amendment providing for separate schools for the colored children, by setting apart such a proportion of the entire school fund as the number of colored children between the ages of six and seventeen bear to the whole number of children in the District. The bill, with amendments, passed both Houses without a division.

On all of these questions of color, the Democrats invariably, on test votes, were found against any concession of rights to the negro. These were frequently aided by some Republicans, more conservative than their colleagues, or representing closer districts where political prejudices would affect their return to their seats. It will be observed that on nearly all these questions Senator Charles Sumner took the lead. He was at that time pre-eminently the Moses of the colored man, and led him from one right to another through Senatorial difficulties, which by the way, were never as strong as that in the House, where Thaddeus Stevens was the boldest champion of "the rights of the black man." In the field, rather in the direction of what should be done with the "contrabands" and escaped slaves, the Secretary of War, General Cameron, was their most radical friend, and his instructions were so outspoken that Lincoln had to modify them. As early as December 1, 1861, General Cameron wrote :

"While it is plain that the slave property of the South is justly subjected to all the consequences of this rebellious war, and that the Government would be untrue to its trust in not employing all the rights and powers of war to bring it to a speedy close, the details of the plan for doing so, like all other military measures, must, in a great degree, be left to be determined by particular exigencies. The disposition of other property belonging to the rebels that becomes subject to our arms is governed by the circumstances of the case. The Government has no power to hold slaves, none to restrain a slave of his liberty, or to exact his service. It has a right, however, to use the voluntary service of slaves liberated by war from their rebel masters, like any other property of the rebels, in whatever mode may be most efficient for the defence of the Government, the prosecution of the war, and the suppression of rebellion. It is clearly a right of the government to arm slaves when it may become necessary as it is to take gunpowder from the enemy. Whether it is expedient to do so is purely a military question. The right is unquestionable by the laws of war. The expediency must be determined by circumstances, keeping in view the great object of overcoming the rebels, re-establishing the laws, and restoring peace to the nation.

"It is vain and idle for the Government to carry on this war, or hope to maintain its existence against rebellious force, without enjoying all the rights and powers of war. As has been said, the right to deprive the rebels of their property in slaves and slave labor is as clear and absolute as the right to take forage from the field, or cotton from the warehouse, or powder and

arms from the magazine. To leave the enemy in the possession of such property as forage and cotton and military stores, and the means of constantly reproducing them, would be madness. It is, therefore, equal madness to leave them in peaceful and secure possession of slave property, more valuable and efficient to them for war than forage, cotton and military stores. Such policy would be national suicide. What to do with that species of property is a question that time and circumstances will solve, and need not be anticipated further than to repeat that they cannot be held by the Government as slaves. It would be useless to keep them as prisoners of war; and self-preservation, the highest duty of a Government, or of individuals, demands that they should be disposed of or employed in the most effective manner that will tend most speedily to suppress the insurrection and restore the authority of the Government. If it shall be found that the men who have been held by the rebels as slaves are capable of bearing arms and performing efficient military service, it is the right, and may become the duty, of this Government to arm and equip them, and employ their services against the rebels, under proper military regulations, discipline and command.

“But in whatever manner they may be used by the Government, it is plain that, once liberated by the rebellious act of their masters, they should never again be restored to bondage. By the master’s treason and rebellion he forfeits all right to the labor and service of his slave; and the slave of the rebellious master, by his service to the Government, becomes justly entitled to freedom and protection.

“The disposition to be made of the slaves of rebels, after the close of the war, can be safely left to the wisdom and patriotism of Congress. The representatives of the people will unquestionably secure to the loyal slaveholders every right to which they are entitled under the Constitution of the country.”

[Subsequent events proved the wisdom of this policy, and it was eventually adopted by an Administration which proclaimed its policy “to move not ahead but with the people.”]

President Lincoln and his Cabinet modified the above language so as to make it read:

“It is already a grave question what shall be done with those slaves who were abandoned by their owners on the advance of our troops into southern territory, as at Beaufort district, in South Carolina. The number left within our control at that point is very considerable, and similar cases will probably occur. What shall be done with them? Can we afford to send them forward to their masters, to be by

them armed against us, or used in producing supplies to sustain the rebellion? Their labor may be useful to us; withheld from the enemy it lessens his military resources, and withholding them has no tendency to induce the horrors of insurrection, even in the rebel communities. They constitute a military resource, and, being such, that they should not be turned over to the enemy is too plain to discuss. Why deprive him of supplies by a blockade, and voluntarily give him men to produce them?

“The disposition to be made of the slaves of rebels, after the close of the war, can be safely left to the wisdom and patriotism of Congress. The Representatives of the people will unquestionably secure to the loyal slaveholders every right to which they are entitled under the Constitution of the country.”

Secretary Cameron was at all times in favor of “carrying the war into Africa,” and it was this stern view of the situation which eventually led him to sanction measures which brought him into plainer differences with the Administration. Lincoln took offense at the printing of his report before submitting it to him. As a result he resigned and went to Russia as Minister, on his return being again elected to the United States Senate—a place which he filled until the winter of 1877, when he resigned, and his son, J. Donald Cameron, was elected to the vacancy, and re-elected for the term ending in 1885. General B. F. Butler was the author of the “contraband” idea. A year later the views of the Administration became more radical on questions of color, and July 22, 1862, Secretary Stanton ordered all Generals in command “to seize and use any property, real or personal, which may be necessary or convenient for their several commands, for supplies, or for other military purposes; and that while property may be destroyed for proper military objects, none shall be destroyed in wantonness or malice.

“*Second.* That military and naval commanders shall employ as laborers, within and from said States, so many persons of African descent as can be advantageously used for military or naval purposes, giving them reasonable wages for their labor.

“*Third.* That, as to both property, and persons of African descent, accounts shall be kept sufficiently accurate and in detail to show quantities and amounts, and from whom both property and such persons shall have come, as a basis upon which compensation can be made in proper cases; and the several departments of this Government shall attend to and perform their appropriate parts towards the execution of these orders.”

The manner and language employed by General McClellan in promulgating this

order to the Army of the Potomac, led to his political differences with the Administration, and in the end caused him to be the Democratic candidate for President in 1864, against Lincoln. His language is peculiar and some of it worthy of presentation as of political importance. He said:

"Inhabitants, especially women and children, remaining peaceably at their homes, must not be molested; and wherever commanding officers find families peculiarly exposed in their persons or property to marauding from this army, they will, as heretofore, so far as they can do with safety and without detriment to the service, post guards for their protection.

"In protecting private property, no reference is intended to persons held to service or labor by reason of African descent. Such persons will be regarded by this army, as they heretofore have been, as occupying simply a peculiar legal status under State laws, which condition the military authorities of the United States are not required to regard at all in districts where military operations are made necessary by the rebellious action of the State governments.

"Persons subject to suspicion of hostile purposes, residing or being near our forces, will be, as heretofore, subject to arrest and detention, until the cause or necessity is removed. All such arrested parties will be sent, as usual, to the Provost Marshal General, with a statement of the facts in each case.

"The general commanding takes this occasion to remind the officers and soldiers of this army that we are engaged in supporting the Constitution and the laws of the United States and suppressing rebellion against their authority; that we are not engaged in a war of rapine, revenge, or subjugation; that this is not a contest against populations, but against armed forces and political organizations; that it is a struggle carried on with the United States, and should be conducted by us upon the highest principles known to Christian civilization."

At this time such were the prejudices of Union soldiers against negroes, because of growing political agitation in the North, that many would loudly jeer them when seen within the lines. The feeling was even greater in the ranks of civilians, and yet Congress moved along, step by step. The 37th abolished slavery in the District of Columbia; prohibited it in all the territories; confirmed the freedom of the slaves owned by those in arms against the government; authorized the employment of colored men in fortifications, their enlistment, etc.; and enacted an additional article of war, which prohibited any officer from returning or aiding the return of any fugitive slave. These were rapid strides,

but not as rapid as were demanded by the more radical wing of the Republican party. We have shown that most of them were opposed by the Democrats, not solidly sure where they were plainly political, but this party became less solid as the war advanced.

Senator Wilson was the author of the bill to abolish slavery in the District of Columbia. It excited much debate, and the range of the speeches covered the entire question of slavery. Those from the Border States opposed it (a few Republicans and all Democrats) but some of the Democrats of the North supported it. The vote in the Senate was 29 for to 6 against. In the House Frank P. Blair, Jr., advocated colonization in connection with the bill, but his idea met with little favor. Crittenden, Wickliffe and Vallandigham were prominent in opposition. Its most prominent advocates were Stevens of Pennsylvania, and Bingham of Ohio. The vote was 92 for to 38 against.

The bill of Arnold, of Illinois, "to render freedom national and slavery sectional," the leading idea in the platform of the convention which nominated Lincoln, prohibited slavery in "all the Territories of the United States then existing, or thereafter to be formed or acquired in any way." It was vehemently opposed, but passed with some modifications by 58 yeas to 50 noes, and it also passed the Senate.

In the Spring of 1862 General David Hunter brought the question of the enlistment of colored troops to a direct issue by raising a regiment of them. On the 9th of June following, Mr. Wickliffe of Kentucky, succeeded in getting the House to adopt a resolution of inquiry. Correspondence followed with General Hunter. He confessed the fact, stated that "he found his authority in the instructions of Secretary Cameron, and said that he hoped by fall to enroll about fifty thousand of these hardy and devoted soldiers." When this reply was read in the House it was greeted with shouts of laughter from the Republicans, and signs of anger from the others. A great debate followed on the amendment to the bill providing for the calling out of the militia, clothing the President with full power to enlist colored troops, and to proclaim "he, his mother, and wife and children forever free," after such enlistment. Preston King, of New York, was the author of this amendment. Davis, of Kentucky, and Carlisle of West Virginia, were prominent Senators in opposition; while Ten Eyck, of New Jersey, Sherman of Ohio, and Browning of Illinois sought to modify it. Garrett Davis said in opposition:

"Do you expect us to give our sanction and approval to these things? No, no! We would regard their authors as our worst enemies; and there is no foreign despot-

ism that could come to our rescue, that we would not fondly embrace, before we would submit to any such condition of things."

Senator Fessenden of Maine, in advocacy of the amendment, said:

"I tell the President from my place here as a Senator, and I tell the generals of our army, they must reverse their practices and course of proceeding on this subject. \* \* \* Treat your enemies as enemies, as the worst of enemies, and avail yourselves like men of every power which God has placed in your hands, to accomplish your purpose, within the rules of civilized warfare."

The bill passed, so modified, as to give freedom to all who should perform military service, but restricting liberty to the families of such only as belonged to rebel masters. It passed the House July 16th, 1862, and received the sanction of the President, who said:—"And the promise made must be kept!" General Hunter for his part in beginning colored enlistments, was outlawed by the Confederate Congress. Hunter followed with an order freeing the slaves in South Carolina.

In January, 1863, pursuant to a suggestion in the annual report of Secretary Stanton, who was by this time as radical as his predecessor in office, the House passed a bill authorizing the President to enroll into the land and naval service such number of volunteers of African descent as he might deem useful to suppress the rebellion, and for such term as he might prescribe, not exceeding five years. The slaves of loyal citizens in the Border States were excluded from the provisions of this bill. In the Senate an adverse report was made on the ground that the President already possessed these powers.

In January, 1863, Senator Wilson, who was by this time chairman of the Military Committee of the Senate, secured the passage of a bill which authorized a draft for the National forces from the ranks of all male citizens, and those of foreign birth who had declared their intentions, etc. The bill contained the usual exemptions.

#### CONFEDERATE USE OF COLORED MEN.

In June, 1861, the rebel Legislature of Tennessee passed this enlistment bill, which became a law:

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee,* That from and after the passage of this act the Governor shall be, and he is hereby, authorized, at his discretion, to receive into the military service of the State all male free persons of color between the ages of fifteen and fifty, or such numbers as may be necessary, who may be sound in mind and body, and capable of actual service.

2. That such free persons of color shall receive, each, eight dollars per month, as pay, and such persons shall be entitled to draw, each, one ration per day, and shall be entitled to a yearly allowance each for clothing.

3. That, in order to carry out the provisions of this act, it shall be the duty of the sheriffs of the several counties in this State to collect accurate information as to the number and condition, with the names of free persons of color, subject to the provisions of this act, and shall, as it is practicable, report the same in writing to the Governor.

4. That a failure or refusal of the sheriffs, or any one or more of them, to perform the duties required, shall be deemed an offence, and on conviction thereof shall be punished as a misdemeanor.

5. That in the event a sufficient number of free persons of color to meet the wants of the State shall not tender their services, the Governor is empowered, through the sheriffs of the different counties, to press such persons until the requisite number is obtained.

6. That when any mess of volunteers shall keep a servant to wait on the members of the mess, each servant shall be allowed one ration.

This act to take effect from and after its passage.

W. C. WHITTHORNE,  
*Speaker of the House of Representatives.*

B. L. STOVALL,  
*Speaker of the Senate.*

Passed June 28, 1861.

1862, November 2—Governor Joseph E. Brown, of Georgia, issued a call announcing that if a sufficient supply of negroes be not tendered within ten days, General Mercer will, in pursuance of authority given him, proceed to impress, and asking of every planter of Georgia a tender of one fifth of his negroes to complete the fortifications around Savannah. This one fifth is estimated at 15,000.

1863. The Governor of South Carolina in July, issued a proclamation for 3,000 negroes to work on the fortifications, "the need for them being pressing."

#### THE CHANGING SENTIMENT OF CONGRESS.

In the Rebel House of Representatives, December 29th, Mr. DARGAN, of Alabama, introduced a bill to receive into the military service all that portion of population in Alabama, Mississippi, Louisiana, and Florida, known as "Creoles."

Mr. Dargan supported the bill in some remarks. He said the Creoles were a mixed-blooded race. Under the treaty of Paris in 1803, and the treaty of Spain in 1810, they were recognized as freemen.

Many of them owned large estates, and were intelligent men. They were as much devoted to our cause as any class of men in the South, and were even anxious to go into service. They had applied to him to be received into service, and he had applied to Mr. Randolph, then Secretary of War. Mr. Randolph decided against the application, on the ground that it might furnish to the enemy a pretext of arming our slaves against us. Some time after this he was again applied to by them, and he went to the present Secretary of War, Mr. Seddon, and laid the matter before him. Mr. Seddon refused to entertain the proposition, on the ground that it did not come up before him through the military authorities. To obviate this objection, Gen. Maury, at Mobile, soon afterwards represented their wishes to the War Department. Mr. Seddon refused the offer of their services, on the ground that it would be incompatible with the position we occupied before the world; that it could not be done.

Mr. Dargan said he differed with the Secretary of War. He cared not for "the world." He cared no more for their opinions than they did for ours. He was anxious to bring into service every free man, be he who he may, willing to strike for our cause. He saw no objection to employing Creoles; they would form a potent element in our army. In his district alone a brigade of them could be raised. The crisis had been brought upon us by the enemy, and he believed the time would yet come when the question would not be the Union or no Union, but whether Southern men should be permitted to live at all. In resisting subjugation by such a barbarous foe he was for employing all our available force. *He would go further and say that he was for arming and putting the slaves into military service. He was in favor even of employing them as a military arm in the defence of the country.*

1864. The Mayor of Charleston, Charles Macbeth, summons all slaveholders within the city to furnish to the military authorities forthwith, one-fourth of all their male slaves between the ages of fifteen and fifty, to labor upon the fortifications. The penalty announced, in case of failure to comply with this requisition is a fine of \$200 for every slave not forthcoming. Compensation is allowed at the rate of \$400 a year.

All free male persons of color between the ages of fifteen and fifty are required to give themselves up for the same purpose. Those not complying will be imprisoned, and set to work upon the fortifications along the coast. To free negroes no other compensation than rations is allowed.

#### NEGROES IN THE ARMY.

The Richmond press publish the official

copy of "An act to increase the efficiency of the army by the employment of free negroes and slaves in certain capacities," lately passed by the Rebel Congress. The negroes are to perform "such duties as the Secretary of War or Commanding General may prescribe." The first section is as follows:

*The Congress of the Confederate States of America do enact, That all male free negroes, and other free persons of color, not including those who are free under the treaty of Paris, of 1803, or under the treaty of Spain, of 1819, resident in the Confederate States, between the ages of eighteen and fifty years, shall be held liable to perform such duties with the army, or in connection with the military defences of the country, in the way of work upon the fortifications, or in government works for the production or preparation of materials of war, or in military hospitals, as the Secretary of War or the Commanding General of the Trans-Mississippi Department may, from time to time, prescribe; and while engaged in the performances of such duties shall receive rations and clothing and compensation at the rate of eleven dollars a month, under such rules and regulations as the said Secretary may establish: *Provided*, That the Secretary of War or the Commanding General of the Trans-Mississippi Department, with the approval of the President, may exempt from the operations of this act such free negroes as the interests of the country may require should be exempted, or such as he may think proper to exempt on the ground of justice, equity or necessity.*

The third section provides that when the Secretary of War shall be unable to procure the services of slaves in any military department, then he is authorized to impress the services of as many male slaves, not to exceed twenty thousand, as may be required, from time to time, to discharge the duties indicated in the first section of the act.

The owner of the slave is to be paid for his services; or, if he be killed or "escape to the enemy," the owner shall receive his full value.

Governor Smith, of Virginia, has made a call for five thousand male slaves to work on the batteries, to be drawn from fifty counties. The call for this force has been made by the President under a resolution of Congress.

#### "CONFEDERATE" LEGISLATION UPON NEGRO PRISONERS AND THEIR WHITE OFFICERS WHEN CAPTURED.\*

1863, May 1—An act was approved declaring that the commissioned officers of

\*December 23, 1862—Jefferson Davis issued a proclamation of outlawry against Major General B. F. Butler, the last two clauses of which are:

the enemy ought not to be delivered to the authorities of the respective States, (as suggested in Davis's message;) but all captives taken by the Confederate forces ought to be dealt with and disposed of by the Confederate Government.

President Lincoln's emancipation proclamations of September 22, 1862, and January 1, 1863, were resolved to be inconsistent with the usages of war among civilized nations, and should be repressed by retaliation; and the President is authorized to cause full and complete retaliation for every such violation, in such manner and to such extent as he may think proper.

Every white commissioned officer commanding negroes or mulattoes in arms against the Confederate States shall be deemed as inciting servile insurrection, and shall, if captured, be put to death, or be otherwise punished, at the discretion of the court.

Every person charged with an offence made punishable under the act shall be tried by the military court of the army or corps of troops capturing him; and, *after conviction, the President may commute the punishment in such manner and on such terms as he may deem proper.*

All negroes and mulattoes who shall be engaged in war or taken in arms against the Confederate States, or shall give aid or comfort to the enemies of the Confederate States, shall, when captured in the Confederate States, be delivered to the authorities of the State or States in which they shall be captured, to be dealt with according to the present or future laws of such State or States.

#### Passage of the Thirteenth Amendment.

The first amendment to the Constitution growing out of the war, and one of its direct results, was that of abolishing slavery. It was first introduced to the House December 14th, 1863, by James M. Ashley of Ohio. Similar measures were introduced by James M. Wilson, Senators Henderson, Sumner and others. On the 10th of February, Senator Trumbull reported Henderson's joint resolution amended as follows:

"That the following article be proposed to the Legislatures of the several States, as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be

Third. That all negro slaves captured in arms be at once delivered over to the executive authorities of the respective States to which they belong, to be dealt with according to the laws of said States.

Fourth. That the like orders be executed in all cases with respect to all commissioned officers of the United States when found serving in company with said slaves in insurrection against the authorities of the different States of this Confederacy.

valid to all intents and purposes as a part of the said Constitution, namely:

"ART. 13, Sec. 1. Neither slavery nor involuntary servitude except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Sec. 2. Congress shall have power to enforce this article by appropriate legislation."

The Senate began the consideration of the question March 23th, Senator Trumbull opening the debate in favor of the amendment. He predicted that within a year the necessary number of States would ratify it. Wilson of Massachusetts made a long and able speech in favor. Davis of Kentucky and Saulsbury of Delaware led the opposition, but Reverdy Johnson, an independent Democratic Senator from Maryland, surprised all by his bold support of the measure. Among other things he said:

"I think history will bear me out in the statement, that if the men by whom that Constitution was framed, and the people by whom it was adopted, had anticipated the times in which we live, they would have provided by constitutional enactment, that that evil and that sin should in some comparatively unremote day be removed. Without recurring to authority, the writings public or private of the men of that day, it is sufficient for my purpose to state what the facts will justify me in saying, that every man of them who largely participated in the deliberations of the Convention by which the Constitution was adopted, earnestly desired, not only upon grounds of political economy, not only upon reasons material in their character, but upon grounds of morality and religion, that sooner or later the institution should terminate."

Senator McDougall of California, opposed the amendment. Harlan of Iowa, Hale of New Hampshire, and Sumner, made characteristic speeches in favor. Saulsbury advocated the divine right of slavery. It passed April 8th, by 38 ayes to 6 noes, the latter comprising Davis and Powell of Kentucky; McDougall of California; Hendricks of Indiana; Saulsbury and Riddle of Delaware.

Arnold of Illinois, was the first to secure the adoption in the House (Feb. 15, 1864,) of a resolution to abolish slavery; but the Constitutional amendment required a two-thirds vote, and this it was difficult to obtain, though all the power of the Administration was bent to that purpose. The discussion began May 31st; the vote was reached June 15th, but it then failed of the required two-thirds—93 for to 65 against, 23 not voting. Its more pronounced advocates were Arnold, Ashley,

Broomall, Stevens, and Kelly of Pennsylvania; Farnsworth and Ingersoll of Illinois, and many others. Its ablest opponents were Holman, Wood, Mallory, Cox and Pendleton—the latter rallying nearly all of the Democrats against it. Its Democratic friends were McAllister and Bailey of Pennsylvania; Cobb of Wisconsin; Griswold and Odell of New York. Before the vote was announced Ashley changed his vote so as to move a reconsideration and keep control of the question. At the next session it was passed, receiving every Republican and 16 Democratic votes, 8 Democrats purposely refraining, so that it would surely pass.

#### Admission of Representatives from Louisiana.

The capture of New Orleans by Admiral Farragut, led to the enrollment of 60,000 citizens of Louisiana as citizens of the United States. The President thereupon appointed a Military Governor for the entire State, and this Governor ordered an election for members of Congress under the old State constitution. This was held Dec. 3, 1862, when Messrs. Flanders and Hahn were returned, neither receiving 3,000 votes. They received certificates, presented them, and thus opened up a new and grave political question. The Democrats opposed their admission on grounds so well stated by Voorhees of Indiana, that we quote them :

“Understand this principle. If the Southern Confederacy is a foreign power, an independent nationality to-day, and you have conquered back the territory of Louisiana, you may then substitute a new system of laws in the place of the laws of that State. You may then supplant her civil institutions by institutions made anew for her by the proper authority of this *Government*—not by the executive—but by the *legislative* branch of the Government, assisted by the Executive simply to the extent of signing his name to the bills of legislation. If the Chairman of the Committee of Ways and Means, (Mr. Stevens) is correct; if the gentleman from Kansas (Mr. Conway) is correct, and this assumed power in the South is a power of the earth, and stands to-day upon equal terms of nationality with ourselves, and reconquer back State by State its territory by the power of arms, then we may govern them independently of their local laws. But if the theory we have been proceeding upon here, that this Union is unbroken; that no States have sundered the bonds that bind us together; that no successful disunion has yet taken place,—if that theory is still to prevail in these halls, then this cannot be done. You are as much bound to uphold the laws of Louisiana in all their extent and in all

their parts, as you are to uphold the laws of Pennsylvania or New York, or any other State whose civil policy has not been disturbed.”

Michael Hahn, one of the Representatives elect, closed a very effective speech, which secured the personal good will of the House in favor of his admission, in these words:

“And even, sir, within the limits of the dreary and desolated region of the rebellion itself, despair, which has already taken hold of the people, will gain additional power and strength, at the reception of the news that Louisiana sends a message of peace, good-will, and hearty fellowship to the Union. This intelligence will sound more joyful to patriot ears than all the oft repeated tidings of ‘Union victories.’ And of all victories, this will be the most glorious, useful and solid, for it speaks of *re-organization*, soon to become the great and difficult problem with which our statesmen will have to familiarize themselves, and when this shall have commenced, we will be able to realize that God, in his infinite mercy has looked down upon our misfortunes, and in a spirit of paternal love and pity, has addressed us in the language ascribed to him by our own gifted Longfellow :

“I am weary of your quarrels,  
Weary of your wars and bloodshed,  
Weary of your prayers for vengeance,  
Of your wranglings and dissensions;  
All your strength is in your *Union*,  
All your danger is in *discord*,  
Therefore, be at peace, henceforward,  
And as *brothers* live together.”

Mr. Speaker, Louisiana—ever loyal, honorable Louisiana—seeks no greater blessing in the future, than to remain a part of this great and glorious Union. She has stood by you in the darkest hours of the rebellion; and she intends to stand by you. Sir, raise your eyes to the gorgeous ceilings which ornament this Hall, and look upon her fair and lovely escutcheon. Carefully read the patriotic words which surround her affectionate pelican family, and you will find there inscribed, ‘*Justice, Union, Confidence.*’ Those words have with us no idle meaning; and would to God that other members of this Union, could properly appreciate our motto, our motives and our position!”

The debate attracted much attention, because of the novelty of a question upon which, it has since been contended, would have turned a different plan of reconstructing the rebellious States if the President's plans had not been destroyed by his assassination. Dawes, of Massachusetts, was the Chairman of the Committee on Elections, and he closed the debate in favor of admission. The vote stood 92 for to 44 against, almost a strict party test, the Democrats voting no.



## RECONSTRUCTION.

In the House as early as Dec. 15, 1863, Henry Winter Davis moved that so much of the President's message as relates to the duty of the United States to guaranty a Republican form of government to the States in which the governments recognized by the United States have been abrogated or overthrown, be referred to a select committee of nine to report the bills necessary and proper for carrying into execution the foregoing guarantee, was passed, and on May 4th, 1864, the House adopted the first reconstruction bill by 74 yeas to 66 nays—a strict party vote.\* The Senate passed it by yeas 18, nays 14—Doolittle, Henderson, Lane of Indiana, Ten Eyck, Trumbull, and Van Winkle voting with the Democrats against it.

The bill authorizes the President to appoint in each of the States declared in rebellion, a Provisional Governor, with the pay and emoluments of a brigadier; to be charged with the civil administration until a State government therein shall be recognized. As soon as the military resistance to the United States shall have been suppressed, and the people sufficiently returned to their obedience to the Constitution and laws, the Governor shall direct the marshal of the United States to enroll all the white male citizens of the United States, resident in the State in their respective counties, and whenever a majority of them take the oath of allegiance, the loyal people of the State shall be entitled to elect delegates to a convention to act upon the re-establishment of a State government—the proclamation to contain details prescribed. Qualified voters in the army may vote in their camps. No person who has held or exercised any civil, military, State, or Confederate office, under the rebel occupation, and who has voluntarily borne arms against the United States, shall vote or be eligible as a delegate. The convention is required to insert in the constitution provisions—

1st. No person who has held or exercised any civil or military office, (except offices merely ministerial and military offices below a colonel,) State or Confederate, under the usurping power, shall vote for, or be a member of the legislature or governor.

2d. Involuntary servitude is forever prohibited, and the freedom of all persons is guaranteed in said State.

3d. No debt, State or Confederate, created by or under the sanction of the usurping power, shall be recognized or paid by the State.

Upon the adoption of the constitution by the convention, and its ratification by the electors of the State, the Provisional Gov-

ernor shall so certify to the President, who, after obtaining the assent of Congress, shall, by proclamation, recognize the government as established, and none other, as the constitutional government of the State; and from the date of such recognition, and not before, Senators and Representatives and electors for President and Vice-President may be elected in such State. Until re-organization the Provisional Governor shall enforce the laws of the Union and of the State before the rebellion.

The remaining sections are as follows:

SEC. 12. That all persons held to involuntary servitude or labor in the States aforesaid are hereby emancipated and discharged therefrom, and they and their posterity shall be forever free. And if any such persons or their posterity shall be restrained of liberty, under pretence of any claim to such service or labor, the courts of the United States shall, on *habeas corpus*, discharge them.

SEC. 13. That if any person declared free by this act, or any law of the United States, or any proclamation of the President, be restrained of liberty, with intent to be held in or reduced to involuntary servitude or labor, the person convicted before a court of competent jurisdiction of such act shall be punished by fine of not less than \$1,500, and be imprisoned not less than five, nor more than twenty years.

SEC. 14. That every person who shall hereafter hold or exercise any office, civil or military, except offices merely ministerial and military offices below the grade of colonel, in the rebel service, State or Confederate, is hereby declared not to be a citizen of the United States.

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#### Lincoln's Proclamation on Reconstruction

President Lincoln failed to sign the above bill because it reached him less than one hour before final adjournment, and thereupon issued a proclamation which closed as follows:

“Now, therefore, I, Abraham Lincoln, President of the United States, do proclaim, declare, and make known, that, while I am (as I was in December last, when by proclamation I propounded a plan for restoration) unprepared, by a formal approval of this bill, to be inflexibly committed to any single plan of restoration; and, while I am also unprepared to declare that the free State constitutions and governments already adopted and installed in Arkansas and Louisiana shall be set aside and held for nought, thereby repelling and discouraging the loyal citizens who have set up the same as to further effort, or to declare a constitutional competency in Congress to abolish slavery in States, but am at the same time sincerely hoping and

\* McPherson's History, page 317.

expecting that a constitutional amendment abolishing slavery throughout the nation may be adopted, nevertheless I am fully satisfied with the system for restoration contained in the bill as one very proper plan for the loyal people of any State choosing to adopt it, and that I am, and at all times shall be, prepared to give the Executive aid and assistance to any such people, so soon as the military resistance to the United States shall have been suppressed in any such State, and the people thereof shall have sufficiently returned to their obedience to the Constitution and laws of the United States, in which cases Military Governors will be appointed, with directions to proceed according to the bill."

#### Admission of Arkansas.

On the 10th of June, 1864, introduced a joint resolution for the recognition of the free State government of Arkansas. A new State government had then been organized, with Isaac Murphy, Governor, who was reported to have received nearly 16,000 votes at a called election. The other State officers are:

Lieutenant Governor, C. C. Bliss; Secretary of State, R. J. T. White; Auditor, J. B. Berry; Treasurer, E. D. Ayers; Attorney General, C. T. Jordan; Judges of the Supreme Court, T. D. W. Yowley, C. A. Harper, E. Baker.

The Legislature also elected Senators, but neither Senators nor Representatives obtained their seats. Trumbull, from the Senate Judiciary Committee, made a long report touching the admission of the Senators, which closed as follows:

"When the rebellion in Arkansas shall have been so far suppressed that the loyal inhabitants thereof shall be free to re-establish their State government upon a republican foundation, or to recognize the one already set up, and by the aid and not in subordination to the military to maintain the same, they will then, and not before, in the opinion of your committee, be entitled to a representation in Congress, and to participate in the administration of the Federal Government. Believing that such a state of things did not at the time the claimants were elected, and does not now, exist in the State of Arkansas, the committee recommend for adoption the following resolution:

"Resolved, That William M. Fishback and Elisha Baxter are not entitled to seats as Senators from the State of Arkansas."

1864, June 29—The resolution of the Committee on the Judiciary was adopted—yeas 27, nays 6.

President Lincoln was known to favor the immediate admission of Arkansas and Louisiana, but the refusal of the Senate to

admit the Arkansas Senators raised an issue which partially divided the Republicans in both Houses, some of whom favored forcible reconstruction through the aid of Military Governors and the machinery of new State governments, while others opposed. The views of those opposed to the President's policy are well stated in a paper signed by Benjamin F. Wade and Henry Winter Davis, published in the *New York Tribune*, August 5th, 1864. From this we take the more pithy extracts:

The President, by preventing this bill from becoming a law, holds the electoral votes of the rebel States at the dictation of his personal ambition.

If those votes turn the balance in his favor, is it to be supposed that his competitor, defeated by such means, will acquiesce?

If the rebel majority assert their supremacy in those States, and send votes which elect an enemy of the Government, will we not repel his claims?

And is not civil war for the Presidency inaugurated by the votes of rebel States?

Seriously impressed with these dangers, Congress, "*the proper constitutional authority*," formally declared that there are no State governments in the rebel States, and provided for their erection at a proper time; and both the Senate and the House of Representatives rejected the Senators and Representatives chosen under the authority of what the President calls the free constitution and government of Arkansas.

The President's proclamation "*holds for naught*" this judgment, and discards the authority of the Supreme Court, and strides headlong toward the anarchy his proclamation of the 8th of December inaugurated.

If electors for President be allowed to be chosen in either of those States, a sinister light will be cast on the motives which induced the President to "*hold for naught*" the will of Congress rather than his government in Louisiana and Arkansas.

That judgment of Congress which the President defies was the exercise of an authority exclusively vested in Congress by the Constitution to determine what is the established government in a State, and in its own nature and by the highest judicial authority binding on all other departments of the Government. \* \* \* \*

A more studied outrage on the legislative authority of the people has never been perpetrated.

Congress passed a bill; the President refused to approve it, and then by proclamation puts as much of it in force as he sees fit, and proposes to execute those parts by officers unknown to the laws of the United States and not subject to the confirmation of the Senate!

The bill directed the appointment of Provisional Governors by and with the advice and consent of the Senate.

The President, after defeating the law, proposes to appoint without law, and without the advice and consent of the Senate, *Military* Governors for the rebel States!

He has already exercised this dictatorial usurpation in Louisiana, and he defeated the bill to prevent its limitation. \* \* \*

The President has greatly presumed on the forbearance which the supporters of his Administration have so long practiced, in view of the arduous conflict in which we are engaged, and the reckless ferocity of our political opponents.

But he must understand that our support is of a cause and not of a man; that the authority of Congress is paramount and must be respected; that the whole body of the Union men of Congress will not submit to be impeached by him of rash and unconstitutional legislation; and if he wishes our support, he must confine himself to his executive duties—to obey and execute, not make the laws—to suppress by arms armed rebellion, and leave political reorganization to Congress.

If the supporters of the Government fail to insist on this, they become responsible for the usurpations which they fail to rebuke, and are justly liable to the indignation of the people whose rights and security, committed to their keeping, they sacrifice.

Let them consider the remedy for these usurpations, and, having found it, fearlessly execute it.

The question, as presented in 1864, now passed temporarily from public consideration because of greater interest in the closing events of the war and the Presidential succession. The passage of the 14th or anti-slavery amendment by the States also intervened. This was officially announced on the 18th of December 1865, by Mr. Seward, 27 of the then 36 States having ratified, as follows: Illinois, Rhode Island, Michigan, Maryland, New York, West Virginia, Maine, Kansas, Massachusetts, Pennsylvania, Virginia, Ohio, Missouri, Nevada, Indiana, Louisiana, Minnesota, Wisconsin, Vermont, Tennessee, Arkansas, Connecticut, New Hampshire, South Carolina, Alabama, North Carolina, and Georgia.

#### TEXT OF THE RECONSTRUCTION MEASURES.

##### 14th Constitutional Amendment.

*Joint Resolution proposing an Amendment to the Constitution of the United States.*

*Be it resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, (two-thirds of both houses concurring,) That*

the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid as part of the Constitution, namely:

[Here follows the 14th amendment. See Book IV.]

##### Reconstruction Act of Thirty-Ninth Congress.

*An Act to provide for the more efficient government of the rebel States.*

Whereas no legal State governments or adequate protection for life or property now exists in the rebel States of Virginia, North Carolina, South Carolina, Georgia, Mississippi, Alabama, Louisiana, Florida, Texas, and Arkansas; and whereas it is necessary that peace and good order should be enforced in said States until loyal and republican State governments can be legally established: Therefore

*Be it enacted, &c.,* That said rebel States shall be divided into military districts and made subject to the military authority of the United States, as hereinafter prescribed, and for that purpose Virginia shall constitute the first district; North Carolina and South Carolina the second district; Georgia, Alabama, and Florida the third district; Mississippi and Arkansas the fourth district; and Louisiana and Texas the fifth district.

SEC. 2. That it shall be the duty of the President to assign to the command of each of said districts an officer of the army, not below the rank of brigadier general, and to detail a sufficient military force to enable such officer to perform his duties and enforce his authority within the district to which he is assigned.

SEC. 3. That it shall be the duty of each officer assigned as aforesaid to protect all persons in their rights of person and property, to suppress insurrection, disorder, and violence, and to punish, or cause to be punished, all disturbers of the public peace and criminals, and to this end he may allow local civil tribunals to take jurisdiction of and to try offenders, or, when in his judgment it may be necessary for the trial of offenders, he shall have power to organize military commissions or tribunals for that purpose; and all interference under color of State authority with the exercise of military authority under this act shall be null and void.

SEC. 4. That all persons put under military arrest by virtue of this act shall be tried without unnecessary delay, and no cruel or unusual punishment shall be inflicted; and no sentence of any military commission or tribunal hereby authorized, affecting the life or liberty of any person, shall be executed until it is approved by the officer in command of the district, and

the laws and regulations for the government of the army shall not be affected by this act, except in so far as they conflict with its provisions: *Provided*, That no sentence of death under the provisions of this act shall be carried into effect without the approval of the President.

SEC. 5. That when the people of any one of said rebel States shall have formed a constitution of government in conformity with the Constitution of the United States in all respects, framed by a convention of delegates elected by the male citizens of said State twenty-one years old and upward, of whatever race, color, or previous condition, who have been resident in said State for one year previous to the day of such election, except such as may be disfranchised for participation in the rebellion, or for felony at common law, and when such constitution shall provide that the elective franchise shall be enjoyed by all such persons as have the qualifications herein stated for electors of delegates, and when such constitution shall be ratified by a majority of the persons voting on the question of ratification who are qualified as electors for delegates, and when such constitution shall have been submitted to Congress for examination and approval, and Congress shall have approved the same, and when said State, by a vote of its legislature elected under said constitution, shall have adopted the amendment to the Constitution of the United States, proposed by the Thirty-ninth Congress, and known as article fourteen, and when said article shall have become a part of the Constitution of the United States, said State shall be declared entitled to representation in Congress, and Senators and Representatives shall be admitted therefrom on their taking the oaths prescribed by law, and then and thereafter the preceding sections of this act shall be inoperative in said State: *Provided*, That no person excluded from the privilege of holding office by said proposed amendment to the Constitution of the United States shall be eligible to election as a member of the convention to frame a constitution for any of said rebel States, nor shall any such person vote for members of such convention.

SEC. 6. That until the people of said rebel States shall be by law admitted to representation in the Congress of the United States, any civil governments which may exist therein shall be deemed provisional only, and in all respects subject to the paramount authority of the United States at any time to abolish, modify, control, or supersede the same; and in all elections to any office under such provisional governments all persons shall be entitled to vote, and none others, who are entitled to vote under the provisions of the fifth section of this act; and no person shall be eligible to

any office under any such provisional governments who would be disqualified from holding office under the provisions of the third article of said constitutional amendment.

Passed March 2, 1867.

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**Supplemental Reconstruction Act of Fortieth Congress.**

AN ACT supplementary to an act entitled "An act to provide for the more efficient government of the rebel States," passed March second, eighteen hundred and sixty-seven, and to facilitate restoration.

*Be it enacted, &c.*, That before the first day of September, eighteen hundred and sixty-seven, the commanding general in each district defined by an act entitled "An act to provide for the more efficient government of the rebel States," passed March second, eighteen hundred and sixty-seven, shall cause a registration to be made of the male citizens of the United States, twenty-one years of age and upwards, resident in each county or parish in the State or States included in his district, which registration shall include only those persons who are qualified to vote for delegates by the act aforesaid, and who shall have taken and subscribed the following oath or affirmation: "I, \_\_\_\_\_, do solemnly swear, (or affirm,) in the presence of Almighty God, that I am a citizen of the State of \_\_\_\_\_; that I have resided in said State for \_\_\_\_\_ months next preceding this day, and now reside in the county of \_\_\_\_\_, or the parish of \_\_\_\_\_, in said State, (as the case may be;) that I am twenty-one years old; that I have not been disfranchised for participation in any rebellion or civil war against the United States, nor for felony committed against the laws of any State or of the United States; that I have never been a member of any State legislature, nor held any executive or judicial office in any State and afterwards engaged in insurrection or rebellion against the United States, or given aid or comfort to the enemies thereof; that I have never taken an oath as a member of Congress of the United States, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, and afterwards engaged in insurrection or rebellion against the United States or given aid or comfort to the enemies thereof; that I will faithfully support the Constitution and obey the laws of the United States, and will, to the best of my ability, encourage others so to do, so help me God;" which oath or affirmation may be administered by any registering officer.

SEC. 2. That after the completion of the registration hereby provided for in any State, at such time and places therein as the commanding general shall appoint and direct, of which at least thirty days' public notice shall be given, an election shall be held of delegates to a convention for the purpose of establishing a constitution and civil government for such State loyal to the Union, said convention in each State, except Virginia, to consist of the same number of members as the most numerous branch of the State legislature of such State in the year eighteen hundred and sixty, to be apportioned among the several districts, counties, or parishes of such State by the commanding general, giving to each representation in the ratio of voters or registered as aforesaid, as nearly as may be. The convention in Virginia shall consist of the same number of members as represented the territory now constituting Virginia in the most numerous branch of the legislature of said State in the year eighteen hundred and sixty, to be appointed as aforesaid.

SEC. 3. That at said election the registered voters of each State shall vote for or against a convention to form a constitution therefor under this act. Those voting in favor of such a convention shall have written or printed on the ballots by which they vote for delegates, as aforesaid, the words "For a convention," and those voting against such a convention shall have written or printed on such ballots the words "Against a convention." The person appointed to superintend said election, and to make return of the votes given thereat, as herein provided, shall count and make return of the votes given for and against a convention; and the commanding general to whom the same shall have been returned shall ascertain and declare the total vote in each State for and against a convention. If a majority of the votes given on that question shall be for a convention, then such convention shall be held as hereinafter provided; but if a majority of said votes shall be against a convention, then no such convention shall be held under this act: *Provided*, That such convention shall not be held unless a majority of all such registered voters shall have voted on the question of holding such convention.

SEC. 4. That the commanding general of each district shall appoint as many boards of registration as may be necessary, consisting of three loyal officers or persons, to make and complete the registration, superintend the election, and make return to him of the votes, lists of voters, and of the persons elected as delegates by a plurality of the votes cast at said election; and upon receiving said returns he shall open the same, ascertain the persons elected as dele-

gates according to the returns of the officers who conducted said election, and make proclamation thereof; and if a majority of the votes given on that question shall be for a convention, the commanding general, within sixty days from the date of election, shall notify the delegates to assemble in convention, at a time and place to be mentioned in the notification, and said convention, when organized, shall proceed to frame a constitution and civil government according to the provisions of this act and the act to which it is supplementary; and when the same shall have been so framed, said constitution shall be submitted by the convention for ratification to the persons registered under the provisions of this act at an election to be conducted by the officers or persons appointed or to be appointed by the commanding general, as hereinbefore provided, and to be held after the expiration of thirty days from the date of notice thereof, to be given by said convention; and the returns thereof shall be made to the commanding general of the district.

SEC. 5. That if, according to said returns, the constitution shall be ratified by a majority of the votes of the registered electors qualified as herein specified, cast at said election, (at least one-half of all the registered voters voting upon the question of such ratification,) the president of the convention shall transmit a copy of the same, duly certified, to the President of the United States, who shall forthwith transmit the same to Congress, if then in session, and if not in session, then immediately upon its next assembling; and if it shall, moreover, appear to Congress that the election was one at which all the registered and qualified electors in the State had an opportunity to vote freely and without restraint, fear, or the influence of fraud; and if the Congress shall be satisfied that such constitution meets the approval of a majority of all the qualified electors in the State, and if the said constitution shall be declared by Congress to be in conformity with the provisions of the act to which this is supplementary, and the other provisions of said act shall have been complied with, and the said constitution shall be approved by Congress, the State shall be declared entitled to representation, and Senators and Representatives shall be admitted therefrom as therein provided.

SEC. 6. That all elections in the States mentioned in the said "Act to provide for the more efficient government of the rebel States," shall, during the operation of said act, be by ballot; and all officers making the said registration of voters and conducting said elections shall, before entering upon the discharge of their duties, take and subscribe the oath prescribed by the act approved July second, eighteen hun-

dred and sixty-two, entitled "An act to prescribe an oath of office: \* *Provided*, That if any person shall knowingly and falsely take and subscribe any oath in this act prescribed, such person so offending and being thereof duly convicted, shall be subject to the pains, penalties, and disabilities which by law are provided for the punishment of the crime of wilful and corrupt perjury.

SEC. 7. That all expenses incurred by the several commanding generals, or by virtue of any orders issued, or appointments made, by them, under or by virtue of this act, shall be paid out of any moneys in the treasury not otherwise appropriated.

SEC. 8. That the convention for each State shall prescribe the fees, salary, and compensation to be paid to all delegates and other officers and agents herein authorized or necessary to carry into effect the purposes of this act not herein otherwise provided for, and shall provide for the levy and collection of such taxes on the property in such State as may be necessary to pay the same.

SEC. 9. That the word article, in the sixth section of the act to which this is supplementary, shall be construed to mean section.

Passed March 23, 1867.

#### Votes of State Legislatures on the Fourteenth Constitutional Amendment.†

##### LOYAL STATES.

*Ratified—Twenty-one States.*

*Maine*—SENATE, January 16, 1867, yeas

\* This act is in these words:

*Be it enacted, &c.*, That hereafter every person elected or appointed to any office of honor or profit under the government of the United States, either in the civil, military, or naval departments of the public service, excepting the President of the United States, shall, before entering upon the duties of such office, and before being entitled to any of the salary or other emoluments thereof, take and subscribe the following oath or affirmation: "I, A B, do solemnly swear (or affirm) that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have never sought nor accepted nor attempted to exercise the functions of any office whatever, under any authority or pretended authority, in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power, or constitution within the United States, hostile or inimical thereto; and I do further swear (or affirm) that, to the best of my knowledge and ability, I will support and defend the Constitution of the United States, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter; so help me God;" which said oath, so taken and signed, shall be preserved among the files of the Court, House of Congress, or Department to which the said office may appertain. And any person who shall falsely take the said oath shall be guilty of perjury, and on conviction, in addition to the penalties now prescribed for that offense, shall be deprived of his office, and rendered incapable forever after, of holding any office or place under the United States.

† Compiled by Hon. Edward McPherson in his *Hand Book of Politics for 1868*.

31, yeas 0; HOUSE, January 11, 1867, yeas 126, yeas 12.

*New Hampshire*—SENATE, July 6, 1866, yeas 9, yeas 3; HOUSE, June 28, 1866, yeas 207, yeas 112.

*Vermont*—SENATE, October 23, 1866, yeas 28, yeas 0; HOUSE, October 30, 1866, yeas 199, yeas 11.

*Massachusetts*—SENATE, March 20, 1867, yeas 27, yeas 6; HOUSE, March 14, 1867, yeas 120, yeas 20.

*Rhode Island*—SENATE, February 5, 1867, yeas 26, yeas 2; HOUSE, February 7, 1867, yeas 60, yeas 9.

*Connecticut*—SENATE, June 25, 1866, yeas 11, yeas 6; HOUSE, June 29, 1866, yeas 131, yeas 92.

*New York*—SENATE, January 3, 1867, yeas 23, yeas 3; HOUSE, January 10, 1867, yeas 76, yeas 40.

*New Jersey*—SENATE, September 11, 1866, yeas 11, yeas 10; HOUSE, September 11, 1866, yeas 34, yeas 24.

*Pennsylvania*—SENATE, January 17, 1867, yeas 20, yeas 9; HOUSE, February 6, 1867, yeas 58, yeas 29.

*West Virginia*—SENATE, January 15, 1867, yeas 15, yeas 3; HOUSE, January 16, 1867, yeas 43, yeas 11.

*Ohio*—SENATE, January 3, 1867, yeas 21, yeas 12; HOUSE, January 4, 1867, yeas 54, yeas 25.

*Tennessee*—SENATE, July 11, 1866, yeas 15, yeas 6; HOUSE, July 12, 1866, yeas 43, yeas 11.

*Indiana*—SENATE, January 16, 1867, yeas 29, yeas 18; HOUSE, January 23, 1867, yeas —, yeas —.

*Illinois*—SENATE, January 10, 1867, yeas 17, yeas 7; HOUSE, January 15, 1867, yeas 59, yeas 25.

*Michigan*—SENATE, — 1867, yeas 25, yeas 1; HOUSE, — 1867, yeas 77, yeas 15.

*Missouri*—SENATE, January 5, 1867, yeas 26, yeas 6; HOUSE, January 8, 1867, yeas 85, yeas 34.

*Minnesota*—SENATE, January 16, 1867, yeas 16, yeas 5; HOUSE, January 15, 1867, yeas 40, yeas 6.

*Kansas*—SENATE, January 11, 1867, unanimously; HOUSE, January 10, 1867, yeas, 75, yeas 7.

*Wisconsin*—SENATE, January 23, 1867, yeas 22, yeas 10; HOUSE, February 7, 1867, yeas 72, yeas 12.

*Oregon*—\* SENATE, —, 1866, yeas 13, yeas 7; HOUSE, September 19, 1866, yeas 25, yeas 22.

*Nevada*—\* SENATE, January 22, 1867, yeas 14, yeas 2; HOUSE, January 11, 1867, yeas 34, yeas 4.

*Rejected—Three States.*

*Delaware*—SENATE, — —; HOUSE, February 7, 1867, yeas 6, yeas 15.

\* Unofficial.

*Maryland*—SENATE, March 23, 1867, yeas 4, nays 13; HOUSE, March 23, 1867, yeas 12, nays 45.

*Kentucky*—SENATE, January 8, 1867, yeas 7, nays 24; HOUSE, January 8, 1867, yeas 26, nays 62.

*Not acted—Three States.*

Iowa, California, Nebraska.

#### INSURRECTIONARY STATES.

*Rejected—Ten States.*

*Virginia*—SENATE, January 9, 1867, unanimously; HOUSE, January 9, 1867, 1 for amendment.

*North Carolina*—SENATE, December 13, 1866, yeas 1, nays 44; HOUSE, December 13, 1866, yeas 10, nays 93.

*South Carolina*—SENATE ————; HOUSE, December 20, 1866, yeas 1, nays 95.

*Georgia*—SENATE, November 9, 1866, yeas 0, nays 36; HOUSE, November 9, 1866, yeas 2, nays 131.

*Florida*—SENATE, December 3, 1866, yeas 0, nays 20; HOUSE, December 1, 1866, yeas 0, nays 49.

*Alabama*—SENATE, December 7, 1866, yeas 2, nays 27; HOUSE, December 7, 1866, yeas 8, nays 69.

*Mississippi*—SENATE, January 30, 1867, yeas 0, nays 27; HOUSE, January 25, 1867, yeas 0, nays 88.

*Louisiana* SENATE, February 5, 1867, unanimously; HOUSE, February 6, 1867, unanimously.

*Texas*—SENATE, ————; HOUSE, October 13, 1866, yeas 5, nays 67.

*Arkansas*—SENATE, December 15, 1866, yeas 1, nays 24; HOUSE, December 17, 1866, yeas 2, nays 68.

The passage of the 14th Amendment and of the Reconstruction Acts, was followed by Presidential proclamations dated August 20, 1866, declaring the insurrection at an end in Texas, and civil authority existing throughout the whole of the United States.

#### PRESIDENTIAL ELECTION OF 1864.

The Republican National Convention met at Baltimore, June 7th, 1864, and re-nominated President Lincoln unanimously, save the vote of Missouri, which was cast for Gen. Grant. Hannibal Hamlin, the old Vice-President, was not re-nominated, because of a desire to give part of the ticket to the Union men of the South, who pressed Senator Andrew Johnson of Tennessee. "Parson" Brownlow made a strong appeal in his behalf, and by his eloquence captured a majority of the Convention.

The Democratic National Convention met at Chicago, August 29th, 1864, and nominated General George B. McClellan, of New Jersey, for President, and George H. Pendleton, of Ohio, for Vice-President. General McClellan was made available for the Democratic nomination through cer-

tain political letters which he had written on points of difference between himself and the Lincoln administration. Two of these letters are sufficient to show his own and the views of the party which nominated him, in the canvass which followed:

#### Gen. McClellan's Letters.

*On Political Administration, July 7, 1862.*

HEADQUARTERS ARMY OF THE POTOMAC,  
CAMP NEAR HARRISON'S LANDING, VA., July 7, 1862.

MR. PRESIDENT:—You have been fully informed that the rebel army is in the front, with the purpose of overwhelming us by attacking our positions or reducing us by blocking our river communications. I cannot but regard our condition as critical, and I earnestly desire, in view of possible contingencies, to lay before your excellency, for your private consideration, my general views concerning the existing state of the rebellion, although they do not strictly relate to the situation of this army, or strictly come within the scope of my official duties. These views amount to convictions, and are deeply impressed upon my mind and heart. Our cause must never be abandoned; it is the cause of free institutions and self-government. The Constitution and the Union must be preserved, whatever may be the cost in time, treasure, and blood. If secession is successful, other dissolutions are clearly to be seen in the future. Let neither military disaster, political faction, nor foreign war shake your settled purpose to enforce the equal operation of the laws of the United States upon the people of every State.

The time has come when the government must determine upon a civil and military policy, covering the whole ground of our national trouble.

The responsibility of determining, declaring, and supporting such civil and military policy, and of directing the whole course of national affairs in regard to the rebellion, must now be assumed and exercised by you, or our cause will be lost. The Constitution gives you power, even for the present terrible exigency.

This rebellion has assumed the character of a war; as such it should be regarded, and it should be conducted upon the highest principles known to Christian civilization. It should not be a war looking to the subjugation of the people of any State, in any event. It should not be at all a war upon population, but against armed forces and political organizations. Neither confiscation of property, political executions of persons, territorial organization of States, or forcible abolition of slavery, should be contemplated for a moment.

In prosecuting the war, all private property and unarmed persons should be strictly protected, subject only to the necessity of military operations; all private

property taken for military use should be paid or receipted for; pillage and waste should be treated as high crimes; all unnecessary trespass sternly prohibited, and offensive demeanor by the military towards citizens promptly rebuked. Military arrests should not be tolerated, except in places where active hostilities exist; and oaths, not required by enactments, constitutionally made, should be neither demanded nor received.

Military government should be confined to the preservation of public order and the protection of political right. Military power should not be allowed to interfere with the relations of servitude, either by supporting or impairing the authority of the master, except for repressing disorder, as in other cases. Slaves, contraband under the act of Congress, seeking military protection, should receive it. The right of the government to appropriate permanently to its own service claims to slave labor should be asserted, and the the right of the owner to compensation therefor should be recognized. This principle might be extended, upon grounds of military necessity and security, to all the slaves of a particular State, thus working manumission in such State; and in Missouri, perhaps in Western Virginia also, and possibly even in Maryland, the expediency of such a measure is only a question of time. A system of policy thus constitutional, and pervaded by the influences of Christianity and freedom, would receive the support of almost all truly loyal men, would deeply impress the rebel masses and all foreign nations, and it might be humbly hoped that it would commend itself to the favor of the Almighty.

Unless the principles governing the future conduct of our struggle shall be made known and approved, the effort to obtain requisite forces will be almost hopeless. A declaration of radical views, especially upon slavery, will rapidly disintegrate our present armies. The policy of the government must be supported by concentrations of military power. The national forces should not be dispersed in expeditions, posts of occupation, and numerous armies, but should be mainly collected into masses, and brought to bear upon the armies of the Confederate States. Those armies thoroughly defeated, the political structure which they support would soon cease to exist.

In carrying out any system of policy which you may form, you will require a commander-in-chief of the army, one who possesses your confidence, understands your views, and who is competent to execute your orders, by directing the military forces of the nation to the accomplishment of the objects by you proposed. I do not ask that place for myself. I am willing to

serve you in such position as you may assign me, and I will do so as faithfully as ever subordinate served superior.

I may be on the brink of eternity; and as I hope forgiveness from my Maker, I have written this letter with sincerity towards you and from love for my country.

Very respectfully, your obedient servant,

GEORGE B. McCLELLAN,  
*Major-General Commanding.*

His Excellency A. LINCOLN, *President.*

IN FAVOR OF THE ELECTION OF GEORGE W. WOODWARD AS GOVERNOR OF PENNSYLVANIA.

ORANGE, NEW JERSEY, *October 12, 1863.*

DEAR SIR:—My attention has been called to an article in the *Philadelphia Press*, asserting that I had written to the managers of a Democratic meeting at Allentown, disapproving the objects of the meeting, and that if I voted or spoke it would be in favor of Governor Curtin, and I am informed that similar assertions have been made throughout the State.

It has been my earnest endeavor heretofore to avoid participation in party politics. I had determined to adhere to this course, but it is obvious that I cannot longer maintain silence under such misrepresentations. I therefore request you to deny that I have written any such letter, or entertained any such views as those attributed to me in the *Philadelphia Press*, and I desire to state clearly and distinctly, that having some days ago had a full conversation with Judge Woodward, I find that our views agree, and I regard his election as Governor of Pennsylvania called for by the interests of the nation.

I understand Judge Woodward to be in favor of the prosecution of the war with all the means at the command of the loyal States, until the military power of the rebellion is destroyed. I understand him to be of the opinion that while the war is urged with all possible decision and energy, the policy directing it should be in consonance with the principles of humanity and civilization, working no injury to private rights and property not demanded by military necessity and recognized by military law among civilized nations.

And, finally, I understand him to agree with me in the opinion that the sole great objects of this war are the restoration of the unity of the nation, the preservation of the Constitution, and the supremacy of the laws of the country. Believing our opinions entirely agree upon these points, I would, were it in my power, give to Judge Woodward my voice and vote.

I am, very respectfully, yours,

GEORGE B. McCLELLAN.

Hon. CHARLES J. BIDDLE.



The views of Mr. Lincoln were well known; they were felt in the general conduct of the war. The Republicans adopted as one of their maxims the words of their candidate, "that it was dangerous to swap horses while crossing a stream." The campaign was exciting, and was watched by both armies with interest and anxiety. In this election, by virtue of an act of Congress, the soldiers in the field were permitted to vote, and a large majority of every branch of the service sustained the Administration, though two years before General McClellan had been the idol of the Army of the Potomac. Lincoln and Johnson received 212 electoral votes, against 21 for McClellan and Pendleton.

#### Lincoln's Second Administration.

In President Lincoln's second inaugural address, delivered on the 4th of March, 1865, he spoke the following words, since oft quoted as typical of the kindly disposition of the man believed by his party to be the greatest President since Washington: "With malice toward none, with charity for all, with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in, to bind up the Nation's wounds, to care for him who shall have borne the battle, and for his widow and orphans—to do all which may achieve a just and lasting peace among ourselves and with all nations."

Lincoln could well afford to show that generosity which never comes more properly than from the hands of the victor. His policy was about to end in a great triumph. In less than five weeks later on General Lee had surrendered the main army of the South to General Grant at Appomattox, on terms at once magnanimous and so briefly stated that they won the admiration of both armies, for the rebels had been permitted to retain their horses and side arms, and to go at once to their homes, not to be disturbed by United States authority so long as they observed their paroles and the laws in force where they resided. Lee's surrender was rapidly followed by that of all Southern troops.

Next came a grave political work—the actual reconstruction of the States lately in rebellion. This work gave renewed freshness to the leading political issues incident to the war, and likewise gave rise to new issues. It was claimed at once that Lincoln had a reconstruction policy of his own, because of his anxiety for the prompt admission of Louisiana and Arkansas, but it had certainly never taken definite shape, nor was there time to get such a policy in shape, between the surrender of Lee and his own assassination. On the night of the 15th of April, six days after the surrender, J. Wilkes Booth shot him while

sitting in a box in Ford's theatre. The nation stood appalled at the deed. No man was ever more sincerely mourned in all sections and by all classes. The Southern leaders thought that this rash act had lost to them a life which had never been harsh, and while firm, was ever generous. The North had looked upon him as "Father Abraham," and all who viewed the result of the shooting from sectional or partisan standpoints, thought his policy of "keeping with the people," would have shielded every proper interest. No public man ever felt less "pride of opinion" than Lincoln, and we do believe, had he lived, that he would have shaped events, as he did during the war, to the best interests of the victors, but without unnecessary agitation or harshness. All attempts of writers to evolve from his proclamation a reconstruction policy, applicable to peace, have been vain and impotent. He had none which would not have changed with changing circumstances. A "policy" in an executive office is too often but another name for executive egotism, and Lincoln was almost absolutely free from that weakness.

On the morning of Mr. Lincoln's death, indeed within the same hour (and very properly so under the circumstances), the Vice President Andrew Johnson was inaugurated as President. The excitement was painfully high, and the new President, in speeches, interviews and proclamations if possible added to it. From evidence in the Bureau of Military Justice he thought the assassination of Lincoln, and the attempted assassination of Secretary Seward had been procured by Jefferson Davis, Clement C. Clay, Jacob Thompson, Geo. N. Saunders, Beyerly Tucker, Wm. C. Cleary, and "other rebels and traitors harbored in Canada." The evidence, however, fully drawn out in the trial of the conspirators of J. Wilkes Booth, showed that the scheme was hair-brained, and from no responsible political source. The proclamation, however, gave keenness to the search for the fugitive Davis, and he was soon captured while making his way through Georgia to the Florida coast with the intention of escaping from the country. He was imprisoned in Fortress Monroe, and an indictment for treason was found against him, but he remained a close prisoner for nearly two years, until times when political policies had been changed or modified. Horace Greeley was one of his bondsmen. By this time there was grave doubt whether he could be legally convicted, \* "now that the charge of inciting Wilkes Booth's crime had been tacitly abandoned. Mr. Webster (in his Bunker Hill oration) had only given clearer expression to the American doctrine, that,

\* From Greeley's *Recollections of a Busy Life*, page 413.

after a revolt has levied a regular army, and fought therewith a pitched battle, its champions, even though utterly defeated, cannot be tried and convicted as traitors. This may be an extreme statement; but surely a rebellion which has for years maintained great armies, levied taxes and conscriptions, negotiated loans, fought scores of sanguinary battles with alternate successes and reverses, and exchanged tens of thousands of prisoners of war, can hardly fail to have achieved thereby the position and the rights of a lawful belligerent." This view, as then presented by Greeley, was accepted by President Johnson, who from intemperate denunciation had become the friend of his old friends in the South. Greeley's view was not generally accepted by the North, though most of the leading men of both parties hoped the responsibility of a trial would be avoided by the escape and flight of the prisoner. But he was confident by this time, and sought a trial. He was never tried, and the best reason for the fact is given in Judge Underwood's testimony before a Congressional Committee (and the Judge was a Republican) "that no conviction was possible, except by packing a jury."

#### Andrew Johnson.

On the 29th of April, 1865, President Johnson issued a proclamation removing all restrictions upon internal, domestic and coastwise and commercial intercourse in all Southern States east of the Mississippi; the blockade was removed May 22, and on May 29 a proclamation of amnesty was issued, with fourteen classes excepted therefrom, and the requirement of an "iron-clad oath" from those accepting its provisions. Proclamations rapidly followed in shaping the lately rebellious States to the conditions of peace and restoration to the Union. These States were required to hold conventions, repeal secession ordinances, accept the abolition of slavery, repudiate Southern war debts, provide for Congressional representation, and elect new State Officers and Legislatures. The several constitutional amendments were of course to be ratified by the vote of the people. These conditions were eventually all complied with, some of the States being more tardy than others. The irreconcilables charged upon the Military officers, the Freedmen's Bureau, and the stern application of the reconstruction acts, these results, and many of them showed a political hostility which, after the election of the new Legislatures, took shape in what were in the North at the time denounced as

#### "THE BLACK CODES."

These were passed by all of the eleven States in the rebellion. The codes varied

in severity, according to the views of the Legislatures, and for a time they seriously interfered with the recognition of the States, the Republicans charging that the design was to restore slavery under new forms. In South Carolina Gen'l Sickles issued military orders, as late as January 17, 1866, against the enforcement of such laws.

To assure the rights, of the freedmen the 14th amendment of the Constitution was passed by Congress, June 18th, 1866. President Johnson opposed it, refused to sign, but said he would submit it to the several States. This was done, and it was accepted by the required three-fourths, January 28th, 1868. This had the effect to do away with many of the "black codes," and the States which desired re-admission to the Union had to finally give them up. Since reconstruction, and the political ousting of what were called the "carpet bag governments," some of the States, notably Georgia, has passed class laws, which treat colored criminals differently from white, under what are now known as the "conduct laws." Terms of sentence are served out, in any part of the State, under the control of public and private contractors, and "vagrants" are subjected to sentences which it is believed would be less extended under a system of confinement.

#### Johnson's Policy.

While President Johnson's policy did not materially check reconstruction, it encouraged Southern politicians to political effort, and with their well known tact they were not long in gaining the ascendancy in nearly every State. This ascendancy excited the fears and jealousies of the North, and the Republicans announced as their object and platform "that all the results of the war" should be secured before Southern reconstruction and representation in Congress should be completed. On this they were almost solidly united in Congress, but Horace Greeley trained an independent sentiment which favored complete amnesty to the South. President Johnson sought to utilize this sentiment, and to divide the Republican party through his policy, which now looked to the same ends. He had said to a delegation introduced by Gov. Oliver P. Morton, April 21, 1865:

"Your slavery is dead, but I did not murder it. As Macbeth said to Banquo's bloody ghost:

'Never shake thy gory locks at me ;  
Thou canst not say I did it.'

"Slavery is dead, and you must pardon me if I do not mourn over its dead body ; you can bury it out of sight. In restoring

the State, leave out that disturbing and dangerous element, and use only those parts of the machinery which will move in harmony.

"But in calling a convention to restore the State, who shall restore and re-establish it? Shall the man who gave his influence and his means to destroy the Government? Is he to participate in the great work of reorganization? Shall he who brought this misery upon the State be permitted to control its destinies? If this be so, then all this precious blood of our brave soldiers and officers so freely poured out will have been wantonly spilled. All the glorious victories won by our noble armies will go for nought, and all the battlefields which have been sown with dead heroes during the rebellion will have been made memorable in vain."

In a speech at Washington, Feb. 22nd, 1866, Johnson said:

"The Government has stretched forth its strong arm, and with its physical power it has put down treason in the field. That is, the section of country that arrayed itself against the Government has been conquered by the force of the Government itself. Now, what had we said to those people? We said, 'No compromise; we can settle this question with the South in eight and forty hours.'

"I have said it again and again, and I repeat it now, 'disband your armies, acknowledge the supremacy of the Constitution of the United States, give obedience to the law, and the whole question is settled.'

"What has been done since? Their armies have been disbanded. They come now to meet us in a spirit of magnanimity and say, 'We were mistaken; we made the effort to carry out the doctrine of secession and dissolve this Union, and having traced this thing to its logical and physical results, we now acknowledge the flag of our country, and promise obedience to the Constitution and the supremacy of the law.'

"I say, then, when you comply with the Constitution, when you yield to the law, when you acknowledge allegiance to the Government—I say let the door of the Union be opened, and the relation be restored to those that had erred and had strayed from the fold of our fathers."

It is not partisanship to say that Johnson's views had undergone a change. He did not admit this in his speeches, but the fact was accepted in all sections, and the leaders of parties took position accordingly—nearly all of the Republicans against him, nearly all of the Democrats for him. So radical had this difference become that he vetoed nearly all of the political bills passed by the Republicans from 1866 until the end of his administration, but such was

the Republican preponderance in both Houses of Congress that they passed them over his head by the necessary two-thirds vote. He vetoed the several Freedmen's Bureau Bills, the Civil Rights Bill, that for the admission of Nebraska and Colorado, the Bill to permit Colored Suffrage in the District of Columbia, one of the Reconstruction Bills, and finally made a direct issue with the powers of Congress by his veto of the Civil Tenure Bill, March 2, 1867, the substance of which is shown in the third section, as follows:

SEC. 3. That the President shall have power to fill all vacancies which may happen during the recess of the Senate, by reason of death or resignation, by granting commissions which shall expire at the end of their next session thereafter. And if no appointment, by and with the advice and consent of the Senate, shall be made to such office so vacant or temporarily filled as aforesaid during such next session of the Senate, such office shall remain in abeyance without any salary, fees, or emoluments attached thereto, until the same shall be filled by appointment thereto, by and with the advice and consent of the Senate; and during such time all the powers and duties belonging to such office shall be exercised by such other officer as may by law exercise such powers and duties in case of a vacancy in such office.

The bill originally passed the Senate by 22 to 10—all of the nays Democrats save Van Winkle and Willey. It passed the House by 112 to 41—all of the yeas Republicans; all of the nays Democrats save Hawkins, Latham and Whaley. The Senate passed it over the veto by 35 to 11—a strict party vote; the House by 138 to 40—a strict party vote, except Latham (Rep.) who voted nay.

The refusal of the President to enforce this act, and his attempted removal of Secretary Stanton from the Cabinet when against the wish of the Senate, led to the effort to impeach him. Stanton resisted the President, and General Grant took an active part in sustaining the War Secretary. He in fact publicly advised him to "stick," and his attitude showed that in the great political battle which must follow, they would surely have the support of the army and its great commander.

#### Impeachment Trial of Andrew Johnson.

\* The events which led to the impeachment of President Johnson, may be briefly stated as follows: On the 21st of February, 1868, the President issued an order to Mr. Stanton, removing him from office as Secretary of War, and another to General Lorenzo Thomas, Adjutant-General of the

\* From the *Century of Independence* by John Sully, Boston.

Army, appointing him Secretary of War *ad interim*, directing the one to surrender and the other to receive, all the books, papers, and public property belonging to the War Department. As these orders fill an important place in the history of the impeachment, we give them here. The order to Mr. Stanton reads:

"By virtue of the power and authority vested in me as President by the Constitution and laws of the United States, you are hereby removed from office as Secretary for the Department of War, and your functions as such will terminate upon the receipt of this communication. You will transfer to Brevet Major-General Lorenzo Thomas, Adjutant-General of the Army, who has this day been authorized and empowered to act as Secretary of War *ad interim*, all records, books, papers, and other public property now in your custody and charge."

The order to General Thomas reads:

"The Hon. Edwin M. Stanton having been this day removed from office as Secretary for the Department of War, you are hereby authorized and empowered to act as Secretary of War *ad interim*, and will immediately enter upon the discharge of the duties pertaining to that office. Mr. Stanton has been instructed to transfer to you all the records, books, and other public property now in his custody and charge."

These orders having been officially communicated to the Senate, that body, after an earnest debate, passed the following resolution:

"Resolved, by the Senate of the United States, That under the Constitution and laws of the United States the President has no power to remove the Secretary of War and designate any other officer to perform the duties of that office."

The President, upon the 24th, sent a message to the Senate, arguing at length that not only under the Constitution, but also under the laws as now existing, he had the right of removing Mr. Stanton and appointing another to fill his place. The point of his argument is: That by a special proviso in the Tenure-of-Office Bill the various Secretaries of Departments "shall hold their offices respectively for and during the term of the President by whom they may have been appointed, and for one month thereafter, subject to removal by and with the advice of the Senate." The President affirms that Mr. Stanton was appointed not by him, but by his predecessor, Mr. Lincoln, and held office only by the sufferance, not the appointment, of the present Executive; and that therefore his tenure is, by the express reading of the law excepted from the general provision, that every person duly appointed to office, "by and with the advice and consent of the Senate," etc., shall be "entitled to hold

office until a successor shall have been in like manner appointed and duly qualified, except as herein otherwise provided." The essential point of the President's argument, therefore, is that, as Mr. Stanton was not appointed by him, he had, under the Tenure-of-Office Bill, the right at any time to remove him; the same right which his own successor would have, no matter whether the incumbent had, by sufferance, not by appointment of the existing Executive, held the office for weeks or even years. "If," says the President, "my successor would have the power to remove Mr. Stanton, after permitting him to remain a period of two weeks, because he was not appointed by him, I who have tolerated Mr. Stanton for more than two years, certainly have the same right to remove him, upon the same ground, namely that he was not appointed by me but by my predecessor."

In the meantime General Thomas presented himself at the War Department and demanded to be placed in the position to which he had been assigned by the President. Mr. Stanton refused to surrender his post, and ordered General Thomas to proceed to the apartment which belonged to him as Adjutant-General. This order was not obeyed, and so the two claimants to the Secretaryship of War held their ground. A sort of legal by-play then ensued. Mr. Stanton entered a formal complaint before Judge Carter, Chief Justice of the Supreme Court of the District of Columbia, charging that General Thomas had illegally exercised and attempted to exercise the duties of Secretary of War; and had threatened to "forcibly remove the complainant from the buildings and apartments of the Secretary of War in the War Department, and forcibly take possession and control thereof under his pretended appointment by the President of the United States as Secretary of War *ad interim*;" and praying that he might be arrested and held to answer this charge. General Thomas was accordingly arrested, and held to bail in the sum of \$15,000 to appear before the court on the 24th. Appearing on that day he was discharged from custody and bail; whereupon he entered an action against Mr. Stanton for false imprisonment, laying his damages at \$150,000.

On the 22d of February the House Committee on Reconstruction, through its Chairman, Mr. Stevens, presented a brief report, merely stating the fact of the attempted removal by the President of Mr. Stanton, and closing as follows:

"Upon the evidence collected by the Committee, which is hereafter presented, and in virtue of the powers with which they have been invested by the House, they are of the opinion that Andrew Johnson, President of the United States, should

be impeached of high crimes and misdemeanors. They, therefore, recommend to the House the adoption of the following resolution:

“Resolved, That Andrew Johnson, President of the United States be impeached of high crimes and misdemeanors.”

After earnest debate, the question on the resolution was adopted, on the 24th, by a vote of 126 to 47. A committee of two members—Stevens and Bingham—were to notify the Senate of the action of the House; and another committee of seven—Boutwell, Stevens, Bingham, Wilson, Logan, Julian, and Ward—to prepare the articles of impeachment. On the 25th (February) Mr. Stevens thus announced to the Senate the action which had been taken by the House:

“In obedience to the order of the House of Representatives we have appeared before you, and in the name of the House of Representatives and of all the people of the United States, we do impeach Andrew Johnson, President of the United States, of high crimes and misdemeanors in office. And we further inform the Senate that the House of Representatives will in due time exhibit particular articles of impeachment against him, to make good the same; and in their name we demand that the Senate take due order for the appearance of the said Andrew Johnson to answer to the said impeachment.”

The Senate thereupon, by a unanimous vote, resolved that this message from the House should be referred to a select Committee of Seven, to be appointed by the chair, to consider the same and report thereon. The Committee subsequently made a report laying down the rules of procedure to be observed on the trial.

On the 29th of February the Committee of the House appointed for that purpose presented the articles of impeachment which they had drawn up. These, with slight modification, were accepted on the 21 of March. They comprise nine articles, eight of which are based upon the action of the President in ordering the removal of Mr. Stanton, and the appointment of General Thomas as Secretary of War. The general title to the impeachment is:

“Articles exhibited by the House of Representatives of the United States, in the name of themselves and all the people of the United States, against Andrew Johnson, President of the United States, as maintenance and support of their impeachment against him for high crimes and misdemeanors in office.”

Each of the articles commences with a preamble to the effect that the President, “unmindful of the high duties of his office, of his oath of office, and of the requirements of the Constitution that he should take care that the laws be faithfully exe-

cuted, did unlawfully and in violation of the laws and Constitution of the United States, perform the several acts specified in the articles respectively;” closing with the declaration: “Whereby the said Andrew Johnson, President of the United States, did then and there commit and was guilty of a high misdemeanor in office.” The phraseology is somewhat varied. In some cases the offense is designated as a “misdemeanor,” in others as a “crime.” The whole closes thus:

“And the House of Representatives, by protestation, saving to themselves the liberty of exhibiting at any time hereafter any further articles or other accusation or impeachment against the said Andrew Johnson, President of the United States, and also of replying to his answers which he shall make to the articles herein preferred against him, and of offering proof to the same and every part thereof, and to all and every other article, accusation, or impeachment which shall be exhibited by them as the case shall require, do demand that the said Andrew Johnson may be put to answer the high crimes and misdemeanors in office herein charged against him, and that such proceedings, examinations, trials, and judgments may be thereupon had and given as may be agreeable to law and justice.”

The following is a summary in brief of the points in the articles of impeachment, legal and technical phraseology being omitted:

*Article 1.* Unlawfully ordering the removal of Mr. Stanton as Secretary of War, in violation of the provisions of the Tenure-of-Office Act.—*Article 2.* Unlawfully appointing General Lorenzo Thomas as Secretary of War *ad interim*.—*Article 3* is substantially the same as Article 2, with the addition that there was at the time of the appointment of General Thomas no vacancy in the office of Secretary of War.—*Article 4* charges the President with “conspiring with one Lorenzo Thomas and other persons, to the House of Representatives unknown,” to prevent, by intimidation and threats, Mr. Stanton, the legally-appointed Secretary of War, from holding that office.—*Article 5* charges the President with conspiring with General Thomas and others to hinder the execution of the Tenure-of-Office Act; and, in pursuance of this conspiracy, attempting to prevent Mr. Stanton from acting as Secretary of War.—*Article 6* charges that the President conspired with General Thomas and others to take forcible possession of the War Department.—*Article 7* repeats the charge, in other terms, that the President conspired with General Thomas and others to hinder the execution of the Tenure-of-Office Act, and to prevent Mr. Stanton from executing the office of Secretary of War.—*Article 8* again

charges the President with conspiring with General Thomas and others to take possession of the property in the War Department.—*Article 9* charges that the President called before him General Emory, who was in command of the forces in the Department of Washington, and declared to him that a law, passed on the 30th of June, 1867, directing that “all orders and instructions relating to military operations, issued by the President or Secretary of War, shall be issued through the General of the Army, and, in case of his inability, through the next in rank,” was unconstitutional, and not binding upon General Emory; the intent being to induce General Emory to violate the law, and to obey orders issued directly from the President.

The foregoing articles of impeachment were adopted on the 2d of March, the votes upon each slightly varying, the average being 125 ayes to 40 nays. The question then came up of appointment of managers on the part of the House to conduct the impeachment before the Senate. Upon this question the Democratic members did not vote; 118 votes were cast, 60 being necessary to a choice. The following was the result, the number of votes cast for each elected manager being given: Stevens of Penn., 105; Butler, of Mass., 108; Bingham, of Ohio, 114; Boutwell, of Mass., 113; Wilson, of Iowa, 112; Williams, of Penn., 107; Logan, of Ill., 106. The foregoing seven Representatives were, therefore, duly chosen as Managers of the Bill of Impeachment. The great body of the Democratic members of the House entered a formal protest against the whole course of proceedings involved in the impeachment of the President. They claimed to represent “directly or in principle more than one-half of the people of the United States.” This protest was signed by forty-five Representatives.

On the 3d the Board of Managers presented two additional articles of impeachment, which were adopted by the House. The first charges, in substance, that

“The President, unmindful of the high duties of his office and of the harmony and courtesies which ought to be maintained between the executive and legislative branches of the Government of the United States, designing to set aside the rightful authority and powers of Congress, did attempt to bring into disgrace the Congress of the United States and the several branches thereof, to impair and destroy the regard and respect of all the good people of the United States for the Congress and legislative power thereof, and to excite the odium and resentment of all the good people of the United States against Congress and the laws by it enacted; and in pursuance of his said design openly and publicly, and before divers assemblages

convened in divers parts thereof to meet and receive said Andrew Johnson as the Chief Magistrate of the United States, did on the 18th day of August, in the year of our Lord 1866, and on divers other days and times, as well before as afterward, make and deliver with a loud voice certain intemperate, inflammatory, and scandalous harangues, and did therein utter loud threats and bitter menaces as well against Congress as the laws of the United States duly enacted thereby.”

To this article are appended copious extracts from speeches of Mr. Johnson. The second article is substantially as follows:

“The President did, on the 18th day of August, 1866, at the City of Washington, by public speech, declare and affirm in substance that the Thirty-ninth Congress of the United States was not a Congress of the United States, authorized by the Constitution to exercise legislative power under the same, but, on the contrary, was a Congress of only a part of the States, thereby denying and intending to deny that the legislation of said Congress was valid or obligatory upon him, except in so far as he saw fit to approve the same, and did devise and contrive means by which he might prevent Edwin M. Stanton from forthwith resuming the functions of the office of Secretary for the Department of War; and, also, by further unlawfully devising and contriving means to prevent the execution of an act entitled ‘An act making appropriations for the support of the army for the fiscal year ending June 30, 1868, and for other purposes,’ approved March 2, 1867; and also to prevent the execution of an act entitled ‘An act to provide for the more efficient government of the rebel States,’ passed March 2, 1867, did commit and was guilty of a high misdemeanor in office.”

On the 4th of March the Senate notified the House that they were ready to receive the Managers of the Impeachment. They appeared, and the articles were formally read. The Senate had meanwhile adopted the rules of procedure. Chief Justice Chase sent a communication to the Senate to the effect that this body, when acting upon an impeachment, was a Court presided over by the Chief Justice, and that all orders and rules should be framed by the Court. On the 5th the Court was formally organized. An exception was taken to the eligibility of Mr. Wade as a member of the Court, on the ground that he was a party interested, since, in the event of the impeachment being sustained, he, as President of the Senate, would become Acting President of the United States. This objection was withdrawn, and Mr. Wade was sworn as a member of the Court. On the 7th the summons for the President to appear was formally served upon him. On the 13th the Court

was again formally reopened. The President appeared by his counsel, Hon. Henry Stanbery, of Ohio; Hon. Wm. M. Evarts, of New York; Hon. Wm. S. Groesbeck, of Ohio; Hon. Benjamin R. Curtis, of Massachusetts; Hon. Thomas A. R. Nelson, of Tennessee, who asked for forty days to prepare an answer to the indictment. This was refused, and ten days granted; it being ordered that the proceedings should reopen on the 23d. Upon that day the President appeared by his counsel, and presented his answer to the articles of impeachment. This reply was in substance as follows:

The first eight articles in the Bill of Impeachment, as briefly summed up in our last record, are based upon the action of the President in ordering the removal of Mr. Stanton, and the temporary appointment of General Thomas as Secretary of War. The gist of them is contained in the first article, charging the unlawful removal of Mr. Stanton; for, this failing, the others would fail also. To this article a considerable part of the President's answer is devoted. It is mainly an amplification of the points put forth in the Message of February 24th, in which he gave his reasons for his orders. The President cites the laws by which this department of the administration was created, and the rules laid down for the duties pertaining to it; prominent among which are: that the Secretary shall "conduct the business of the department in such manner as the President of the United States shall from time to time order and instruct;" and that he should "hold the office during the pleasure of the President;" and that Congress had no legal right to deprive the President of the power to remove the Secretary. He was, however, aware that the design of the Tenure-of-Office Bill was to vest this power of removal, in certain cases, jointly in the Executive and the Senate; and that, while believing this act to be unconstitutional, yet it having been passed over his veto by the requisite majority of two-thirds, he considered it to be his duty to ascertain in how far the case of Mr. Stanton came within the provisions of this law; after consideration, he came to the conclusion that the case did not come within the prohibitions of the law, and that, by that law he still had the right of removing Mr. Stanton; but that, wishing to have the case decided by the Supreme Court, he, on the 12th of August, issued the order merely suspending, not removing, Mr. Stanton, a power expressly granted by the Tenure-of-Office Act, and appointed General Grant Secretary of War *ad interim*. The President then recites the subsequent action in the case of Mr. Stanton; and, as he avers, still believing that he had the constitutional power to remove him from office, issued the order of

February 21st, for such removal, designing to thus bring the matter before the Supreme Court. He then proceeds formally to deny that at this time Mr. Stanton was in lawful possession of the office of Secretary of War; and that, consequently, the order for his removal was in violation of the Tenure-of-Office Act; and that it was in violation of the Constitution or of any law; or that it constituted any official crime or misdemeanor.

In regard to the seven succeeding articles of impeachment the President, while admitting the facts of the order appointing General Thomas as Secretary of War *ad interim*, denies all and every of the criminal charges therein set forth. So of the ninth article, charging an effort to induce General Emory to violate the law, the President denies all such intent, and calls attention to the fact that while, for urgent reasons, he signed the bill prescribing that orders to the army should be issued only through the General, he at the same time declared it to be, in his judgment, unconstitutional; and affirms that in his interview with General Emory he said no more than he had before officially said to Congress—that is, that the law was unconstitutional.

As to the tenth article, the first of the supplementary ones, the President, while admitting that he made certain public speeches at the times and places specified, does not admit that the passages cited are fair reports of his remarks; denies that he has ever been unmindful of the courtesies which ought to be maintained between the executive and legislative departments; but he claims the perfect right at all times to express his views as to all public matters.

The reply to the eleventh article, the second supplementary one, is to the same general purport, denying that he ever affirmed that the Thirty-ninth Congress was not a valid Congress of the United States, and its acts obligatory only as they were approved by him; and denying that he had, as charged in the article, contrived unlawful means for preventing Mr. Stanton from resuming the functions of Secretary of War, or for preventing the execution of the act making appropriations for the support of the army, or that to provide for the more efficient government of the rebel States. In his answer to this article the President refers to his reply to the first article, in which he sets forth at length all the steps, and the reasons therefor, relating to the removal of Mr. Stanton. In brief, the answer of the President to the articles of impeachment is a general denial of each and every criminal act charged in the articles of impeachment.

The counsel for the President then asked for a delay of thirty days after the replication of the managers of the impeachment should have been rendered, before the trial should

formally proceed. This was refused, and the managers of the impeachment stated that their replication would be presented the next day: it was that,

"The Senate will commence the trial of the President upon the articles of impeachment exhibited against him on Monday, the 30th day of March, and proceed therein with all dispatch under the rules of the Senate, sitting upon the trial of an impeachment."

The replication of the House of Representatives was a simple denial of each and every averment in the answer of the President, closing thus:

"The House of Representatives . . . do say that the said Andrew Johnson, President of the United States, is guilty of the high crimes and misdemeanors mentioned in the said articles, and that the said House of Representatives are ready to prove the same."

The trial began, as appointed, on March 30. There being twenty-seven States represented, there were fifty-four Senators, who constituted the Court, presided over by Chief Justice Salmon P. Chase, of Ohio. SENATORS: *California*, Cole, Conness; *Connecticut*, Dixon, Ferry; *Delaware*, Bayard, Saulsbury; *Indiana*, Hendricks, Morton; *Illinois*, Trumbull, Yates; *Iowa*, Grimes, Harlan; *Kansas*, Pomeroy, Ross; *Kentucky*, Davis, McCreery; *Maine*, Fessenden, Morrill (Lot M.); *Maryland*, Johnson, Vickers; *Massachusetts*, Sumner, Wilson; *Michigan*, Chandler, Howard; *Minnesota*, Norton, Ramsay; *Missouri*, Drake, Henderson; *Nebraska*, Thayer, Tipton; *Nevada*, Nye, Stewart; *New Hampshire*, Cragin, Patterson (J. W.); *New Jersey*, Cattell, Frelinghuysen; *New York*, Conklin, Morgan; *Ohio*, Sherman, Wade; *Oregon*, Corbett, Williams; *Pennsylvania*, Buckalew, Cameron; *Rhode Island*, Anthony, Sprague; *Tennessee*, Fowler, Patterson (David); *Vermont*, Edmunds, Merrill (J. S.); *West Virginia*, Van Winkle, Wiley; *Wisconsin*, Doolittle, Howe.

*Managers for the Prosecution:* Messrs. Bingham, Boutwell, Butler, Logan, Stevens, Williams, Wilson.

*Counsel for the President.* Messrs. Curtis, Evarts, Groesbeck, Nelson, Stanbery.

The following was the order of procedure: The Senate convened at 11 or 12 o'clock, and was called to order by the president of that body, who, after prayer, would leave the chair, which was immediately assumed by the Chief Justice, who wore his official robes. The prosecution was mainly conducted by Mr. Butler, who examined the witnesses, and, in conjunction with the others, argued the points of law which came up. The defense, during the early part of the trial, was mainly conducted by Mr. Stanbery, who had resigned the office of Attorney-General for this pur-

pose, but, being taken suddenly ill, Mr. Evarts took his place. According to the rule at first adopted, the trial was to be opened by one counsel on each side, and summed up by two on each side; but this rule was subsequently modified so as to allow as many of the managers and counsel as chose to sum up, either orally or by filing written arguments.

#### THE PROSECUTION.

The whole of the first day (March 30) was occupied by the opening speech of Mr. Butler. After touching upon the importance of the case, and the wisdom of the framers of the Constitution in providing for its possible occurrence, he laid down the following proposition, supporting it by a copious array of authorities and precedents:

"We define, therefore, an impeachable high crime or misdemeanor to be one, in its nature or consequences, subversive of some fundamental or essential principle of government, or highly prejudicial to the public interest, and this may consist of a violation of the Constitution, of law, of an official oath, or of duty, by an act committed or omitted, or, without violating a positive law, by the abuse of discretionary powers from improper motives, or for any improper purpose."

He then proceeded to discuss the nature and functions of the tribunal before which the trial is held. He asked: "Is this proceeding a trial, as that term is understood, so far as relates to the rights and duties of a court and jury upon an indictment for crime? Is it not rather more in the nature of an inquest?" The Constitution, he urged, "seems to have determined it to be the latter, because, under its provisions, the right to retain and hold office is the only subject to be finally adjudicated; all preliminary inquiry being carried on solely to determine that question, and that alone." He then proceeded to argue that this body now sitting to determine the accusation, is the Senate of the United States, and not a court. This question is of consequence, he argued, because, in the latter case, it would be bound by the rules and precedents of common law-statutes; the members of the court would be liable to challenge on many grounds; and the accused might claim that he could only be convicted when the evidence makes the fact clear beyond reasonable doubt, instead of by a preponderance of the evidence. The fact that in this case the Chief Justice presides, it was argued, does not constitute the Senate thus acting a court, for in all cases of impeachment, save that of the President, its regular presiding officer presides. Moreover, the procedures have no analogy to those of an ordinary court of justice. The accused merely receives a notice of the case pending against him. He is not re-



quired to appear personally, and the case will go on without his presence. Mr. Butler thus summed up his position in this regard:

"A constitutional tribunal solely, you are bound by no law, either statute or common, which may limit your constitutional prerogative. You consult no precedents save those of the law and custom of parliamentary bodies. You are a law unto yourselves, bound only by the natural principles of equity and justice, and that *salus populi suprema est lex.*"

Mr. Butler then proceeded to consider the articles of impeachment. The first eight, he says, "set out, in several distinct forms, the acts of the President in removing Mr. Stanton and appointing General Thomas, differing, in legal effect, in the purposes for which, and the intent with which, either or both of the acts were done, and the legal duties and rights infringed, and the Acts of Congress violated in so doing." In respect to all of these articles, Mr. Butler says, referring to his former definition of what constituted an impeachable high crime:

"All the articles allege these acts to be in contravention of his oath of office, and in disregard of the duties thereof. If they are so, however, the President might have the power to do them under the law. Still, being so done, they are acts of official misconduct, and, as we have seen, impeachable. The President has the legal power to do many acts which, if done in disregard of his duty, or for improper purposes, then the exercise of that power is an official misdemeanor. For example, he has the power of pardon; if exercised, in a given case, for a corrupt motive, as for the payment of money, or wantonly pardoning all criminals, it would be a misdemeanor."

Mr. Butler affirmed that every fact charged in the first article, and substantially in the seven following, is admitted in the reply of the President; and also that the general intent to set aside the Tenure-of-Office Act is therein admitted and justified. He then proceeded to discuss the whole question of the power of the President for removals from office, and especially his claim that this power was imposed upon the President by the Constitution, and that it could not be taken from him, or be vested jointly in him and the Senate, partly or in whole. This, Mr. Butler affirmed, was the real question at issue before the Senate and the American people. He said:

"Has the President, under the Constitution, the more than royal prerogative at will to remove from office, or to suspend from office, all executive officers of the United States, either civil, military or naval, and to fill the vacancies, without any restraint whatever, or possibility of re-

straint, by the Senate or by Congress, through laws duly enacted? The House of Representatives, in behalf of the people, join issue by affirming that the exercise of such powers is a high misdemeanor in office. If the affirmative is maintained by the respondent, then, so far as the first eight articles are concerned—unless such corrupt purposes are shown as will of themselves make the exercise of a legal power a crime—the respondent must go, and ought to go, quit and free.

This point as to the legal right of the President to make removals from office, which constitutes the real burden of the articles of impeachment, was argued at length. Mr. Butler assumed that the Senate, by whom, in conjunction with the House, the Tenure-of-Office Act had been passed over the veto of the President, would maintain the law to be constitutional. The turning point was whether the special case of the removal of Mr. Stanton came within the provisions of this law. This rested upon the proviso of that law, that—

"The Secretaries shall hold their office during the term of the President by whom they may have been appointed, and for one month thereafter, subject to removal by and with the advice and consent of the Senate."

The extended argument upon this point, made by Mr. Butler, was to the effect that Mr. Stanton having been appointed by Mr. Lincoln, whose term of office reached to the 4th of March, 1869, that of Mr. Stanton existed until a month later, unless he was previously removed by the concurrent action of the President and Senate. The point of the argument is, that Mr. Johnson is merely serving out the balance of the term of Mr. Lincoln, cut short by his assassination, so that the Cabinet officers appointed by Mr. Lincoln held their places, by this very proviso, during that term and for a month thereafter; for, he argued, if Mr. Johnson was not merely serving out the balance of Mr. Lincoln's term, then he is entitled to the office of President for four full years, that being the period for which a President is elected. If, continues the argument, Mr. Stanton's commission was vacated by the Tenure-of-Office Act, it ceased on the 4th of April, 1865; or, if the act had no retroactive effect, still, if Mr. Stanton held his office merely under his commission from Mr. Lincoln, then his functions would have ceased upon the passage of the bill, March 2, 1867; and, consequently, Mr. Johnson, in "employing" him after that date as Secretary of War, was guilty of a high misdemeanor, which would give ground for a new article of impeachment.

After justifying the course of Mr. Stanton in holding on to the secretaryship in

opposition to the wish of the President, on the ground that "to desert it now would be to imitate the treachery of his accidental chief," Mr. Butler proceeded to discuss the reasons assigned by the President in his answer to the articles of impeachment for the attempt to remove Mr. Stanton. These, in substance, were, that the President believed the Tenure-of-Office Act was unconstitutional, and, therefore, void and of no effect, and that he had the right to remove him and appoint another person in his place. Mr. Butler urged that, in all of these proceedings, the President professed to act upon the assumption that the act was valid, and that his action was in accordance with its provisions. He then went on to charge that the appointment of General Thomas as Secretary of War *ad interim*, was a separate violation of law. By the act of February 20, 1863, which repealed all previous laws inconsistent with it, the President was authorized, in case of the "death, resignation, absence from the seat of Government, or sickness of the head of an executive department," or in any other case where these officers could not perform their respective duties, to appoint the head of any other executive department to fulfil the duties of the office "until a successor be appointed, or until such absence or disability shall cease." Now, urged Mr. Butler, at the time of the appointment of General Thomas as Secretary of War *ad interim*, Mr. Stanton "had neither died nor resigned, was not sick nor absent," and, consequently, General Thomas, not being the head of a department, but only of a bureau of one of them, was not eligible to this appointment, and that, therefore, his appointment was illegal and void.

The ninth article of impeachment, wherein the President is charged with endeavoring to induce General Emory to take orders directly from himself, is dealt with in a rather slight manner. Mr. Butler says, "If the transaction set forth in this article stood alone, we might well admit that doubts might arise as to the sufficiency of the proof;" but, he adds, "the surroundings are so pointed and significant as to leave no doubt in the mind of an impartial man as to the intents and purposes of the President"—these intents being, according to Mr. Butler, "to induce General Emory to take orders directly from himself, and thus to hinder the execution of the Civil Tenure Act, and to prevent Mr. Stanton from holding his office of Secretary of War."

As to the tenth article of impeachment, based upon various speeches of the President, Mr. Butler undertook to show that the reports of these speeches, as given in the article, were substantially correct; and accepted the issue made thereupon as

to whether they are "decent and becoming the President of the United States, and do not tend to bring the office into ridicule and disgrace."

After having commented upon the eleventh and closing article, which charges the President with having denied the authority of the Thirty-ninth Congress, except so far as its acts were approved by him, Mr. Butler summed up the purport of the articles of impeachment in these words:

"The acts set out in the first eight articles are but the culmination of a series of wrongs, malfeasances, and usurpations committed by the respondent, and, therefore, need to be examined in the light of his precedent and concomitant acts to grasp their scope and design. The last three articles presented show the perversity and malignity with which he acted, so that the man as he is known may be clearly spread upon record, to be seen and known of all men hereafter. . . .

We have presented the facts in the constitutional manner; we have brought the criminal to your bar, and demand judgment for his so great crimes."

The remainder of Monday, and a portion of the following day, were devoted to the presentation of documentary evidence as to the proceedings involved in the order for the removal of Mr. Stanton and the appointment of General Thomas. The prosecution then introduced witnesses to testify to the interviews between Mr. Stanton and General Thomas. They then brought forward a witness to show that General Thomas had avowed his determination to take forcible possession of the War Office. To this Mr. Stanbery, for the defense, objected. The Chief Justice decided the testimony to be admissible. Thereupon Senator Drake took exception to the ruling, on the ground that this question should be decided by the Senate—not by the presiding officer. The Chief Justice averred that, in his judgment, it was his duty to decide, in the first instance, upon any question of evidence, and then, if any Senator desired, to submit the decision to the Senate. Upon this objection and appeal arose the first conflict in the Senate as to the powers of its presiding officer. Mr. Butler argued at length in favor of the exception. Although, in this case, the decision was in favor of the prosecution, he objected to the power of the presiding officer to make it. This point was argued at length by the managers for the impeachment, who denied the right of the Chief Justice to make such decision. It was then moved that the Senate retire for private consultation on this point. There was a tie vote—25 ayes and 25 nays.—The Chief Justice gave his casting vote in favor of the motion for

consultation. The Senate, by a vote of 31 to 19, sustained the Chief Justice, deciding that "the presiding officer may rule on all questions of evidence and on incidental questions, which decision will stand as the judgment of the Senate for decision, or he may, at his option in the first instance, submit any such question to a vote of the members of the Senate." In the further progress of the trial the Chief Justice, in most important cases, submitted the question directly to the Senate, without himself giving any decision. Next morning (April 1) Mr. Sumner offered a resolution to the effect that the Chief Justice, in giving a casting vote, "acted without authority of the Constitution of the United States." This was negatived by a vote of 27 to 21, thus deciding that the presiding officer had the right to give a casting vote. The witness (Mr. Burleigh, delegate from Dakota,) who had been called to prove declarations of General Thomas, was then asked whether, at an interview between them, General Thomas had said anything as "to the means by which he intended to obtain, or was directed by the President to obtain, possession of the War Department." To this question Mr. Stanbery objected, on the ground that any statements made by General Thomas could not be used as evidence against the President. Messrs. Butler and Bingham argued that the testimony was admissible, on the ground that there was, as charged, a conspiracy between the President and General Thomas, and that the acts of one conspirator were binding upon the other; and, also, that in these acts General Thomas was the agent of the President. The Senate, by 39 to 11, decided that the question was admissible. Mr. Burleigh thereupon testified substantially that General Thomas informed him that he had been directed by the President to take possession of the War Department; that he was bound to obey his superior officer; that, if Mr. Stanton objected, he should use force, and if he bolted the doors they would be broken down. The witness was then asked whether he had heard General Thomas make any statement to the clerks of the War Office, to the effect that, when he came into control, he would relax or rescind the rules of Mr. Stanton. To this question objection was made by the counsel of the President on the ground of irrelevancy. The Chief Justice was of opinion that the question was not admissible, but, if any Senator demanded, he would submit to the Senate whether it should be asked. The demand having been made, the Senate, by a vote of 28 to 22, allowed the question to be put, whereupon Mr. Burleigh testified that General Thomas, in his presence, called before him the heads of the divisions, and told them that the rules laid down by Mr.

Stanton were arbitrary, and that he should relax them—that he should not hold them strictly to their letters of instruction, but should consider them as gentlemen who would do their duty—that they could come in or go out when they chose. Mr. Burleigh further testified that, subsequently, General Thomas had said to him that the only thing which prevented him from taking possession of the War Department was his arrest by the United States marshal. Other witnesses were called to prove the declarations of General Thomas. Mr. Wilkeson testified that General Thomas said to him that he should demand possession of the War Department, and, in case Mr. Stanton should refuse to give it up, he should call upon General Grant for a sufficient force to enable him to do so, and he did not see how this could be refused. Mr. Karsener, of Delaware, testified that he saw General Thomas at the President's house, told him that Delaware, of which State General Thomas is a citizen, expected him to stand firm; to which General Thomas replied that he was standing firm, that he would not disappoint his friends, but, that, in a few days, he would "kick that fellow out," meaning, as the witness supposed, Mr. Stanton.

*Thursday, April 2d.*—Various witnesses were introduced to testify to the occurrences when General Thomas demanded possession of the War Department. After this General Emory was called to testify to the transactions which form the ground of the ninth article of impeachment. His testimony was to the effect that the President, on the 22d of February, requested him to call; that, upon so doing, the President asked respecting any changes that had been made in the disposition of the troops around Washington; that he informed the President that no important changes had been made, and that none could be made without an order from General Grant, as provided for in an order founded upon a law sanctioned by the President. The President said that this law was unconstitutional. Emory replied that the President had approved of it, and that it was not the prerogative of the officers of the army to decide upon the constitutionality of a law, and in that opinion he was justified by the opinion of eminent counsel, and thereupon the conversation ended.

The prosecution then endeavored to introduce testimony as to the appointment of Mr. Edmund Cooper, the Private Secretary of the President, as Assistant Secretary of the Treasury, in support of the eighth and eleventh articles of impeachment, which charge the President with an unlawful attempt to control the disposition of certain public funds. This testimony, by a vote of 27 to 22, was ruled out.

The prosecution now, in support of the

tenth and eleventh articles of impeachment, charging the President with endeavoring to "set aside the rightful authority of Congress," offered a telegraphic dispatch from the President to Mr. Parsons, at that time (January 17, 1867) Provisional Governor of Alabama, of which the following is the essential part:

"I do not believe the people of the whole country will sustain any set of individuals in the attempt to change the whole character of our Government by enabling acts in this way. I believe, on the contrary, that they will eventually uphold all who have patriotism and courage to stand by the Constitution, and who place their confidence in the people. There should be no faltering on the part of those who are honest in their determination to sustain the several coördinate departments of the Government in accordance with its original design." The introduction of this was objected to by the counsel for the President, but admitted by the Senate, the vote being 27 to 17.

The whole Friday, and a great part of Saturday, (April 3d and 4th,) were occupied in the examination of the persons who reported the various speeches of the President which form the basis of the tenth article, the result being that the reports were shown to be either substantially or verbally accurate. Then, after some testimony relating to the forms in which commissions to office were made out, the managers announced that the case for the prosecution was substantially closed. The counsel for the President thereupon asked that three working days should be granted them to prepare for the defense. This, after some discussion, was granted by the Senate by a vote of 36 to 9, and the trial was adjourned to Thursday, April 9th.

#### THE DEFENSE.

The opening speech for the defense, occupying the whole of Thursday, and a part of Friday, was made by Mr. Curtis. Reserving, for a time, a rejoinder to Mr. Butler's argument as to the functions of the Senate when sitting as a Court of Impeachment, Mr. Curtis proceeded to a consideration of the articles of impeachment, in their order, his purpose being "to ascertain, in the first place, what the substantial allegations in each of them are, what is the legal proof and effect of these allegations, and what proof is necessary to be adduced in order to sustain them." The speech is substantially an elaboration of and argument for the points embraced in the answer of the President. The main stress of the argument related to the first article, which, as stated by Mr. Curtis, when stripped of all technical language, amounts exactly to these things:

"*First.* That the order set out in the ar-

ticle for the removal of Mr. Stanton, if executed, would have been a violation of the Tenure-of-Office Act.

"*Second.* That it was a violation of the Tenure-of-Office Act.

"*Third.* That it was an intentional violation of the Tenure-of-Office Act.

"*Fourth.* That it was in violation of the Constitution of the United States.

"*Fifth.* That it was intended by the President to be so.

"Or, to draw all these into one sentence, which I hope may be intelligible and clear enough, I suppose the substance of this first article is that the order for the removal of Mr. Stanton was, and was intended to be, a violation of the Constitution of the United States. These are the allegations which it is necessary for the honorable managers to make out in order to support that article."

Mr. Curtis proceeded to argue that the case of Mr. Stanton did not come within the provisions of the Tenure-of-Office Act, being expressly excepted by the proviso that Cabinet officers should hold their places during the term of the President by whom they were appointed, and for one month thereafter, unless removed by the consent of the Senate. Mr. Stanton was appointed by Mr. Lincoln, whose term of office came to an end by his death. He argued at length against the proposition that Mr. Johnson was merely serving out the remainder of Mr. Lincoln's term. The object of this exception, he said, was evident. The Cabinet officers were to be "the immediate confidential assistants of the President, for whose acts he was to be responsible, and in whom he was expected to repose the gravest honor, trust, and confidence; therefore it was that this act has connected the tenure of office of these officers with that of the President by whom they were appointed." Mr. Curtis gave a new interpretation to that clause in the Constitution which prescribes that the President "may require the opinion, in writing, of the principal officer in each of the executive departments upon any subject relating to the duties of their several offices." He understood that the word "their" included the President, so that he might call upon Cabinet officers for advice "relating to the duties of the office of these principal officers, or relating to the duties of the President himself." This, at least, he affirmed, had been the practical interpretation put upon this clause from the beginning. To confirm his position as to the intent of the Tenure-of-Office Act in this respect, Mr. Curtis quoted from speeches made in both houses at the time when the act was passed. Thus, Senator Sherman said that the act, as passed—

"Would not prevent the present President from removing the Secretary of War,

the Secretary of the Navy, or the Secretary of State; and, if I supposed that either of these gentlemen was so wanting in manhood, in honor, as to hold his place after the politest intimation from the President of the United States that his services were no longer needed, I certainly, as a Senator, would consent to his removal at any time, and so would we all."

Mr. Curtis proceeded to argue that there was really no removal of Mr. Stanton; he still held his place, and so there was "no case of removal within the statute, and, therefore, no case of violation by removal." But, if the Senate should hold that the order for removal was, in effect, a removal, then, unless the Tenure-of-Office Act gave Mr. Stanton a tenure of office, this removal would not have been contrary to the provisions of this act. He proceeded to argue that there was room for grave doubt whether Mr. Stanton's case came within the provisions of the Tenure-of-Office Act, and that the President, upon due consideration, and having taken the best advice within his power, considering that it did not, and acting accordingly, did not, even if he was mistaken, commit an act "so wilful and wrong that it can be justly and properly, and for the purposes of this prosecution, termed a high misdemeanor." He argued at length that the view of the President was the correct one, and that "the Senate had nothing whatever to do with the removal of Mr. Stanton, whether the Senate was in session or not."

Mr. Curtis then went on to urge that the President, being sworn to take care that the laws be faithfully executed, must carry out any law, even though passed over his veto, except in cases where a law which he believed to be unconstitutional has cut off a power confided to him, and in regard to which he alone could make an issue which would bring the matter before a court, so as to cause "a judicial decision to come between the two branches of the Government, to see which of them is right." This, said he, is what the President has done. This argument, in effect, was an answer to the first eight articles of impeachment.

The ninth article, charging the President with endeavoring to induce General Emory to violate the law by receiving orders directly from him, was very briefly touched upon, it being maintained that, as shown by the evidence, "the reason why the President sent for General Emory was not that he might endeavor to seduce that distinguished officer from his allegiance to the laws and Constitution of his country, but because he wished to obtain information about military movements which might require his personal attention."

As to the tenth article, based upon the President's speeches, it was averred that they were in no way in violation of the

Constitution, or of any law existing at the time when they were made, and were not therefore, impeachable offenses.

The reply to the eleventh article was very brief. The managers had "compounded it of the materials which they had previously worked up into others," and it "contained nothing new that needed notice." Mr. Curtis concluded his speech by saying that—"This trial is and will be the most conspicuous instance that has ever been, or even can be expected to be found, of American justice or of American injustice; of that justice which is the great policy of all civilized States; of that injustice which is certain to be condemned, which makes even the wisest man mad, and which, in the fixed and unalterable order of God's providence, is sure to return and plague the inventor."

At the close of this opening speech for the defense, General Lorenzo Thomas was brought forward as a witness. His testimony, elicited upon examination and cross-examination, was to the effect that, having received the order appointing him Secretary of War *ad interim*, he presented it to Mr. Stanton, who asked, "Do you wish me to vacate the office at once, or will you give me time to get my private property together?" to which Thomas replied, "Act your pleasure." Afterward Stanton said, "I don't know whether I will obey your instructions." Subsequently Thomas said that he should issue orders as Secretary of War. Stanton said he should not do so, and afterward gave him a written direction, not to issue any order except as Adjutant-General. During the examination of General Thomas a question came up which, in many ways, recurred upon the trial. He was asked to tell what occurred at an interview between himself and the President. Objection was made by Mr. Butler, and the point was argued. The question was submitted to the Senate, which decided, by a vote of 42 to 10, that it was admissible. The testimony of General Thomas, from this point, took a wide range, and, being mainly given in response to questions of counsel, was, apparently, somewhat contradictory. The substance was that he was recognized by the President as Secretary of War; that, since the impeachment, he had acted as such only in attending Cabinet meetings, but had given no orders; that, when he reported to the President that Mr. Stanton would not vacate the War Department, the President directed him to "take possession of the office;" that, without orders from the President, he had intended to do this by force, if necessary; that, finding that this course might involve bloodshed, he had abandoned this purpose, but that, after this, he had, in several cases, affirmed his purpose to do so, but that these declara-

tions were "merely boast and brag." On the following day General Thomas was recalled as a witness, to enable him to correct certain points in his testimony. The first was the date of an unimportant transaction; he had given it as taking place on the 21st of February, whereas it should have been the 22d. The second was that the words of the President were that he should "take charge," not "take possession" of the War Department. In explanation of the fact that he had repeatedly sworn to the words "take possession," he said that these were "put into his mouth." Finally, General Thomas, in reply to a direct question from Mr. Butler, said that his testimony on these points was "all wrong."

Lieutenant-General Sherman was then called as a witness. After some unimportant questions, he was asked in reference to an interview between himself and the President which took place on the 14th of January: "At that interview what conversation took place between the President and you in reference to Mr. Stanton?" To this question objection was made by Mr. Butler, and the point was elaborately argued. The Chief Justice decided that the question was admissible within the vote of the Senate of the previous day; the question then was as to the admissibility of evidence as to a conversation between the President and General Thomas; the present question was as to a conversation between the President and General Sherman. "Both questions," said the Chief Justice, "are asked for the purpose of procuring the intent of the President to remove Mr. Stanton." The question being submitted to the Senate, it was decided, by a vote of 28 to 23, that it should not be admitted. The examination of General Sherman was continued, the question of the conversation aforesaid being frequently brought forward, and as often ruled out by the Senate. The only important fact elicited was that the President had twice, on the 25th and 30th of January, tendered to General Sherman the office of Secretary of War *ad interim*.

On Monday, April 13th, after transactions of minor importance, the general matter of the conversations between the President and General Sherman again came up, upon a question propounded by Senator Johnson—"When the President tendered to you the office of Secretary of War *ad interim*, did he, at the very time of making such tender, state to you what his purpose in so doing was?" This was admitted by the Senate, by a vote of 26 to 22. Senator Johnson then added to his question, "If he did, what did he state his purpose was?" This was admitted by a vote of 25 to 26. The testimony of General Sherman, relating to several inter-

views, was to the effect that the President said that the relations between himself and Mr. Stanton were such that he could not execute the office of President without making provision to appoint a Secretary of War *ad interim*, and he offered that office to him (General Sherman), but did not state that his purpose was to bring the matter directly into the courts. Sherman said that, if Mr. Stanton would retire, he might, although against his own wishes, undertake to administer the office *ad interim*, but asked what would be done in case Mr. Stanton would not yield. To this the President replied, "He will make no opposition; you present the order, and he will retire. I know him better than you do; he is cowardly." General Sherman asked time for reflection, and then gave a written answer, declining to accept the appointment, but stated that his reasons were mostly of a personal nature.

On the 14th the Senate adjourned, on account of the sudden illness of Mr. Stanbery. It re-assembled on the 15th, but the proceedings touched wholly upon formal points of procedure and the introduction of unimportant documentary evidence. On the 16th Mr. Sumner moved that all evidence not trivial or obviously irrelevant shall be admitted, the Senate to judge of its value. This was negatived by a vote of 23 to 11.

The 17th was mainly taken up by testimony as to the reliability of the reports of the President's speeches. Mr. Welles, Secretary of the Navy, was then called to testify to certain proceedings in Cabinet Council at the time of the appointment of General Thomas. This was objected to. The Chief Justice decided that it was admissible, and his decision was sustained by a vote of 26 to 23. The defense then endeavored to introduce several members of the Cabinet, to show that, at meetings previous to the removal of Mr. Stanton, it was considered whether it was not desirable to obtain a judicial determination of the unconstitutionality of the Tenure-of-Office Act. This question was raised in several shapes, and its admission, after thorough argument on both sides, as often refused, in the last instance by a decisive vote of 30 to 19. The defense considered this testimony of the utmost importance, as going to show that the President had acted upon the counsel of his constitutional advisers, while the prosecution claimed that he could not plead in justification of a violation of the law that he had been advised by his Cabinet, or any one else, that the law was unconstitutional. His duty was to execute the laws, and, if he failed to do this, or violated them, he did so at his own risk of the consequences. With the refusal of this testimony, the



parently decided declarations on his part, Horatio Seymour, of New York, was therefore nominated for President, and Francis P. Blair, Jr., of Missouri, for Vice President.\*

An active canvass followed, in which the brief expression—"let us have peace"—in Grant's letter of acceptance, was liberally employed by Republican journals and orators to tone down what were regarded as rapidly growing race and sectional differences, and with such effect that Grant carried all of the States save eight, receiving an electoral vote of 214 against 80.

Grant inaugurated, and the Congressional plan of reconstruction was rapidly pushed, with at first very little opposition save that manifested by the Democrats in Congress. The conditions of readmission were the ratification of the thirteenth and fourteenth constitutional amendments.

On the 25th of February, 1869, the fifteenth amendment was added to the list by its adoption in Congress and submission to the States. It conferred the right of suffrage on all citizens, without distinction of "race, color or previous condition of servitude." By the 30th of March, 1870, it was ratified by twenty-nine States, the required three-fourths of all in the Union. There was much local agitation in some of the Northern States on this new advance, and many who had never manifested their hostility to the negroes before did it now, and a portion of these passed over to the Democratic party. The issue, however, was shrewdly handled, and in most instances met Legislatures ready to receive it. Many of the Southern States were specially interested in its passage, since a denial of suffrage would abridge their representation in Congress. This was of course true of all the States, but its force was indisputable in sections containing large colored populations.

The 41st Congress met in extra session March 4th, 1869, with a large Republican majority in both branches. In the Senate there were 58 Republicans, 10 Democrats and 8 vacancies; in the House 149 Republicans, 64 Democrats and 25 vacancies, Mississippi, Texas, Virginia and Georgia not being represented. James G. Blaine, for several years previous its leading parliamentarian and orator, was Speaker of the House. All of Grant's nominations for Cabinet places were confirmed, except A. T. Stewart, of New York, nominated for Secretary of the Treasury, and being engaged in foreign commerce he was ineligible under the law, and his name was withdrawn. The names of the Cabinet will be found in the list of all Cabinet officers elsewhere given. Their announcement at first created the impression that the Grant administration was not intended to be partisan, rather personal, but if there ever was such a purpose, a little political experience on the part of the President quickly changed it. A political struggle soon followed in Congress as to the admission of Virginia, Mississippi and Texas, which had not ratified the Fourteenth Amendment or been reconstructed. A bill was passed April 10th, authorizing their people to vote on the constitutions already prepared by the State conventions, to elect members of Congress and State officers, and requiring before readmission to the Union, their Legislatures to ratify both the Fourteenth and Fifteenth Amendments. This work done, and the extra session adjourned.

In all of the Southern States, those who then prided themselves in being "unreconstructed" and "irreconcilable," bitterly opposed both the Fourteenth and Fifteenth Amendments, and on these issues excited new feelings of hostility to the "carpet baggers" and negroes of the South. With the close of the war thousands of North-

Candidates.	12.	13.	14.	15.	16.	17.	18.	19.	20.	21.	22.
Horatio Seymour.....	...	...	...	...	...	...	...	...	...	...	317
George H. Pendleton.....	145½	134½	130	129½	107½	70½	56½	...	...	...	...
Andrew Johnson.....	4½	4½	...	5½	5½	6	10	...	...	5	...
Winfield S. Hancock.....	30	48½	56	79½	113½	137½	144½	135½	142½	135½	...
Sanford E. Church.....	...	...	...	...	...	...	...	...	...	...	...
Asa Packer.....	26	26	26	...	...	...	...	22	...	...	...
Joel Parker.....	7	7	7	7	7	7	3½	...	...	...	...
James E. English.....	...	...	...	...	...	...	...	6	16	19	...
James R. Doolittle.....	12½	13	13	12	12	12	12	12	12	12	...
Reverdy Johnson.....	...	...	...	...	...	...	...	...	...	...	...
Thomas A. Hendricks.....	89	81	84½	82½	70½	80	87	107½	121	132	...
F. P. Blair, Jr.....	½	½	...	...	...	...	...	13½	13	...	...
Thomas Ewing.....	...	...	...	...	...	...	...	...	...	...	...
J. Q. Adams.....	...	...	...	...	...	...	...	...	...	...	...
George B. McClellan.....	1	...	...	...	...	...	...	...	...	½	...
Salmon P. Chase.....	½	½	...	...	...	½	½	½	...	4	...
Franklin Pierce.....	...	1	...	...	...	...	...	...	...	...	...
John T. Hoffman.....	...	...	...	...	...	3	3	...	...	...	...
Stephen J. Field.....	...	...	...	...	...	...	...	15	9	8	...
Thomas H. Seymour.....	...	...	...	...	...	...	...	4	2	...	...

Necessary to choice.....212

\* General Blair was nominated unanimously on the first ballot.



ern men had settled in the South. All of them were now denounced as political adventurers by the rebels who opposed the amendments, reconstruction and freedman's bureau acts. Many of these organized themselves first into Ku Klux Klans, secret societies, organized with a view to affright negroes from participancy in the elections, and to warn white men of opposing political views to leave the country. The object of the organization broadened with the troubles which it produced. Efforts to affright were followed by midnight assaults, by horrible whippings, outrages and murders, hardly a fraction of which could be traced to the perpetrators. Doubtless many of the stories current at the time were exaggerated by partisan newspapers, but all of the official reports made then and since go to show the dangerous excesses which political and race hostilities may reach. In Georgia the whites, by these agencies, soon gained absolute political control, and this they used with more wisdom than in most Southern States, for under the advice of men like Stevens and Hill, they passed laws providing for free public schools, etc., but carefully guarded their newly acquired power by also passing tax laws which virtually disfranchised more than half the blacks. Later on, several Southern States imitated this form of political sagacity, and soon those in favor of "a white man's government," (the popular battle cry of the period) had undisputed control in Virginia, Alabama, Mississippi, Arkansas and Texas—States which the Republicans at one time had reason to believe they could control.

#### The Enforcement Acts.

To repress the Ku Klux outrages, Congress in May 31, 1870, passed an act giving to the President all needed powers to protect the freedmen in their newly acquired rights, and to punish the perpetrators of all outrages, whether upon whites or blacks. This was called in Congress the Enforcement Act, and an Amendatory Enforcement Act was inserted in the Sundry Civil Bill, June 10, 1872. The Ku Klux Act was passed April 20, 1871. All of these measures were strongly advocated by Senator Oliver P. Morton, who through this advocacy won new political distinction as the special champion of the rights of the blacks. Later on James G. Blaine, then the admitted leader of the House, opposed some of the supplements for its better enforcement, and to this fact is traceable the refusal on the part of the negroes of the South to give him that warm support as a Presidential candidate which his high abilities commanded in other sections.

The several Enforcement Acts and their supplements are too voluminous for inser-

tion here, and they are of little use save as relics of the bitter days of reconstruction. They have little force now, although some of them still stand. They became a dead letter after the defeat of the "carpet-bag governments," but the President enforced them as a rule with moderation and wisdom.

The enforcement of the Ku Klux Act led to the disbanding of that organization after the trial, arrest and conviction of many of the leaders. These trials brought out the facts, and awakened many Southern minds, theretofore incredulous, to the enormity of the secret political crimes which had been committed in all the Southern States, and for a time popular sentiment even in the South, and amongst former rebel soldiers, ran strongly against the Klan. With fresh political excitements, however, fresh means of intimidation were employed at elections. Rifle clubs were formed, notably in South Carolina and Mississippi, while in Louisiana the "White League" sprang into existence, and was organized in all of the neighboring States. These were more difficult to deal with. They were open organizations, created under the semblance of State militia acts. They became very popular, especially among the younger men, and from this time until the close of the Presidential election in 1876, were potent factors in several Southern States, and we shall have occasion further on to describe their more important movements.

#### Readmission of Rebellious States.

Before the close of 1869 the Supreme Court, in the case of *Texas vs. White*, sustained the constitutionality of the Reconstruction acts of Congress. It held that the ordinances of secession had been "absolutely null;" that the seceding States had no right to secede and had never been out of the Union, but that, during and after their rebellion, they had no governments "competent to represent these States in their relations with the National government," and therefore Congress had the power to re-establish the relations of any rebellious State to the Union. This decision fortified the position of the Republicans, and did much to aid President Grant in the difficult work of reconstruction. It modified the assaults of the Democrats, and in some measure changed their purpose to make Reconstruction the pivot around which smaller political issues should revolve.

The regular session of the 41st Congress met Dec. 4th, 1869, and before its close Virginia, Georgia, Texas, and Mississippi had all complied with the conditions of reconstruction, and were re-admitted to the Union. This practically completed the work of reconstruction. To summarize:—

Tennessee was re-admitted July 24th, 1866; Arkansas, June 22d, 1868; North Carolina, South Carolina, Louisiana, Georgia and Florida under the act of June 25th, 1868, which provided that as soon as they fulfilled the conditions imposed by the acts of March, 1867, they should be re-admitted. All did this promptly except Georgia. Virginia was re-admitted January 25th, 1870; Mississippi, Feb. 23d, 1870; Texas, March 30th, 1870. Georgia, the most powerful and stubborn of all, had passed State laws declaring negroes incapable of holding office, in addition to what was known as the "black code," and Congress refused full admission until she had revoked the laws and ratified the 15th Amendment. The State finally came back into the Union July 15th, 1870.

The above named States completed the ratification of the 15th amendment, and the powers of reconstruction were plainly used to that end. Some of the Northern States had held back, and for a time its ratification by the necessary three-fourths was a matter of grave doubt. Congress next passed a bill to enforce it, May 30th, 1870. This made penal any interference, by force or fraud, with the right of free and full manhood suffrage, and authorized the President to use the army to prevent violations. The measure was generally supported by the Republicans, and opposed by all of the Democrats.

The Republicans through other guards about the ballot by passing an act to amend the naturalization laws, which made it penal to use false naturalization papers, authorized the appointment of Federal supervisors of elections in cities of over 20,000 inhabitants; gave to these power of arrest for any offense committed in their view, and gave alien Africans the right to naturalize. The Democrats in their opposition laid particular stress upon the extraordinary powers given to Federal supervisors, while the Republicans charged that Seymour had carried New York by gigantic naturalization frauds in New York city, and sought to sustain these charges by the unprecedented vote polled. A popular quotation of the time was from Horace Greeley, in the *New York Tribune*, who showed that under the manipulations of the Tweed ring, more votes had been cast for Seymour in one of the warehouse wards of the city, "than there were men, women, children, and cats and dogs in it."

#### The Legal Tender Decision.

The Act of Congress of 1862 had made "greenback" notes a legal tender, and they passed as such until 1869 against the protests of the Democrats in Congress, who had questioned the right of Congress to issue paper money. It was on this issue

that Thaddeus Stevens admitted the Republicans were travelling "outside of the constitution" with a view to preserve the government, and this soon became one of his favorite ways of meeting partisan objections to war measures. At the December term of the Supreme Court, in 1869, a decision was rendered that the action of Congress was unconstitutional, the Court then being accidentally Democratic in its composition. The Republicans, believing they could not afford to have their favorite, and it must be admitted most useful financial measure questioned, secured an increase of two in the number of Supreme Justices—one under a law creating an additional Justiceship, the other in place of a Justice who had resigned—and in March, 1870, after the complexion of the Court had been changed through Republican appointments made by President Grant, the constitutionality of the legal tender act was again raised, and, with Chief Justice Chase (who had been Secretary of the Treasury in 1862 presiding) the previous decision was reversed. This was clearly a partisan struggle before the Court, and on the part of the Republicans an abandonment of old landmarks impressed on the country by the Jackson Democrats, but it is plain that without the greenbacks the war could not have been pressed with half the vigor, if at all. Neither party was consistent in this struggle, for Southern Democrats who sided with their Northern colleagues in the plea of unconstitutionality, had when "out of the Union," witnessed and advocated the issue of the same class of money by the Confederate Congress. The difference was only in the ability to redeem, and this ability depended upon success in arms—the very thing the issue was designed to promote. The last decision, despite its partisan surroundings and opposition, soon won popularity, and this popularity was subsequently taken as the groundwork for the establishment of

#### The Greenback Party.

This party, with a view to ease the rigors of the monetary panic of 1873, advocated an unlimited issue of greenbacks, or an "issue based upon the resources of the country." So vigorously did discontented leaders of both parties press this idea, that they soon succeeded in demoralizing the Democratic minority—which was by this time such a plain minority, and so greatly in need of new issues to make the people forget the war, that it is not surprising they yielded, at least partially, to new theories and alliances. The present one took them away from the principles of Jackson, from the hard-money theories of the early days, and would land them they knew not where, nor did

many of them care, if they could once more get upon their feet. Some resisted, and comparatively few of the Democrats in the Middle States yielded, but in part of New England, the great West, and nearly all of the South, it was for several years quite difficult to draw a line between Greenbackers and Democrats. Some Republicans, too, who had tired of the "old war issues," or discontented with the management and leadership of their party, aided in the construction of the Greenback bridge, and kept upon it as long as it was safe to do so. In State elections up to as late as 1880 this Greenback element was a most important factor. Ohio was carried by an alliance of Greenbackers and Democrats, Allen being elected Governor, only to be supplanted by Hayes (afterwards President) after a most remarkable contest, the alliance favoring the Greenback, the Republicans not quite the hard-money, but a redeemable-in-gold theory. Indiana, always doubtful, passed over to the Democratic column, while in the Southern States the Democratic leaders made open alliances until the Greenbackers became over-confident and sought to win Congressional and State elections on their own merits. They fancied that the desire to repudiate ante-war debts would greatly aid them, and they openly advocated the idea of repudiation there, but they had experienced and wise leaders to cope with. They were not allowed to monopolize this issue by the Democrats, and their arrogance, if such it may be called, was punished by a more complete assertion of Democratic power in the South than was ever known before. The theory in the South was welcomed where it would suit the Democracy, crushed where it would not, as shown in the Presidential election of 1880, when Garfield, Hancock and Weaver (Greenbacker) were the candidates. The latter, in his stumping tour of the South, proclaimed that he and his friends were as much maltreated in Alabama and other States, as the Republicans, and for some cause thereafter (the Democrats alleged "a bargain and sale") he practically threw his aid to the Republicans—this when it became apparent that the Greenbackers, in the event of the election going to the House, could have no chance even there.

Gen'l Weaver went from the South to Maine, the scene of what was regarded at that moment as a pivotal struggle for the Presidency. Blaine had twice been the most prominent candidate for the Presidency—1876 and 1880—and had both times been defeated by compromise candidates. He was still, as he had been for many years, Chairman of the Republican State Committee of Maine, and now as ever before swallowed the mortification of

defeat with true political grace. The Greenbackers had the year before formed a close alliance with the Democrats, and in the State election made the result so close that for many weeks it remained a matter of doubt who was elected Governor, the Democratic Greenbacker or the Republican. A struggle followed in the Legislature and before the Returning Board composed of State officers, who were Democrats, (headed by Gov. Garcelon) and sought to throw out returns on slight technicalities. Finally the Republicans won, but not without a struggle which excited attention all over the Union and commanded the presence of the State militia. Following Garfield's nomination another struggle, as we have stated, was inaugurated, with Davis as the Republican nominee for Governor, Plaisted the Democratic-Greenback, (the latter a former Republican). All eyes now turned to Maine, which voted in September. Gen'l Weaver was on the stump then, as the Greenback candidate for President, and all of his efforts were bent to breaking the alliance between the Greenbackers and Democrats.

He advocated a straight-out policy for his Greenback friends, described his treatment in the South, and denounced the Democracy with such plainness that it displayed his purpose and defeated his object. Plaisted was elected by a close vote, and the Republicans yielded after some threats to invoke the "Garcelon precedents." This was the second Democratic-Greenback victory in Maine, the first occurring two years before, when through an alliance in the Legislature (no candidate having received a majority of all the popular vote) Garland was returned.

The victory of Plaisted alarmed the Republicans and enthused the Democrats, who now denounced Weaver, but still sought alliance with his followers. General B. F. Butler, long a brilliant Republican member of Congress from Massachusetts, for several years advocated Greenback ideas without breaking from his Republican Congressional colleagues. Because of this fact he lost whatever of chance he had for a Republican nomination for Governor, "his only remaining political ambition," and thereupon headed the Greenbackers in Massachusetts, and in spite of the protests of the hard-money Democrats in that State, captured the Democratic organization, and after these tactics twice ran for Governor, and was defeated both times by the Republicans, though he succeeded, upon State and "anti-blue blood" theories, in greatly reducing their majority. In the winter of 1882 he still held control of the Democratic State Committee, after the Greenback organization had passed from view,

and "what will he do next?" is one of the political questions of the hour.

The Greenback labor party ceased all Congressional alliance with the Democrats after their quarrel with General Weaver, and as late as the 47th session—1881-82—refused all alliance, and abstained from exercising what some still believe a "balance of power" in the House, though nearly half of their number were elected more as Republicans than Greenbackers.

As a party, the Greenbackers, standing alone, never carried either a State or a Congressional district. Their local successes were due to alliances with one or other of the great parties, and with the passage of the panic they dissolved in many sections, and where they still obtain it is in alliance with labor unions, or in strong mining or workingmen's districts. In the Middle States they won few local successes, but were strong in the coal regions of Pennsylvania. Advocates of similar theories have not been wanting in all the countries of Western Europe following great wars or panics, but it was reserved to the genius of Americans to establish an aggressive political party on the basis of theories which all great political economists have from the beginning antagonized as unsafe and unsound.

#### **The Prohibitory Party.**

The attempt to establish a third party in the Greenback, begot that to establish a National Prohibitory Party, which in 1880 ran James Black of Pennsylvania, as a candidate for the Presidency, and four years previous ran Neal Dow of Maine. He, however, commanded little attention, and received but sparsely scattered votes in all the States. The sentiment at the base of this party never thrived save as in States, particularly in New England, where it sought to impress itself on the prevailing political party, and through it to influence legislation. Neal Dow of Maine, first advocated a prohibitory law, and by his eloquent advocacy, secured that of Maine, which has stood for nearly thirty years. That of Massachusetts has recently been repealed. The prohibitory amendment to the Constitution of Kansas was adopted in 1881, etc. The Prohibitory Party, however, never accomplished anything by separate political action, and though fond of nominating candidates for State and local officers, has not as yet succeeded in holding even a balance of power between the political parties, though it has often confused political calculations as to results in New York, Ohio, Pennsylvania, Connecticut, Massachusetts, etc. It seems never to have taken hold in any of the Southern States, and comparatively little in the

Western, until the whole country was surprised in 1880 by the passage of the Kansas amendment by over 20,000 majority in a vote of the people invoked by the Legislature. An effort followed to submit a similar amendment through the Pennsylvania Legislature in 1881. It passed the House by a large majority, but after discussion in the Senate, and amendments to indemnify manufacturers and dealers in liquor (an amendment which would cripple if it would not bankrupt the State) was adopted. Governor St. John of Kansas, a gentleman fond of stumping for this amendment, insists that the results are good in his State, while its enemies claim that it has made many criminals, that liquor is everywhere smuggled and sold, and that the law has turned the tide of immigration away from that great State. The example of Kansas, however, will probably be followed in other States, and the Prohibitory Party will hardly pass from view until this latest experiment has been fairly tested. It was also the author of "Local Option," which for a time swept Pennsylvania, but was repealed by a large majority after two years' trial.

#### **Annexation of San Domingo.**

The second session of the 41st Congress began December 5th, 1870. With all of the States represented, reconstruction being complete, the body was now divided politically as follows: Senate, 61 Republicans, 13 Democrats; House 172 Republicans, 71 Democrats. President Grant's annual message discussed a new question, and advocated the annexation of San Domingo to the United States. A treaty had been negotiated between President Grant and the President of the Republic of San Domingo as early as September 4th, 1869, looking to annexation, but it had been rejected by the Senate, Charles Sumner being prominent in his opposition to the measure. He and Grant experienced a growing personal unpleasantness, because of the President's attempt to negotiate a treaty without consulting Mr. Sumner, who was Chairman of the Committee on Foreign Affairs, and it was charged that through the influence of the President he was removed by the Republican caucus from this Chairmanship, and Senator Simon Cameron put in his place. Whether this was true or not, the differences between Grant and Sumner were universally remarked, and Sumner's imperious pride led him into a very vindictive assault upon the proposition. Grant gave few other reasons for annexation than military ones, suggested that as a naval station it would facilitate all home operations in the Gulf, while in the hands of a foreign power, in the event of war, it would prove the depot for many and dangerous warlike prepa-

rations. The question had little political significance, if it was ever designed to have any, and this second attempt to bring the scheme to the attention of Congress, was that a joint resolution (as in the annexation of Texas) might be passed. This would require but a majority, but the objection was met that no Territory could be annexed without a treaty, and this must be ratified by two-thirds of the Senate. A middle course was taken, and the President was authorized to appoint three Commissioners to visit San Domingo and ascertain the desires of its people. These reported favorably, but the subject was finally dropped, probably because the proposition could not command a two-thirds vote, and has not since attracted attention.

#### Amendatory Enforcement Acts.

The operation of the 15th Amendment, being still resisted or evaded in portions of the South, an Act was passed to enforce it. This extended the powers of the Federal supervisors and marshals, authorized in the first, and gave the Federal Circuit Courts exclusive jurisdiction of all cases tried under the provisions of the Act and its supplements. It also empowered these Courts to punish any State officer who should attempt to interfere with or try such cases as in contempt of the Court's jurisdiction. The Republicans sustained, the Democrats opposed the measure, but it was passed and approved February 28, 1871, and another supplement was inserted in the Sundry Civil Bill, and approved June 10th, 1872, with continued resistance on the part of the Democrats. After the appointment of a committee to investigate the condition of affairs in the Southern States, Congress adjourned March 4th, 1871.

#### The Alabama Claims.

During this year the long disputed Alabama Claims of the United States against Great Britain, arising from the depredations of the Anglo-rebel privateers, built and fitted out in British waters, were referred by the Treaty of Washington, dated May 8th, 1871, to arbitrators, and this was the first and most signal triumph of the plan of arbitration, so far as the Government of the United States was concerned. The arbitrators were appointed, at the invitation of the governments of Great Britain and the United States, from these powers, and from Brazil, Italy, and Switzerland. On September 14th, 1872, they gave to the United States gross damages to the amount of \$15,500,000, an amount which has subsequently proved to be really in excess of the demands of merchants and others claiming the loss of

property through the depredations of the rebel ram *Alabama* and other rebel privateers. We append a list of the representatives of the several governments:

*Arbitrator on the part of the United States*—CHARLES FRANCIS ADAMS.

*Arbitrator on the part of Great Britain*—The Right Honorable Sir ALEXANDER COCKBURN, Baronet, Lord Chief Justice of England.

*Arbitrator on the part of Italy*—His Excellency Senator Count SCLOPIS.

*Arbitrator on the part of Switzerland*—Mr. JACOB STAMPFLI.

*Arbitrator on the part of Brazil*—Baron D'ITAJUBA.

*Agent on the part of the United States*—J. C. BANCROFT DAVIS.

*Agent on the part of Great Britain*—Right Honorable LORD TENTERDEN.

*Counsel for the United States*—CALEB CUSHING, WILLIAM M. EVARTS, MORRISON R. WAITE.

*Counsel for Great Britain*—Sir ROUNDELL PALMER.

*Solicitor for the United States*—CHARLES C. BEAMAN, Jr.

#### The Force Bill.

The 42d Congress met March 4, 1871, the Republicans having suffered somewhat in their representation. In the Senate there were 57 Republicans, 17 Democrats; in the House 138 Republicans, 103 Democrats. James G. Blaine was again chosen Speaker. The most exciting political question of the session was the passage of the "Force Bill," as the Democrats called it. The object was more rigidly to enforce observance of the provisions of the 14th Amendment, as the Republicans claim; to revive a waning political power in the South, and save the "carpet-bag" governments there, as the Democrats claimed. The Act allowed suit in the Federal courts against any person who should deprive another of the rights of a citizen, and it made it a penal offense to conspire to take away any one's rights as a citizen. It also provided that inability, neglect, or refusal by any State governments to suppress such conspiracies, or their refusal to call upon the President for aid, should be deemed a denial by such State of the equal protection of the laws under the 14th Amendment. It further declared such conspiracies "a rebellion against the government of the United States," and authorized the President, when in his judgment the public safety required it, to suspend the privilege of *habeas corpus* in any district, and suppress any such insurrection by the army and navy.

**President Hayes's Civil Service Order.**

EXECUTIVE MANSION, Washington, June 22, 1877.

SIR:—I desire to call your attention to the following paragraph in a letter addressed by me to the Secretary of the Treasury, on the conduct to be observed by the officers of the General Government in relation to the elections :

“No officer should be required or permitted to take part in the management of political organizations, caucuses, conventions or election campaigns. Their right to vote and to express their views on public questions, either orally or through the press, is not denied, provided it does not interfere with the discharge of their official duties. No assessment for political purposes on officers or subordinates should be allowed.”

This rule is applicable to every department of the Civil Service. It should be understood by every officer of the General Government that he is expected to conform his conduct to its requirements.

Very respectfully, R. B. HAYES.

Some of the protests were strong, and it is difficult to say whether Curtis, Julian, or Eaton—its three leading advocates—or the politicians, had the best of the argument. It was not denied, however, that a strong and very respectable sentiment had been created in favor of the reform, and to this sentiment all parties, and the President as well, made a show of bowing. It was fashionable to insert civil service planks in National and State platforms, but it was not such an issue as could live in the presence of more exciting ones; and while to this day it has earnest and able advocates, it has from year to year fallen into greater disuse. Actual trial showed the impracticability of some of the rules, and President Grant lost interest in the subject, as did Congress, for in several instances it neglected to appropriate the funds necessary to carry out the provisions of the law. President Arthur, in his message to Congress in December, 1881, argued against its full application, and showed that it blocked the way to preferment, certainly of the middle-aged and older persons, who could not recall their early lessons acquired by rote; that its effect was to elevate the inexperienced to positions which required executive ability, sound judgment business aptitude, and experience. The feature of the message met the endorsement of nearly the entire Republican press, and at this writing the sentiment, at least of the Republican party, appears to favor a partial modification of the rules.

The system was begun January 1st, 1872, but in December, 1874, Congress refused to make any appropriations, and it was for a time abandoned, with slight and spasmodic

revivals under the administration of President Hayes, who issued the foregoing order.

By letter from the Attorney-General, Charles Devens, August 1, 1877, this order was held to apply to the Pennsylvania Republican Association at Washington. Still later there was a further exposition, in which Attorney-General Devens, writing from Washington in October 1, 1877, excuses himself from active participation in the Massachusetts State campaign, and says: “I learn with surprise and regret that any of the Republican officials hesitate either to speak or vote, alleging as a reason the President's recent Civil Service order. In distinct terms that order states that the right of officials to vote and express their views on public questions, either orally or through the press, is not denied, provided it does not interfere with the discharge of their official duties. If such gentlemen choose not to vote, or not to express or enforce their views in support of the principles of the Republican party, either orally or otherwise, they, at least, should give a reason for such a course which is not justified by the order referred to, and which is simply a perversion of it.”

Yet later, when the interest in the Pennsylvania election became general, because of the sharp struggle between Governor Hoyt and Senator Dill for Governor, a committee of gentlemen (Republicans) visited President Hayes and induced him to “suspend the operation of the order” as to Pennsylvania, where political contributions were collected.

And opposition was manifested after even the earlier trials. Benjamin F. Butler denounced the plan as English and anti-Republican, and before long some of the more radical Republican papers, which had indeed given little attention to the subject, began to denounce it as a plan to exclude faithful Republicans from and permit Democrats to enter the offices. These now argued that none of the vagaries of political dreamers could ever convince them that a free Government can be run without political parties; that while rotation in office may not be a fundamental element of republican government, yet the right of the people to recommend is its corner-stone; that civil service would lead to the creation of rings, and eventually to the purchase of places; that it would establish an aristocracy of office-holders, who could not be removed at times when it might be important, as in the rebellion for the Administration to have only friends in public office; that it would establish grades and life-tenures in civic positions, etc.

For later particulars touching civil service, see the Act of Congress of 1883, and the regulations made pursuant to the same in Book V.

**Amnesty.**

The first regular session of the 42d Congress met Dec. 4th, 1871. The Democrats consumed much of the time in efforts to pass bills to remove the political disabilities of former Southern rebels, and they were materially aided by the editorials of Horace Greeley, in the *New York Tribune*, which had long contended for universal amnesty. At this session all such efforts were defeated by the Republicans, who invariably amended such propositions by adding Sumner's Supplementary Civil Rights Bill, which was intended to prevent any discrimination against colored persons by common carriers, hotels, or other chartered or licensed servants. The Amnesty Bill, however was passed May 22d, 1872, after an agreement to exclude from its provisions all who held the higher military and civic positions under the Confederacy—in all about 350 persons. The following is a copy:

*Be it enacted, etc.,* (two-thirds of each House concurring therein,) That all legal and political disabilities imposed by the third section of the fourteenth article of the amendments of the Constitution of the United States are hereby removed from all persons whomsoever, except Senators and Representatives of the Thirty-sixth and Thirty-seventh Congress, officers in the judicial, military, and naval service of the United States, heads of Departments, and foreign ministers of the United States.

Subsequently many acts removing the disabilities of all excepted (save Jefferson Davis] from the provisions of the above, were passed.

**The Liberal Republicans.**

An issue raised in Missouri gave immediate rise to the Liberal Republican party, though the course of Horace Greeley had long pointed toward the organization of something of the kind, and with equal plainness it pointed to his desire to be its champion and candidate for the Presidency. In 1870 the Republican party, then in control of the Legislature of Missouri, split into two parts on the question of the removal of the disqualifications imposed upon rebels by the State Constitution during the war. Those favoring the removal of disabilities were headed by B. Gratz Brown and Carl Schurz, and they called themselves Liberal Republicans; those opposed were called and accepted the name of Radical Republicans. The former quickly allied themselves with the Democrats, and thus carried the State, though Grant's administration "stood in" with the Radicals. As a result the disabilities were quickly removed, and those who believed with Greeley now sought to promote a reaction in Republican senti-

ment all over the country. Greeley was the recognized head of this movement, and he was ably aided by ex-Governor Curtin and Col. A. K. McClure in Pennsylvania; Charles Francis Adams, Massachusetts; Judge Trumbull, in Illinois; Reuben E. Fenton, in New York; Brown and Schurz in Missouri, and in fact by leading Republicans in nearly all of the States, who at once began to lay plans to carry the next Presidential election.

They charged that the Enforcement Acts of Congress were designed more for the political advancement of Grant's adherents than for the benefit of the country; that instead of suppressing they were calculated to promote a war of races in the South; that Grant was seeking the establishment of a military despotism, etc. These leaders were, as a rule, brilliant men. They had tired of unappreciated and unrewarded service in the Republican party, or had a natural fondness for "pastures new," and, in the language of the day, they quickly succeeded in making political movements "lively."

In the spring of 1871 the Liberal Republicans and Democrats of Ohio—and Ohio seems to be the most fertile soil for new ideas—prepared for a fusion, and after frequent consultations of the various leaders with Mr. Greeley in New York, a call was issued from Missouri on the 24th of January, 1872, for a National Convention of the Liberal Republican party to be held at Cincinnati, May 1st. The well-matured plans of the leaders were carried out in the nomination of Hon. Horace Greeley for President and B. Gratz Brown for Vice-President, though not without a serious struggle over the chief nomination, which was warmly contested by the friends of Charles Francis Adams. Indeed he led in most of the six ballots, but finally all the friends of other candidates voted for Greeley, and he received 482 to 187 for Adams. Dissatisfaction followed, and a later effort was made to substitute Adams for Greeley, but it failed. The original leaders now prepared to capture the Democratic Convention, which met at Baltimore, June 9th. By nearly an unanimous vote it was induced to endorse the Cincinnati platform, and it likewise finally endorsed Greeley and Brown—though not without many bitter protests. A few straight-out Democrats met later at Louisville, Ky., Sept. 3d, and nominated Charles O'Connor, of New York, for President, and John Quincy Adams, of Massachusetts, for Vice-President, and these were kept in the race to the end, receiving a popular vote of about 30,000.

The regular Republican National Convention was held at Philadelphia, June 5th. It renominated President Grant unanimously, and Henry Wilson, of Mas-

sachusetts, for Vice-President by 364½ votes to 321½ for Schuyler Colfax, who thus shared the fate of Hannibal Hamlin in his second candidacy for Vice-President on the ticket with Abraham Lincoln. This change to Wilson was to favor the solid Republican States of New England, and to prevent both candidates coming from the West.

#### Civil Service Reform.

After considerable and very able agitation by Geo. W. Curtis, the editor of *Harper's Weekly*, an Act was passed March 3d, 1871, authorizing the President to begin a reform in the civil service. He appointed a Commission headed by Mr. Curtis, and after more than a year's preparation this body defeated a measure which secured Congressional approval and that of President Grant.

The civil service law (and it is still a law though more honored now in the breach than the observance) embraced in a single section of the act making appropriations for sundry civil expenses for the year ending June 30, 1872, and authorize the President to prescribe such rules and regulations for admission into the civil service as will best promote the efficiency thereof, and ascertain the fitness of each candidate for the branch of service into which he seeks to enter. Under this law a commission was appointed to draft rules and regulations which were approved and are now being enforced by the President. All applicants for position in any of the government departments come under these rules:—all classes of clerks, copyists, counters; in the customs service all from deputy collector down to inspectors and clerks with the salaries of \$1200 or more; in appraisers' offices all assistants and clerks; in the naval service all clerks; all light-house keepers; in the revenue, supervisors, collectors, assessors, assistants; in the postal really all postmasters whose pay is over \$200, and all mail messengers. The rules apply to all new appointments in the departments or grades named, except that "nothing shall prevent the reappointment at discretion of the incumbents of any office the term of which is fixed by law." So that a postmaster or other officer escapes their application. Those specially exempt are the Heads of Departments; their immediate assistants and deputies, the diplomatic service, the judiciary, and the district attorneys. Each branch of the service is to be grouped, and admission shall always be to the lowest grade of any group. Such appointments are made for a probationary term of six months, when if the Board of Examiners approve the incumbent is continued. This Board of Examiners, three in number in each case,

shall be chosen by the President from the several Departments, and they shall examine at Washington for any position there, or, when directed by an Advisory Board, shall assign places for examination in the several States. Examinations are in all cases first made of applicants within the office or department, and from the list three reported in the order of excellence; if those within fail, then outside applicants may be examined. In the Federal Blue Book, which is a part of this volume, we give the Civil Service Rules.

When first proposed, partisan politics had no part or place in civil service reform, and the author of the plan was himself a distinguished Republican. In fact both parties thought something good had been reached, and there was practically no resistance at first to a trial.

The Democrats resisted the passage of this bill with even more earnestness than any which preceded it, but the Republican discipline was almost perfect, and when passed it received the prompt approval of President Grant, who by this time was elated as "the most radical of the radicals." Opponents denounced it as little if any less obnoxious than the old Sedition law of 1798, while the Republicans claimed that it was to meet a state of growing war in the South—a war of races—and that the form of domestic violence manifested was in the highest degree dangerous to the peace of the Union and the safety of the newly enfranchised citizens.

#### The Credit Mobilier.

At the second session of the 42d Congress, beginning Dec. 2, 1872, the speaker (Blaine) on the first day called attention to the charges made by Democratic orators and newspapers during the Presidential campaign just closed, that the Vice President (Colfax), the Vice President elect (Wilson), the Secretary of the Treasury, several Senators, the Speaker of the House, and a large number of Representatives had been bribed, during the years 1867 and 1868, by Oakes Ames, a member of the House from Massachusetts; that he and his agents had given them presents of stock in a corporation known as the Credit Mobilier, to influence their legislative action for the benefit of the Union Pacific Railroad Company.

Upon Speaker Blaine's motion, a committee of investigation was appointed by Hon. S. S. Cox, of New York, a noted Democrat temporarily called to the Chair.

After the close of the campaign, (as was remarked by the *Republic Magazine* at the time) the dominant party might well have claimed, and would have insisted had they been opposed to a thorough investigation



and a full exposure of corruption, that the verdict of the people in the late canvass was sufficient answer to these charges; but the Republican party not merely granted all the investigations sought, but summoned on the leading committee a majority of its political foes to conduct the inquest.

The committee consisted of Messrs. Poland, of Vermont; McCreary, of Iowa; Banks, of Massachusetts; Niblack, of Indiana, and Merrick, of Maryland.

Messrs. Poland and McCreary—the two Republicans—were gentlemen of ability and standing, well known for their integrity, moderation, and impartiality. General Banks was an earnest supporter of Horace Greeley, upon the alleged ground that the Republican organization had become effete and corrupt: while Messrs. Niblack and Merrick are among the ablest representatives of the Democratic party; in fact, Mr. Merrick belonged to the extreme Southern school of political thought.

Having patiently and carefully examined and sifted the entire testimony—often “painfully conflicting,” as the committee remarked—their report ought to be considered a judicial document commanding universal approval, yet scraps of the testimony and not the report itself were used with painful frequency against James A. Garfield in his Presidential canvass of 1880. There has not been a state paper submitted for many years upon a similar subject that carried with it greater weight, or which bore upon its face a fuller realization of the grave responsibilities assumed, and it is the first time in the political history of the United States that an all-important investigation has been entrusted by the dominant party to a majority of its political foes.

The report of the committee gives the best and by far the most reliable history of the whole affair, and its presentation here may aid in preventing partisan misrepresentations in the future—misrepresentations made in the heat of contest, and doubtless regretted afterwards by all who had the facilities for getting at the facts. We therefore give the

OFFICIAL REPORT OF THE CREDIT MOBILIER INVESTIGATING COMMITTEE.

Mr. Poland, from the select committee to investigate the alleged Credit Mobilier bribery, made the following report February 18, 1873:

*The special committee appointed under the following resolutions of the House to wit:*

WHEREAS, Accusations have been made in the public press, founded on alleged letters of Oakes Ames, a Representative of Massachusetts, and upon the alleged affidavits of Henry S. McComb, a citizen of

Wilmington, in the State of Delaware, to the effect that members of this House were bribed by Oakes Ames to perform certain legislative acts for the benefit of the Union Pacific Railroad Company, by presents of stock in the Credit Mobilier of America, or by presents of a valuable character derived therefrom: therefore,

*Resolved*, That a special committee of five members be appointed by the Speaker pro tempore, whose duty it shall be to investigate whether any member of this House was bribed by Oakes Ames, or any other person or corporation, in any matter touching his legislative duty.

*Resolved, further*, That the committee have the right to employ a stenographer, and that they be empowered to send for persons and papers;

*beg leave to make the following report:*

In order to a clear understanding of the facts hereinafter stated as to contracts and dealings in reference to stock of the Credit Mobilier of America, between Mr. Oakes Ames and others, and members of Congress, it is necessary to make a preliminary statement of the connection of that company with the Union Pacific Railroad Company, and their relations to each other.

The company called the “Credit Mobilier of America” was incorporated by the Legislature of Pennsylvania, and in 1864 control of its charter and franchises had been obtained by certain persons interested in the Union Pacific Railroad Company, for the purpose of using it as a construction company to build the Union Pacific road. In September, 1864, a contract was entered into between the Union Pacific Company and H. M. Hoxie, for the building by said Hoxie of one hundred miles of said road from Omaha west.

This contract was at once assigned by Hoxie to the Credit Mobilier Company, as it was expected to be when made. Under this contract and extensions of it some two or three hundred miles of road were built by the Credit Mobilier Company, but no considerable profits appear to have been realized therefrom. The enterprise of building a railroad to the Pacific was of such vast magnitude, and was beset by so many hazards and risks that the capitalists of the country were generally averse to investing in it, and, notwithstanding the liberal aid granted by the Government it seemed likely to fail of completion.

In 1865 or 1866, Mr. Oakes Ames, then and now a member of the House from the State of Massachusetts, and his brother Oliver Ames became interested in the Union Pacific Company and also in the Credit Mobilier Company as the agents for the construction of the road. The Messrs. Ames were men of very large capital, and of known character and integrity in business. By their example and credit,

and the personal efforts of Mr. Oakes Ames, many men of capital were induced to embark in the enterprise, and to take stock in the Union Pacific Company and also in the Credit Mobilier Company. Among them were the firm of S. Hooper & Co., of Boston, the leading member of which, Mr. Samuel Hooper, was then and is now a member of the House; Mr. John B. Alley, then a member of the House from Massachusetts, and Mr. Grimes, then a Senator from the State of Iowa. Notwithstanding the vigorous efforts of Mr. Ames and others interested with him, great difficulty was experienced in securing the required capital.

In the spring of 1867 the Credit Mobilier Company voted to add 50 per cent. to their capital stock, which was then two and a half millions of dollars; and to cause it to be readily taken each subscriber to it was entitled to receive as a bonus an equal amount of first mortgage bonds of the Union Pacific Company. The old stockholders were entitled to take this increase, but even the favorable terms offered did not induce all the old stockholders to take it, and the stock of the Credit Mobilier Company was never considered worth its par value until after the execution of the Oakes Ames contract hereinafter mentioned.

On the 16th day of August, 1867, a contract was executed between the Union Pacific Railroad Company and Oakes Ames, by which Mr. Ames contracted to build six hundred and sixty-seven miles of the Union Pacific road at prices ranging from \$42,000 to \$96,000 per mile, amounting in the aggregate to \$47,000,000. Before the contract was entered into it was understood that Mr. Ames was to transfer it to seven trustees, who were to execute it, and the profits of the contract were to be divided among the stockholders in the Credit Mobilier Company, who should comply with certain conditions set out in the instrument transferring the contract to the trustees. The Ames contract and the transfer to trustees are incorporated in the evidence submitted, and therefore further recital of their terms is not deemed necessary.

Substantially, all the stockholders of the Credit Mobilier complied with the conditions named in the transfer, and thus became entitled to share in any profits said trustees might make in executing the contract.

All the large stockholders in the Union Pacific were also stockholders in the Credit Mobilier, and the Ames contract and its transfer to trustees were ratified by the Union Pacific, and received the assent of the great body of stockholders, but not of all.

After the Ames contract had been exe-

cut, it was expected by those interested that by reason of the enormous prices agreed to be paid for the work very large profits would be derived from building the road, and very soon the stock of the Credit Mobilier was understood by those holding it to be worth much more than its par value. The stock was not in the market and had no fixed market value, but the holders of it, in December, 1867, considered it worth at least double the par value, and in January and February, 1868, three or four times the par value, but it does not appear that these facts were generally or publicly known, or that the holders of the stock desired they should be.

The foregoing statement the committee think gives enough of the historic details, and condition and value of the stock, to make the following detailed facts intelligible.

Mr. Oakes Ames was then a member of the House of Representatives, and came to Washington at the commencement of the session, about the beginning of December, 1867. During that month Mr. Ames entered into contracts with a considerable number of members of Congress, both Senators and Representatives, to let them have shares of stock in the Credit Mobilier Company at par, with interest thereon from the first day of the previous July. It does not appear that in any instance he asked any of these persons to pay a higher price than the par value and interest, nor that Mr. Ames used any special effort or urgency to get these persons to take it. In all these negotiations Mr. Ames did not enter into any details as to the value of the stock or the amount of dividend that might be expected upon it, but stated generally that it would be good stock, and in several instances said he would guarantee that they should get at least 10 per cent. on their money.

Some of these gentlemen, in their conversations with Mr. Ames, raised the question whether becoming holders of this stock would bring them into any embarrassment as members of Congress in their legislative action. Mr. Ames quieted such suggestions by saying it could not, for the Union Pacific had received from Congress all the grants and legislation it wanted, and they should ask for nothing more. In some instances those members who contracted for stock paid to Mr. Ames the money for the price of the stock, par and interest; in others, where they had not the money, Mr. Ames agreed to carry the stock for them until they could get the money or it should be met by the dividends.

Mr. Ames was at this time a large stockholder in the Credit Mobilier, but he did not intend any of these transactions to be sales of his own stock, but intended to ful-

fill all these contracts from stock belonging to the company.

At this time there were about six hundred and fifty shares of the stock of the company, which had for some reason been placed in the name of Mr. T. C. Durant, one of the leading and active men of the concern.

Mr. Ames claimed that a portion of this stock should be assigned to him to enable him to fulfill engagements he had made for stock. Mr. Durant claimed that he had made similar engagements that he should be allowed stock to fulfill. Mr. McComb, who was present at the time, claimed that he had also made engagements for stock which he should have stock given him to carry out. This claim of McComb was refused, but after the stock was assigned to Mr. Ames, McComb insisted that Ames should distribute some of the stock to his (McComb's) friends, and named Senators Bayard and Fowler, and Representatives Allison and Wilson, of Iowa.

It was finally arranged that three hundred and forty-three shares of the stock of the company should be transferred to Mr. Ames to enable him to perform his engagements, and that number of shares were set over on the books of the company to Oakes Ames, trustee, to distinguish it from the stock held by him before. Mr. Ames at the time paid to the company the par of the stock and interest from the July previous, and this stock still stands on the books in the name of Oakes Ames, trustee, except thirteen shares which have been transferred to parties in no way connected with Congress. The committee do not find that Mr. Ames had any negotiation whatever with any of these members of Congress on the subject of this stock prior to the commencement of the session of December, 1867, except Mr. Scofield, of Pennsylvania, and it was not claimed that any obligation existed from Mr. Ames to him as the result of it.

In relation to the purpose and motives of Mr. Ames in contracting to let members of Congress have Credit Mobilier stock at par, which he and all other owners of it considered worth at least double that sum, the committee, upon the evidence taken by them and submitted to the House, cannot entertain doubt. When he said he did not suppose the Union Pacific Company would ask or need further legislation, he stated what he believed to be true. But he feared the interests of the road might suffer by adverse legislation, and what he desired to accomplish was to enlist strength and friends in Congress who would resist any encroachment upon or interference with the rights and privileges already secured, and to that end wished to create in them an interest identical with his own.

This purpose is clearly avowed in his letters to McComb, copied in the evidence. He says he intends to place the stock "where it will do most good to us." And again, "we want more friends in this Congress." In his letter to McComb, and also in his statement prepared by counsel, he gives the philosophy of his action, to wit, "That he has found there is no difficulty in getting men to look after their own property." The committee are also satisfied that Mr. Ames entertained a fear that, when the true relations between the Credit Mobilier Company and the Union Pacific became generally known, and the means by which the great profits expected to be made were fully understood, there was danger that congressional investigation and action would be invoked.

The members of Congress with whom he dealt were generally those who had been friendly and favorable to a Pacific Railroad, and Mr. Ames did not fear or expect to find them favorable to movements hostile to it; but he desired to stimulate their activity and watchfulness in opposition to any unfavorable action by giving them a personal interest in the success of the enterprise, especially so far as it affected the interest of the Credit Mobilier Company. On the 9th day of December, 1867, Mr. C. C. Washburn, of Wisconsin, introduced in the House a bill to regulate by law the rates of transportation over the Pacific Railroad.

Mr. Ames, as well as others interested in the Union Pacific road, was opposed to this, and desired to defeat it. Other measures apparently hostile to that company were subsequently introduced into the House by Mr. Washburn of Wisconsin, and Mr. Washburne of Illinois. The committee believe that Mr. Ames, in his distributions of stock, had specially in mind the hostile efforts of the Messrs. Washburn, and desired to gain strength to secure their defeat. The reference in one of his letters to "Washburn's move" makes this quite apparent.

The foregoing is deemed by the committee a sufficient statement of facts as to Mr. Ames, taken in connection with what will be subsequently stated of his transactions with particular persons. Mr. Ames made some contracts for stock in the Credit Mobilier with members of the Senate. In public discussions of this subject the names of members of both Houses have been so connected, and all these transactions were so nearly simultaneous, that the committee deemed it their duty to obtain all evidence in their power, as to all persons then members of either House, and to report the same to the House. Having done this, and the House having directed that evidence transmitted to the Senate, the committee consider their own power and duty, as well as that of the House, fully performed, so

far as members of the Senate are concerned. Some of Mr. Ames's contracts to sell stock were with gentlemen who were then members of the House, but are not members of the present Congress.

The committee have sought for and taken all the evidence within their reach as to those gentlemen, and reported the same to the House. As the House has ceased to have jurisdiction over them as members, the committee have not deemed it their duty to make any special finding of facts as to each, leaving the House and the country to their own conclusions upon the testimony.

In regard to each of the members of the present House, the committee deem it their duty to state specially the facts they find proved by the evidence, which, in some instances, is painfully conflicting.

MR. JAMES G. BLAINE, OF MAINE.

Among those who have in the public press been charged with improper participation in Credit Mobilier stock is the present Speaker, Mr. Blaine, who moved the resolution for this investigation. The committee have, therefore, taken evidence in regard to him. They find from it that Mr. Ames had conversation with Mr. Blaine in regard to taking ten shares of the stock, and recommended it as a good investment. Upon consideration Mr. Blaine concluded not to take the stock, and never did take it, and never paid or received anything on account of it; and Mr. Blaine never had any interest, direct or indirect, in Credit Mobilier stock or stock of the Union Pacific Railroad Company.

MR. HENRY L. DAWES, OF MASSACHUSETTS.

Mr. Dawes had, prior to December, 1867, made some small investments in railroad bonds through Mr. Ames. In December, 1867, Mr. Dawes applied to Mr. Ames to purchase a thousand-dollar bond of the Cedar Rapids road, in Iowa. Mr. Ames informed him that he had sold them all, but that he would let him have for his thousand dollars ten shares of Credit Mobilier stock, which he thought was better than the railroad bond. In answer to inquiries by Mr. Dawes Mr. Ames said the Credit Mobilier Company had the contract to build the Union Pacific road, and thought they would make money out of it, and that it would be a good thing; that he would guarantee that he should get 10 per cent. on his money, and that if at any time Mr. Dawes did not want the stock he would pay back his money with 10 per cent. interest. Mr. Dawes made some further inquiry in relation to the stock of Mr. John B. Alley, who said he thought it was good stock, but not as good as Mr. Ames thought, but that Mr. Ames's guarantee would make it a perfectly safe investment.

Mr. Dawes thereupon concluded to purchase the ten shares, and on the 11th of January he paid Mr. Ames \$800, and in a few days thereafter the balance of the price of this stock, at par and interest from July previous. In June, 1868, Mr. Ames received a dividend of 60 per cent. in money on this stock, and of it paid to Mr. Dawes \$400, and applied the balance of \$200 upon accounts between them. This \$400 was all that was paid over to Mr. Dawes as a dividend upon this stock. At some time prior to December, 1868, Mr. Dawes was informed that a suit had been commenced in the courts of Pennsylvania by former owners of the charter of the Credit Mobilier, claiming that those then claiming and using it had no right to do so. Mr. Dawes thereupon informed Mr. Ames that as there was a litigation about the matter he did not desire to keep the stock. On the 9th of December, 1868, Mr. Ames and Mr. Dawes had a settlement of their matters in which Mr. Dawes was allowed for the money he paid for the stock with 10 per cent. interest upon it, and accounted to Mr. Ames for the \$400 he had received as a dividend. Mr. Dawes received no other benefit under the contract than to get 10 per cent. upon his money, and after the settlement had no further interest in the stock.

MR. GLENNI W. SCOFIELD, OF PENNSYLVANIA.

In 1866 Mr. Scofield purchased some Cedar Rapids bonds of Mr. Ames, and in that year they had conversations about Mr. Scofield taking stock in the Credit Mobilier Company, but no contract was consummated. In December, 1867, Mr. Scofield applied to Mr. Ames to purchase more Cedar Rapids bonds, when Mr. Ames suggested he should purchase some Credit Mobilier stock, and explained generally that it was a contracting company to build the Union Pacific road; that it was a Pennsylvania corporation, and he would like to have some Pennsylvanians in it; that he would sell it to him at par and interest, and that he would guarantee he should get 8 per cent. if Mr. Scofield would give him half the dividends above that. Mr. Scofield said he thought he would take \$1,000 of the stock; but before anything further was done Mr. Scofield was called home by sickness in his family. On his return, the latter part of January, 1868, he spoke to Mr. Ames about the stock, when Mr. Ames said he thought it was all sold, but he would take his money and give him a receipt, and get the stock for him if he could. Mr. Scofield thereupon paid Mr. Ames \$1,041, and took his receipt therefor.

Not long after Mr. Ames informed Mr. Scofield he could have the stock, but could

not give him a certificate for it until he could get a larger certificate dividend. Mr. Scofield received the bond dividend of 80 per cent., which was payable January 3, 1868, taking a bond for \$1,000 and paying Mr. Ames the difference. Mr. Ames received the 60 per cent. cash dividend on the stock in June, 1868, and paid over to Mr. Scofield \$600, the amount of it.

Before the close of that session of Congress, which was toward the end of July, Mr. Scofield became, for some reason, disinclined to take the stock, and a settlement was made between them, by which Mr. Ames was to retain the Credit Mobilier stock and Mr. Scofield took a thousand dollars Union Pacific bond and ten shares of Union Pacific stock.

The precise basis of the settlement does not appear, neither Mr. Ames nor Mr. Scofield having any full date in reference to it; Mr. Scofield thinks that he only received back his money and interest upon it, while Mr. Ames states that he thinks Mr. Scofield had ten shares of Union Pacific stock in addition. The committee do not deem it specially important to settle this difference of recollection. Since that settlement Mr. Scofield has had no interest in the Credit Mobilier stock and derived no benefit therefrom.

#### MR. JOHN A. BINGHAM, OF OHIO.

In December, 1867, Mr. Ames advised Mr. Bingham to invest in the stock of the Credit Mobilier, assuring him that it would return him his money with profitable dividends. Mr. Bingham agreed to take twenty shares, and about the 1st of February, 1868, paid to Mr. Ames the par value of the stock, for which Mr. Ames executed to him some receipt or agreement. Mr. Ames received all the dividends on the stock, whether in Union Pacific bonds, or stock, or money; some were delivered to Mr. Bingham and some retained by Mr. Ames. The matter was not finally adjusted between them until February, 1872, when it was settled, Mr. Ames retaining the twenty shares of Credit Mobilier stock, and accounting to Mr. Bingham for such dividends upon it as Mr. Bingham had not already received. Mr. Bingham was treated as the real owner of the stock from the time of the agreement to take it, in December, 1867, to the settlement in February, 1872, and had the benefit of all the dividends upon it. Neither Mr. Ames nor Mr. Bingham had such records of their dealing as to be able to give the precise amount of those dividends.

#### MR. WILLIAM D. KELLEY, OF PENNSYLVANIA.

The committee find from the evidence that in the early part of the second session of the Fortieth Congress, and probably in

December, 1867, Mr. Ames agreed with Mr. Kelley to sell him ten shares of Credit Mobilier stock at par and interest from July 1, 1867. Mr. Kelley was not then prepared to pay for the stock, and Mr. Ames agreed to carry the stock for him until he could pay for it. On the third day of January, 1868, there was a dividend of 80 per cent. on Credit Mobilier stock in Union Pacific bonds. Mr. Ames received the bonds, as the stock stood in his name, and sold them for 97 per cent. of their face. In June, 1868, there was a cash dividend of 60 per cent., which Mr. Ames also received. The proceeds of the bonds sold, and the cash dividends received by Mr. Ames, amounted to \$1,376. The par value of the stock and interest thereon from the previous July amounted to \$1,047; so that, after paying for the stock, there was a balance of dividends due Mr. Kelley of \$329. On the 23d day of June, 1868, Mr. Ames gave Mr. Kelley a check for that sum on the Sergeant-at-Arms of the House of Representatives, and Mr. Kelley received the money thereon.

The committee find that Mr. Kelley then understood that the money he thus received was a balance of dividends due him after paying for the stock.

All the subsequent dividends upon the stock were either in Union Pacific stock or bonds, and they were all received by Mr. Ames. In September, 1868, Mr. Kelley received from Mr. Ames \$750 in money, which was understood between them to be an advance to be paid out of dividends. There has never been any adjustment of the matter between them, and there is now an entire variance in the testimony of the two men as to what the transaction between them was, but the committee are unanimous in finding the facts above stated. The evidence reported to the House gives some subsequent conversations and negotiations between Mr. Kelley and Mr. Ames on this subject. The committee do not deem it material to refer to it in their report.

#### MR. JAMES A. GARFIELD, OF OHIO.

The facts in regard to Mr. Garfield, as found by the committee, are identical with the case of Mr. Kelley to the point of reception of the check for \$329. He agreed with Mr. Ames to take ten shares of Credit Mobilier stock, but did not pay for the same. Mr. Ames received the 80 per cent. dividend in bonds and sold them for 97 per cent., and also received the 60 per cent. cash dividend, which together paid the price of the stock and interest, and left a balance of \$329. This sum was paid over to Mr. Garfield by a check on the Sergeant-at-Arms, and Mr. Garfield then understood this sum was the balance of dividends after paying for the stock. Mr. Ames received

all the subsequent dividends, and the committee do not find that, since the payment of the \$329, there has been any communication between Mr. Ames and Mr. Garfield on the subject until this investigation began. Some correspondence between Mr. Garfield and Mr. Ames, and some conversations between them during this investigation, will be found in the reported testimony.

The committee do not find that Mr. Ames, in his negotiations with the persons above named, entered into any detail of the relations between the Credit Mobilier Company and the Union Pacific Company, or gave them any specific information as to the amount of dividends they would be likely to receive further than has been already stated. They all knew from him, or otherwise, that the Credit Mobilier was a contracting company to build the Union Pacific road, but it does not appear that any of them knew that the profits and dividends were to be in stock and bonds of that company.

The Credit Mobilier Company was a State corporation, not subject to congressional legislation, and the fact that its profits were expected to be derived from building the Union Pacific road did not, apparently, create such an interest in that company as to disqualify the holder of Credit Mobilier stock from participating in any legislation affecting the railroad company. In his negotiations with these members of Congress, Mr. Ames made no suggestion that he desired to secure their favorable influence in Congress in favor of the railroad company, and whenever the question was raised as to whether the ownership of this stock would in any way interfere with or embarrass them in their action as members of Congress, he assured them it would not.

The committee, therefore, do not find, as to the members of the present House above named, that they were aware of the object of Mr. Ames, or that they had any other purpose in taking this stock than to make a profitable investment. It is apparent that those who advanced their money to pay for their stock present more the appearance of ordinary investors than those who did not, but the committee do not feel at liberty to find any corrupt purpose or knowledge founded upon the fact of non-payment alone.

It ought also to be observed that those gentlemen who surrendered their stock to Mr. Ames before there was any public excitement upon the subject, do not profess to have done so upon any idea of impropriety in holding it, but for reasons affecting the value and security of the investment. But the committee believe that they must have felt that there was something so out of the ordinary course of

business in the extraordinary dividends they were receiving as to render the investment itself suspicious, and that this was one of the motives of their action.

The committee have not been able to find that any of these members of Congress have been affected in their official action in consequence of their interest in Credit Mobilier stock.

It has been suggested that the fact that none of this stock was transferred to those with whom Mr. Ames contracted was a circumstance from which a sense of impropriety, if not corruption, was to be inferred. The committee believe this is capable of explanation without such inference. The profits of building the road, under the Ames contract, were only to be divided among such holders of Credit Mobilier stock as should come in and become parties to certain conditions set out in the contract of transfer to the trustees, so that a transfer from Mr. Ames to new holders would cut off the right to dividends from the trustees, unless they also became parties to the agreement; and this the committee believe to be the true reason why no transfers were made.

The committee are also of opinion that there was a satisfactory reason for delay on Mr. Ames's part to close settlements with some of these gentlemen for stock and bonds he had received as dividends upon the stock contracted to them. In the fall of 1868 Mr. McComb commenced a suit against the Credit Mobilier Company, and Mr. Ames and others, claiming to be entitled to two hundred and fifty shares of the Credit Mobilier stock upon a subscription for stock to that amount. That suit is still pending. If McComb prevailed in that suit, Mr. Ames might be compelled to surrender so much of the stock assigned to him as trustee, and he was not therefore anxious to have the stock go out of his hands until that suit was terminated. It ought also to be stated that no one of the present members of the House above named appears to have had any knowledge of the dealings of Mr. Ames with other members.

The committee do not find that either of the above-named gentlemen, in contracting with Mr. Ames, had any corrupt motive or purpose himself, or was aware that Mr. Ames had any, nor did either of them suppose he was guilty of any impropriety or even indelicacy in becoming a purchaser of this stock. Had it appeared that these gentlemen were aware of the enormous dividends upon this stock, and how they were to be earned, we could not thus acquit them. And here as well as anywhere, the committee may allude to that subject. Congress had chartered the Union Pacific road, given to it a liberal grant of lands, and promised a liberal loan of Government

bonds, to be delivered as fast as sections of the road were completed. As these alone might not be sufficient to complete the road, Congress authorized the company to issue their own bonds for the deficit, and secured them by a mortgage upon the road, which should be a lien prior to that of the Government. Congress never intended that the owners of the road should execute a mortgage on the road prior to that of the Government, to raise money to put into their own pockets, but only to build the road.

The men who controlled the Union Pacific seem to have adopted as the basis of their action the right to incumber the road by a mortgage prior to that of the Government to the full extent, whether the money was needed for the construction of the road or not.

It was clear enough they could not do this directly and in terms, and therefore they resorted to the device of contracting with themselves to build the road, and fix a price high enough to require the issue of bonds to the full extent, and then divide the bonds or the proceeds of them under the name of profits on the contract. All those acting in the matter seem to have been fully aware of this, and that this was to be the effect of the transaction. The sudden rise of value of Credit Mobilier stock was the result of the adoption of this scheme. Any undue and unreasonable profits thus made by themselves were as much a fraud upon the Government as if they had sold their bonds and divided the money without going through the form of denominating them profits on building the road.

Now had these facts been known to these gentlemen, and had they understood they were to share in the proceeds of the scheme, they would have deserved the severest censure.

Had they known only that the profits were to be paid in stock and bonds of the Union Pacific Company, and so make them interested in it, we cannot agree to the doctrine, which has been urged before us and elsewhere, that it was perfectly legitimate for members of Congress to invest in a corporation deriving all its rights from and subject at all times to the action of Congress.

In such case the rules of the House, as well as the rules of decency, would require such member to abstain from voting on any question affecting his interest. But, after accepting the position of a member of Congress, we do not think he has the right to disqualify himself from acting upon subjects likely to come before Congress without some higher and more urgent motive than merely to make a profitable investment. But it is not so much to be feared that in such case an interested member would vote as that he would exercise

his influence by personal appeal to his fellow-members, and by other modes, which often is far more potent than a single silent vote.

We do not think any member ought to feel so confident of his own strength as to allow himself to be brought into this temptation. We think Mr. Ames judged shrewdly in saying that a man is much more likely to be watchful of his own interests than those of other people. But there is a broader view still which we think ought to be taken. This country is fast becoming filled with gigantic corporations, wielding and controlling immense aggregations of money, and thereby commanding great influence and power. It is notorious in many State legislatures that these influences are often controlling, so that in effect they become the ruling power of the State. Within a few years Congress has, to some extent, been brought within similar influences, and the knowledge of the public on that subject has brought great discredit upon the body, far more, we believe, than there were facts to justify.

But such is the tendency of the time, and the belief is far too general that all men can be ruled with money, and that the use of such means to carry public measures is legitimate and proper. No member of Congress ought to place himself in circumstances of suspicion, so that any discredit of the body shall arise on his account. It is of the highest importance that the national legislature should be free of all taint of corruption, and it is of almost equal necessity that the people should feel confident that it is so.

In a free government like ours, we cannot expect the people will long respect the laws, if they lose respect for the law-makers.

For these reasons we think it behooves every man in Congress or in any public position to hold himself aloof, as far as possible, from all such influences, that he may not only be enabled to look at every public question with an eye only to the public good, but that his conduct and motives be not suspected or questioned. The only criticism the committee feel compelled to make on the action of these members in taking this stock is that they were not sufficiently careful in ascertaining what they were getting, and that in their judgment the assurance of a good investment was all the assurance they needed. We commend to them, and to all men, the letter of the venerable Senator Bayard, in response to an offer of some of this stock, found on page 74 of the testimony.

The committee find nothing in the conduct or motives of either of these members in taking this stock, that calls for any recommendation by the committee of the House.

## MR. JAMES BROOKS, OF NEW YORK.

The case of Mr. Brooks stands upon a different state of facts from any of those already given. The committee find from the evidence as follows: Mr. Brooks had been a warm advocate of a Pacific Railroad, both in Congress and in the public press. After persons interested in the Union Pacific road had obtained control of the Credit Mobilier charter and organized under it for the purpose of making it a construction company to build the road, Dr. Durant, who was then the leading man in the enterprise, made great efforts to get the stock of the Credit Mobilier taken. Mr. Brooks was a friend of Dr. Durant, and he made some efforts to aid Dr. Durant in getting subscriptions for the stock, introduced the matter to some capitalists of New York, but his efforts were not crowned with success.

During this period Mr. Brooks had talked with Dr. Durant about taking some of the stock for himself, and had spoken of taking fifteen or twenty thousand dollars of it, but no definite contract was made between them, and Mr. Brooks was under no legal obligation to take the stock, or Durant to give it to him. In October, 1867, Mr. Brooks was appointed by the President one of the Government directors of the Union Pacific road. In December, 1867, after the stock of the Credit Mobilier was understood, by those familiar with the affairs between the Union Pacific and the Credit Mibilier, to be worth very much more than par, Mr. Brooks applied to Dr. Durant, and claimed that he should have two hundred shares of Credit Mobilier stock. It does not appear that Mr. Brooks claimed he had any legal contract for stock that he could enforce, or that Durant considered himself in any way legally bound to let him have any, but still, on account of what had been said, and the efforts of Mr. Brooks to aid him, he considered himself under obligations to satisfy Mr. Brooks in the matter.

The stock had been so far taken up, and was then in such demand, that Durant could not well comply with Brooks's demand for two hundred shares. After considerable negotiation, it was finally adjusted between them by Durant's agreeing to let Brooks have one hundred shares of Credit Mobilier stock, and giving him with it \$5,000 of Union Pacific bonds, and \$20,000 of Union Pacific stock. Dr. Durant testifies that he then considered Credit Mobilier stock worth double the par value, and that the bonds and stock he was to give Mr. Brooks worth about \$9,000, so that he saved about \$1,000 by not giving Brooks the additional hundred shares he claimed. After the negotiation had been concluded between Mr. Brooks and Dr. Durant, Mr. Brooks said that as he was a

Government director of the Union Pacific road, and as the law provided such directors should not be stockholders in that company, he would not hold this stock, and directed Dr. Durant to transfer it to Charles H. Neilson, his son-in-law. The whole negotiation with Durant was conducted by Mr. Brooks himself, and Neilson had nothing to do with the transaction, except to receive the transfer. The \$10,000 to pay for the one hundred shares was paid by Mr. Brooks, and he received the \$5,000 of Pacific bonds which came with the stock.

The certificate of transfer of the hundred shares from Durant to Neilson is dated December 26, 1867. On the 3d of January, 1868, there was a dividend of 80 per cent. in Union Pacific bonds paid on the Credit Mobilier stock. The bonds were received by Neilson, but passed over at once to Mr. Brooks. It is claimed, both by Mr. Brooks and Neilson, that the \$10,000 paid by Mr. Brooks for the stock was a loan of that sum by him to Neilson, and, that the bonds he received from Durant, and those received for the dividend, were delivered and held by him as collateral security for the loan.

No note or obligation was given for the money by Neilson, nor, so far as we can learn from either Brooks or Neilson, was any account or memorandum of the transaction kept by either of them. At the time of the arrangement or settlement above spoken of between Brooks and Durant, there was nothing said about Mr. Brooks being entitled to have 50 per cent. more stock by virtue of his ownership of the hundred shares. Neither Brooks nor Durant thought of any such thing.

Some time after the transfer of the shares to Neilson, Mr. Brooks called on Sidney Dillon, then the president of the Credit Mobilier, and claimed he or Neilson was entitled to fifty additional shares of the stock, by virtue of the purchase of the one hundred shares of Durant.

This was claimed by Mr. Brooks as his right by virtue of the 50 per cent. increase of the stock hereinbefore described. Mr. Dillon said he did not know how that was, but he would consult the leading stockholders, and be governed by them. Mr. Dillon, in order to justify himself in the transaction, got up a paper authorizing the issue of fifty shares of the stock to Mr. Brooks, and procured it to be signed by most of the principal shareholders. After this had been done, an entry of fifty shares was made on the stock-ledger to some person other than Neilson. The name in two places on the book has been erased, and the name of Neilson inserted. The committee are satisfied that the stock was first entered on the books in Mr. Brooks's name.

Mr. Neilson soon after called for the cer-



tificate for the fifty shares, and on the 29th of February, 1868, the certificate was issued to him, and the entry on the stock-book was changed to Neilson.

Neilson procured Mr. Dillon to advance the money to pay for the stock, and at the same time delivered to Dillon \$4,000 Union Pacific bonds, and fifty shares of Union Pacific stock as collateral security. These bonds and stock were a portion of dividends received at the time, as he was allowed to receive the same per centage of dividends on these fifty shares that had previously been paid on the hundred. This matter has never been adjusted between Neilson and Dillon. Brooks and Neilson both testify they never paid Dillon. Dillon thinks he has received his pay, as he has not now the collaterals in his possession. If he has been paid it is probable that it was from the collaterals in some form. The subject has never been named between Dillon and Neilson since Dillon advanced the money, and no one connected with the transaction seems able to give any further light upon it. The whole business by which these fifty shares were procured was done by Mr. Brooks. Neilson knew nothing of any right to have them, and only went for the certificate when told to do so by Mr. Brooks.

The committee find that no such right to fifty shares additional stock passed by the transfer of the hundred. And from Mr. Brooks's familiarity with the affairs of the company, the committee believe he must have known his claim to them was unfounded. The question naturally arises, How was he able to procure them? The stock at this time by the stockholders was considered worth three or four times its par value. Neilson sustained no relations to any of these people that commanded any favor, and if he could have used any influence he did not attempt it; if he had this right he was unaware of it till told by Mr. Brooks, and left the whole matter in his hands. It is clear that the shares were procured by the sole efforts of Mr. Brooks, and, as the stockholders who consented to it supposed, for the benefit of Mr. Brooks. What power had Mr. Brooks to enforce an unfounded claim, to have for \$5,000, stock worth \$15,000 or \$20,000? Mr. McComb swears that he heard conversation between Mr. Brooks and Mr. John B. Alley, a large stockholder, and one of the executive committee, in which Mr. Brooks urged that he should have the additional fifty shares, because he was or would procure himself to be made a Government director, and also that, being a member of Congress, he "would take care of the democratic side of the House."

Mr. Brooks and Mr. Alley both deny having had any such conversation, or that Mr. Brooks ever made such a statement to

Mr. Alley. If, therefore, this matter rested wholly upon the testimony of Mr. McComb, the committee would not feel justified in finding that Mr. Brooks procured the stock by such use of his official position; but all the circumstances seem to point exactly in that direction, and we can find no other satisfactory solution of the question above propounded. Whatever claim Mr. Brooks had to stock, either legal or moral, had been adjusted and satisfied by Dr. Durant. Whether he was getting this stock for himself or to give to his son-in-law, we believe, from the circumstances attending the whole transaction, that he obtained it knowing that it was yielded to its official position and influence, and with the intent to secure his favor and influence in such positions. Mr. Brooks claims that he has had no interest in this stock whatever; that the benefit and advantage of his right to have it he gave to Mr. Neilson, his son-in-law, and that he has had all the dividends upon it. The committee are unable to find this to be the case, for in their judgment all the facts and circumstances show Mr. Brooks to be the real and substantial owner, and that Neilson's ownership is merely nominal and colorable.

In June, 1868, there was a cash dividend of \$9,000 upon this one hundred and fifty shares of stock. Neilson received it, of course, as the stock was in his name; but on the same day it was paid over to Mr. Brooks, as Neilson says, to pay so much of the \$10,000 advanced by Mr. Brooks to pay for the stock. This, then, repaid all but \$1,000 of the loan; but Mr. Brooks continued to hold \$16,000 of Union Pacific bonds, which Neilson says he gave him as collateral security, and to draw the interest upon all but \$5,000. The interest upon the others, Neilson says, he was permitted to draw and retain, but at one time in his testimony he spoke of the amount he was allowed as being Christmas and New Year's presents. Neilson says that during the last summer he borrowed \$14,000 of Mr. Brooks, and he now owes Mr. Brooks nearly as much as the collaterals; but, according to his testimony, Mr. Brooks for four years held \$16,000 in bonds as security for \$1,000, and received the interest on \$11,000 of the collaterals. No accounts appear to have been kept between Mr. Brooks and Neilson, and doubtless what sums he has received from Mr. Brooks, out of the dividends, were intended as presents rather than as deliveries of money belonging to him.

Mr. Brooks's efforts procured the stock; his money paid for it; all the cash dividends he has received; and he holds all the bonds, except those Dillon received, which seem to have been applied toward paying for the fifty shares. Without

further comment on the evidence, the committee find that the one hundred and fifty shares of stock appearing on the books of the Credit Mobilier in the name of Neilson were really the stock of Mr. Brooks, and subject to his control, and that it was so understood by both the parties. Mr. Brooks had taken such an interest in the Credit Mobilier Company, and was so connected with Dr. Durant, that he must be regarded as having full knowledge of the relations between that company and the railroad company, and of the contracts between them. He must have known the cause of the sudden increase in value of the Credit Mobilier stock, and how the large expected profits were to be made. We have already expressed our views of the propriety of a member of Congress becoming the owner of stock, possessing this knowledge.

But Mr. Brooks was not only a member of Congress, but he was a Government director of the Union Pacific Company. As such it was his duty to guard and watch over the interests of the Government in the road and to see that they were protected and preserved. To insure such faithfulness on the part of Government directors, Congress wisely provided that they should not be stockholders in the road. Mr. Brooks readily saw that, though becoming a stockholder in the Credit Mobilier was not forbidden by the letter of the law, yet it was a violation of its spirit and essence, and therefore had the stock placed in the name of his son-in-law. The transfer of the Oakes Ames contract to the trustees and the building of the road under that contract, from which the enormous dividends were derived, were all during Mr. Brooks's official life as a Government director, must have been within his knowledge, and yet passed without the slightest opposition from him. The committee believed this could not have been done without an entire disregard of his official obligation and duty, and that while appointed to guard the public interests in the road he joined himself with the promoters of a scheme whereby the Government was to be defrauded, and shared in the spoil.

In the conclusions of fact upon the evidence, the committee are entirely agreed.

In considering what action we ought to recommend to the House upon these facts, the committee encounter a question which has been much debated: Has this House power and jurisdiction to inquire concerning offenses committed by its members prior to their election, and to punish them by censure or expulsion? The committee are unanimous upon the right of jurisdiction of this House over the cases of Mr. Ames and Mr. Brooks, upon the facts found in

regard to them. Upon the question of jurisdiction the committee present the following views:

The Constitution, in the fifth section of the first article, defines the power of either House as follows:

"Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and with the concurrence of two-thirds expel a member."

It will be observed that there is no qualification of the power, but there is an important qualification of the manner of its exercise—it must be done "with the concurrence of two-thirds."

The close analogy between this power and the power of impeachment is deserving of consideration.

The great purpose of the power of impeachment is to remove an unfit and unworthy incumbent from office, and though a judgment of impeachment may to some extent operate as punishment, that is not its principal object. Members of Congress are not subject to be impeached, but may be expelled, and the principal purpose of expulsion is not as punishment, but to remove a member whose character and conduct show that he is an unfit man to participate in the deliberations and decisions of the body, and whose presence in it tends to bring the body into contempt and disgrace.

In both cases it is a power of purgation and purification to be exercised for the public safety, and, in the case of expulsion, for the protection and character of the House. The Constitution defines the causes of impeachment, to wit, "treason, bribery, or other high crimes and misdemeanors." The office of the power of expulsion is so much the same as that of the power to impeach that we think it may be safely assumed that whatever would be a good cause of impeachment would also be a good cause of expulsion.

It has never been contended that the power to impeach for any of the causes enumerated was intended to be restricted to those which might occur after appointment to a civil office, so that a civil officer who had secretly committed such offense before his appointment should not be subject upon detection and exposure to be convicted and removed from office. Every consideration of justice and sound policy would seem to require that the public interests be secured, and those chosen to be their guardians be free from the pollution of high crimes, no matter at what time that pollution had attached.

If this be so in regard to other civil officers, under institutions which rest upon the intelligence and virtue of the people, can it well be claimed that the law-making Representative may be vile and criminal with impunity, provided the evidences of

his corruption are found to antedate his election?

In the report made to the Senate by John Quincy Adams in December, 1807, upon the case of John Smith, of Ohio, the following language is used: "The power of expelling a member for misconduct results, on the principles of common sense, from the interests of the nation that the high trust of legislation shall be invested in pure hands. When the trust is elective, it is not to be presumed that the constituent body will commit the deposit to the keeping of worthless characters. But when a man whom his fellow-citizens have honored with their confidence on a pledge of a spotless reputation, has degraded himself by the commission of infamous crimes, which become suddenly and unexpectedly revealed to the world, defective indeed would be that institution which should be impotent to discard from its bosom the contagion of such a member; which should have no remedy of amputation to apply until the poison had reached the heart."

The case of Smith was that of a Senator, who, after his election, but not during a session of the Senate, had been involved in the treasonable conspiracy of Aaron Burr. Yet the reasoning is general, and was to antagonize some positions which had been taken in the case of Marshall, a Senator from Kentucky; the Senate in that case having, among other reasons, declined to take jurisdiction of the charge for the reason that the alleged offence had been committed prior to the Senator's election, and was matter cognizable by the criminal courts of Kentucky. None of the commentators upon the Constitution or upon parliamentary law assign any such limitation as to the time of the commission of the offense, or the nature of it, which shall control and limit the power of expulsion. On the contrary they all assert that the power in its very nature is a discretionary one, to be exercised of course with grave circumspection at all times, and only for good cause. Story, Kent, and Sergeant, all seem to accept and rely upon the exposition of Mr. Adams in the Smith case as sound. May, in his *Parliamentary Practice*, page 59, enumerates the causes for expulsion from Parliament, but he nowhere intimates that the offense must have been committed subsequent to the election.

When it is remembered that the framers of our Constitution were familiar with the parliamentary law of England, and must have had in mind the then recent contest over Wilkes's case, it is impossible to conclude that they meant to limit the discretion of the Houses as to the causes of expulsion. It is a received principle of construction that the Constitution is to be interpreted according to the known rules of law at the time of its adoption, and there-

fore, when we find them dealing with a recognized subject of legislative authority, and while studiously qualifying and restricting the manner of its exercise, assigning no limitations to the subject-matter itself, they must be assumed to have intended to leave that to be determined according to established principles, as a high prerogative power to be exercised according to the sound discretion of the body. It was not to be apprehended that two-thirds of the Representatives of the people would ever exercise this power in any capricious or arbitrary manner, or trifle with or trample upon constitutional rights. At the same time it could not be foreseen what necessities for self-preservation or self-purification might arise in the legislative body. Therefore it was that they did not, and would not, undertake to limit or define the boundaries of those necessities.

The doctrine that the jurisdiction of the House over its members is exclusively confined to matters arising subsequent to their election, and that the body is bound to retain the vilest criminal as a member if his criminal secret was kept until his election was secured, has been supposed by many to have been established and declared in the famous case of John Wilkes before alluded to. A short statement of that case will show how fallacious is that supposition. Wilkes had been elected a member of Parliament for Middlesex, and in 1764 was expelled for having published a libel on the ministry. He was again elected and again expelled for a similar offense on the 3d of February, 1769. Being again elected on the 17th of February, 1769, the commons passed the following resolution: "That John Wilkes, Esq., having been in this session of Parliament expelled this house was and is incapable of being elected a member to serve in this present Parliament." Wilkes was again elected, but the House of Commons declared the seat vacant and ordered a new election. At this election Wilkes was again elected by 1,143 votes, against 296 for his competitor, Luttrell.

On the 15th of April, 1769, the house decided that by the previous action Wilkes had become ineligible, and that the votes given for him were void and could not be counted, and gave the seat to Luttrell. Subsequently, in 1783, the House of Commons declared the resolution of February 17, 1769, which had asserted the incapacity of an expelled member to be re-elected to the same Parliament, to be subversive of the rights of the electors, and expunged it from the journal. It will be seen from this concise statement of Wilkes's case that the question was not raised as to the power of the house to expel a member for offenses committed prior to his election; the point decided, and afterward most

properly expunged, was that expulsion *per se* rendered the expelled member legally ineligible, and that votes cast for him could not be counted. Wilkes's offense was of purely a political character, not involving moral turpitude; he had attacked the ministry in the press, and the proceedings against him in Parliament were then claimed to be a partisan political persecution, subversive of the rights of the people and of the liberty of the press. These proceedings in Wilkes's case took place during the appearance of the famous Junius letters, and several of them are devoted to the discussion of them. The doctrine that expulsion creates ineligibility was attacked and exposed by him with great force. But he concedes that if the cause of expulsion be one that renders a man unfit and unworthy to be a member, he may be expelled for that cause as often as he shall be elected.

The case of Matteson, in the House of Representatives, has also often been quoted as a precedent for this limitation of jurisdiction. In the proceedings and debates of the House upon that case it will be seen that this was one among many grounds taken in the debate; but as the whole subject was ended by being laid on the table, it is quite impossible to say what was decided by the House. It appeared, however, in that case that the charge against Matteson had become public, and his letter upon which the whole charge rested had been published and circulated through his district during the canvass preceding his election. This fact, we judge, had a most important influence in determining the action of the House in his case.

The committee have no occasion in this report to discuss the question as to the power or duty of the House in a case where a constituency, with a full knowledge of the objectionable character of a man, have selected him to be their Representative. It is hardly a case to be supposed that any constituency, with a full knowledge that a man had been guilty of an offense involving moral turpitude, would elect him. The majority of the committee are not prepared to concede such a man could be forced upon the House, and would not consider the expulsion of such a man any violation of the rights of the electors, for while the electors have rights that should be respected, the House as a body has rights also that should be protected and preserved. But that in such case the judgment of the constituency would be entitled to the greatest consideration, and that this should form an important element in its determination, is readily admitted.

It is universally conceded, as we believe, that the House has ample jurisdiction to punish or expel a member for an offense committed during his term as a member,

though committed during a vacation of Congress and in no way connected with his duties as a member. Upon what principle is it that such a jurisdiction can be maintained? It must be upon one or both of the following: that the offense shows him to be an unworthy and improper man to be a member, or that his conduct brings odium and reproach upon the body. But suppose the offense has been committed prior to his election, but comes to light afterward, is the effect upon his own character, or the reproach and disgrace upon the body, if they allow him to remain a member, any the less? We can see no difference in principle in the two cases, and to attempt any would be to create a purely technical and arbitrary distinction, having no just foundation. In our judgment, the time is not at all material, except it be coupled with the further fact that he was re-elected with a knowledge on the part of his constituents of what he had been guilty, and in such event we have given our views of the effect.

It seems to us absurd to say that an election has given a man political absolution for an offense which was unknown to his constituents. If it be urged again, as it has sometimes been, that this view of the power of the House, and the true ground of its proper exercise, may be laid hold of and used improperly, it may be answered that no rule, however narrow and limited, that may be adopted can prevent it. If two-thirds of the House shall see fit to expel a man because they do not like his political or religious principles, or without any reason at all, they have the power, and there is no remedy except by appeal to the people. Such exercise of the power would be wrongful, and violative of the principles of the Constitution, but we see no encouragement of such wrong in the views we hold.

It is the duty of each House to exercise its rightful functions upon appropriate occasions, and to trust that those who come after them will be no less faithful to duty, and no less jealous for the rights of free popular representation than themselves. It will be quite time enough to square other cases with right reason and principle when they arise. Perhaps the best way to prevent them will be to maintain strictly public integrity and public honor in all cases as they present themselves. Nor do we imagine that the people of the United States will charge their servants with invading their privileges when they confine themselves to the preservation of a standard of official integrity which the common instincts of humanity recognize as essential to all social order and good government.

The foregoing are the views which we deem proper to submit upon the general

question of the jurisdiction of the House over its members. But apart from these general views, the committee are of opinion that the facts found in the present case amply justify the taking jurisdiction over them, for the following reasons:

The subject-matter upon which the action of members was intended to be influenced was of a continuous character, and was as likely to be a subject of congressional action in future Congresses as in the Fortieth. The influences brought to bear on members were as likely to be operative upon them in the future as in the present, and were so intended. Mr. Ames and Mr. Brooks have both continued members of the House to the present time, and so have most of the members upon whom these influences were sought to be exerted. The committee are, therefore, of opinion that the acts of these men may properly be treated as offenses against the present House, and so within its jurisdiction upon the most limited rule.

Two members of the committee, Messrs. Niblack and McCrary, prefer to express no opinion on the general jurisdictional questions discussed in the report, and rest their judgment wholly on the ground last stated.

In relation to Mr. Ames, he sold to several members of Congress stock of the Credit Mobilier Company, at par, when it was worth double that amount or more, with the purpose and intent thereby to influence their votes and decisions upon matters to come before Congress.

The facts found in the report as to Mr. Brooks, show that he used the influence of his official positions as member of Congress and Government director in the Union Pacific Railroad Company, to get fifty shares of the stock of the Credit Mobilier Company, at par, when it was worth three or four times that sum, knowing that it was given to him with intent to influence his votes and decisions in Congress, and his action as a Government director.

The sixth section of the act of February 26, 1853, 10 Stat. United States, 171, is in the following words:

“If any person or persons shall, directly or indirectly, promise, offer, or give, or cause or procure to be promised, offered, or given, any money, goods, right in action, bribe, present, or reward, or any promise, contract, undertaking, obligation, or security for the payment or delivery of any money, goods, right in action, bribe, present, or reward, or any other valuable thing whatever, to any member of the Senate or House of Representatives of the United States, after his election as such member, and either before or after he shall have qualified and taken his seat, or to any officer of the United States, or person holding any place of trust or profit, or discharging

any official function under or in connection with any Department of the Government of the United States, or under the Senate or House of Representatives of the United States, after the passage of this act, with intent to influence his vote or decision on any question, matter, cause, or proceeding which may then be pending, or may by law, or under the Constitution of the United States, be brought before him in his official capacity, or in his place of trust or profit, and shall thereof be convicted, such person or persons so offering, promising, or giving, or causing or procuring to be promised, offered, or given, any such money, goods, right in action, bribe, present, or reward, or any promise, contract, undertaking, obligation, or security for the payment or delivery of any money, goods, right in action, bribe, present, or reward, or other valuable thing whatever, and the member, officer, or person who shall in anywise accept or receive the same, or any part thereof, shall be liable to indictment as for a high crime and misdemeanor in any of the courts of the United States having jurisdiction for the trial of crimes and misdemeanors; and shall, upon conviction thereof, be fined not exceeding three times the amount so offered, promised, or given, and imprisoned in the penitentiary not exceeding three years; and the person so convicted of so accepting or receiving the same, or any part thereof, if an officer or person holding any such place of trust or profit as aforesaid, shall forfeit his office or place; and any person so convicted under this section shall forever be disqualified to hold any office of honor, trust, or profit under the United States.”

In the judgment of the committee, the facts reported in regard to Mr. Ames and Mr. Brooks would have justified their conviction under the above-recited statute and subjected them to the penalties therein provided.

The committee need not enlarge upon the dangerous character of these offenses. The sense of Congress is shown by the severe penalty denounced by the statute itself. The offenses were not violations of private rights, but were against the very life of a constitutional Government by poisoning the fountain of legislation.

The duty devolved upon the committee has been of a most painful and delicate character. They have performed it to the best of their ability. They have proceeded with the greatest care and deliberation, for while they desired to do their full duty to the House and the country, they were most anxious not to do injustice to any man. In forming their conclusions they have intended to be entirely cool and dispassionate, not to allow themselves to be swerved by any popular fervor on the one

hand, or any feeling of personal favor and sympathy on the other.

The committee submit to the House and recommend the adoption of the following resolutions.

"1. Whereas Mr. Oakes Ames, a Representative in this House from the State of Massachusetts, has been guilty of selling to members of Congress shares of stock in the Credit Mobilier of America, for prices much below the true value of such stock, with intent thereby to influence the votes and decisions of such members in matters to be brought before Congress for action: Therefore,

*Resolved*, That Mr. Oakes Ames be, and he is hereby, expelled from his seat as a member of this House.

2. Whereas Mr. James Brooks, a Representative in this House from the State of New York, did procure the Credit Mobilier Company to issue and deliver to Charles H. Neilson, for the use and benefit of said Brooks, fifty shares of the stock of said company, at a price much below its real value, well knowing that the same was so issued and delivered with intent to influence the votes and decisions of said Brooks, as a member of the House, in matters to be brought before Congress for action, and also to influence the action of said Brooks as a Government director in the Union Pacific Railroad Company: Therefore,

*Resolved*, That Mr. James Brooks be, and he is hereby, expelled from his seat as a member of this House."

The House, after much discussion, modified the propositions of the committee of investigation, and subjected Oakes Ames and James Brooks to the "absolute condemnation of the House." Both members died within three months thereafter.

The session was full of investigations, but all the others failed to develop any tangible scandals. The Democrats demanded and secured the investigation of the New York custom-house; the United States Treasury; the use of Seneca sandstone; the Chorpensing claim, and the Navy Department, etc. They were, as stated, fruitless.

#### The "Salary Grab."

At the same session—1871-'73, acts were passed to abolish the franking privilege, to increase the President's salary from \$25,000 to \$50,000, and that of Senators and Representatives from \$5,000 to \$7,500. The last proved quite unpopular, and was generally denounced as "The Salary Grab," because of the feature which made it apply to the Congressmen who passed the bill, and of course to go backward to the beginning of the term. This was not new, as earlier precedents were found to

excuse it, but the people were nevertheless dissatisfied, and it was made an issue by both parties in the nomination and election of Representatives. Many were defeated, but probably more survived the issue, and are still enjoying public life. Yet the agitation was kept up until the obnoxious feature of the bill and the Congressional increase of salary were repealed, leaving it as now at the rate of \$5,000 a year and mileage.

A House committee, headed by B. F. Butler, on Feb. 7th, 1873, made a report which gave a fair idea of the expenses under given circumstances—the increase to be preserved, but the franking privilege and mileage to be repealed. We quote the figures:

Increase of President's salary	\$25,000 00
Increase of Cabinet ministers' salary .....	14,000 00
Increase of salary of judges United States Supreme Court.....	18,500 00
Increase of salary of Senators, Members, and Delegates...	972,000 00
<b>Total increase.....</b>	<b>\$1,029,500 00</b>

Saving to the Government, according to the official statement of the Postmaster-General, per annum, by the abolition of the franking privilege.....\$2,543,327 72

Saving to the Government by abolition of mileage, stationery, postage, and newspaper accounts (estimated) 200 000 00

\$2,753,327 72  
1,029,500 00

**Total net saving.....\$1,713,827 72**

The House passed a bill for the abolition of mileage, but in the Senate it was referred to the Committee on Civil Service and Retrenchment, and not again heard from. So that the increased pay no longer obtains, the franking privilege only to the extent of mailing actual Congressional documents, and mileage remains.

The following curious facts relating to these questions we take from Hon. Edward McPherson's admirable compilation in his "Hand-Book of Politics" for 1874.

#### Statement of Compensation and Mileage.

*Drawn by U. S. Senators under the various Compensation Acts.*

Mr. Gorham, Secretary of the Senate, prepared, under date of January 3, 1874, a statement, in answer to a resolution of the Senate, covering these points:

I.—*The several rates of compensation fixed by various laws, and the cases in which the same were retroactive, and for what length of time.*

1. By the act of September 22, 1789, the compensation of Senators and Representatives in Congress was fixed at six dollars a day, and thirty cents a mile for traveling to and from the seat of Government. This rate was to continue until March 4, 1795. The same act fixed the compensation from March 4, 1795, to March 4, 1796, (at which last-named date, by its terms, it expired,) at seven dollars a day, and thirty-five cents a mile for travel. This act was retroactive, extending back six months and eighteen days, namely, to March 4, 1789.

2. The act of March 10, 1796, fixed the compensation at six dollars a day, and thirty cents a mile for travel. (This act extended back over six days only.)

3. The act of March 19, 1816, fixed the compensation at \$1,500 a year, "instead of the daily compensation," and left the mileage unchanged. This act was retroactive, extending back one year and fifteen days, namely to March 4, 1815. (This act was repealed by the act of February 6, 1817, but it was expressly declared that no former act was thereby revived.)

4. The act of January 22, 1818, fixed the compensation at eight dollars a day, and forty cents a mile for travel. This act was retroactive, extending back fifty-three days, namely, to the assembling of Congress, December 1, 1817.

5. The act of August 16, 1856, fixed the compensation at \$3,000 a year, and left the mileage unchanged. This act was retroactive, extending back one year, five months, and twelve days, namely, to March 4, 1855.

6. The act of July 28, 1866, fixed the compensation at \$5,000 a year, and twenty cents a mile for travel, (not to affect mileage accounts already accrued.) This act was retroactive, extending back one year, four months, and twenty-four days, namely, to March 4, 1865.

7. The act of March 3, 1873, fixed the compensation at \$7,500 a year, and actual traveling expenses; the mileage already paid for the Forty-Second Congress to be deducted from the pay of those who had received it. This act was retroactive, extending back two years, namely, to March 4, 1871.

NOTE.—Stationery was allowed to Senators and Representatives without any special limit until March 3, 1868, when the amount for stationery and newspapers for each Senator and Member was limited to \$125 a session. This was changed by a subsequent act, taking effect July 1, 1869, to \$125 a year. The act of 1873 abolished all allowance for stationery and newspapers.

II.—*Names of Senators who drew pay under the retroactive provisions of the several laws, amounts drawn, and dates of same.*

ACT OF 1789.—The records of my office do not furnish the exact information desired under this head concerning the First Congress, the compensation of which was fixed by act of September 22, 1789. It appears, however, that the account of each Senator was made up, and that each received the amount allowed by law. The following is a copy from the record:

January 19, 1790.—That there is due to the Senators of the United States for attendance in Congress the present session, to the 31st of March inclusive, and expenses of travel to Congress, as allowed by law, as follows, to wit:

Messrs. Richard Basset, \$496.50; Pierce Butler, \$796; Charles Carroll, \$186; Tristram Dalton, \$612; Oliver Ellsworth, \$546.50; Jonathan Elmer, \$414; William Few, \$833.50; John Henry, \$596.50; Benjamin Hawkins, \$615; William S. Johnson, \$544; Samuel Johnson, \$534; Rufus King, \$522; John Langdon, \$618; William Maclay, \$585; Robert Morris, \$430.50; William Paterson, \$514.50; George Read, \$195; Caleb Strong, \$575.50; Philip Schuyler, \$571.50; Paine Wingate, \$616.50.

ACT OF 1816.—The record contains no showing as to the amount paid to Senators under the retroactive provision of the act of March 19, 1816. The following, taken from the books, shows the amount of compensation paid to each Senator for the entire Congress, exclusive of mileage:

Messrs. Eli P. Ashmun, \$920; James Barbour, \$2,850; William T. Barry, \$2,080; William W. Bibb, \$2,070; James Brown, \$2,980; George W. Campbell, \$2,950; Dudley Chace, \$3,000; John Condit, \$2,980; David Daggett, \$3,000; Samuel W. Dana, \$2,640; Elegius Fromentin, \$3,000; John Gaillard, President, \$6,000; Robert H. Goldsborough, \$2,840; Christopher Gore, \$1,940; Alexander Contee Hanson, \$530; Martin D. Hardin, \$900; Robert G. Harper, \$1,450; Outerbridge Horsey, \$3,000; Jeremiah B. Howell, \$3,000; William Hunter, \$2,930; Rufus King, \$2,660; Abner Lacock, \$3,000; Nathaniel Macon, \$2,946; Jeremiah Mason of New Hampshire, \$2,680; Armistead T. Mason of Virginia, \$2,360; Jeremiah Morrow, \$3,000; James Noble, \$920; Jonathan Roberts, \$3,000; Benjamin Ruggles, \$3,000; Nathan Sanford, \$2,720; William Smith, \$540; Montfort Stokes, \$810; Charles Tait, \$3,000; Isham Talbot, \$2,730; John Taylor of South Carolina, \$1,990; Waller Taylor of Indiana, \$920; Thomas W. Thompson, \$2,850; Isaac Tichenor, \$3,000; Georgo M. Troup, \$830; James Turner, \$2,060; Joseph B. Varnum, \$3,000; William H.

Wells, \$2,610; John Williams, \$3,000; James J. Wilson, \$3,000.

ACT OF 1818.—Under the retroactive provision of the act of January 22, 1818, the following named Senators drew the amounts for compensation and mileage opposite their respective names:

Messrs. Eli P. Ashmun, \$668; James Barbour, \$520; James Burril, \$762; George W. Campbell, \$1,008; John J. Crittenden, \$1,007.20; David Daggett, \$690.40; Samuel W. Dana, \$283.20; Mahlon Dickerson, \$628.80; John W. Eppes, \$584; James Fisk, \$848; Elegius Fromentin, \$1,393.60; John Gaillard, \$880; Robert H. Goldsborough, \$483.20; Outerbridge Horsey, \$485.60; William Hunter, \$543.20; Henry Johnson, \$1,273.60; Rufus King, \$627.20; Abner Lacock, \$649.60; Walter Leake, \$1,384; Nathaniel Macon, \$600; David L. Morrill, \$876; Jeremiah Morrow, \$776; James Noble, \$918.40; Harrison Gray Otis, \$792.80; Jonathan Roberts, \$564.80; Benjamin Ruggles, \$688; Nathan Sanford, \$616; William Smith, \$774.40; Montfort Stokes, \$745.60; Clement Storer, \$875.20; Charles Tait, \$952; Isham Talbot, \$872; Waller Taylor, \$1,080; Isaac Tichenor, \$784; George M. Troup, \$952;—Van Dyke, \$380.80; Thomas H. Williams of Mississippi, \$1,433.60; John Williams of Tennessee, \$861.60; James J. Wilson, \$568.

ACT OF 1856.—Under the retroactive provision of the act of August 15, 1856, the following named Senators drew the amounts opposite their respective names:

Messrs. Stephen Adams, \$2,243.77; Philip Allen, \$2,202.79; James A. Bayard, \$2,088.03; James Bell, \$1,083.93; John Bell, \$2,268.36; J. P. Benjamin, \$2,210.99; Asa Biggs, \$2,161.81; William Bigler, \$1,594.24; Jesse D. Bright, president *pro tempore*, \$6,772.40; R. Brodhead, \$2,251.97; A. G. Brown, \$2,251.97; A. P. Butler, \$2,202.70; Lewis Cass, \$2,251.97; C. C. Clay, jr., \$2,251.97; J. M. Clayton, \$2,292.95; J. Collamer, \$2,219.18; J. J. Crittenden, \$2,243.79; H. Dodge, \$2,292.95; S. A. Douglas, \$2,268.36; C. Durkee, \$2,235.56; J. J. Evans, \$2,121.70; W. S. Fessenden, \$2,276.56; H. Fish, \$2,237.28; B. Fitzpatrick, \$2,194.59; S. Foot, \$2,292.94; L. F. S. Foster, \$2,112.62; H. S. Geyer, \$2,276.56; J. P. Hale, \$887.10; H. Hamlin, \$1,989.68; J. Harlan, \$2,268.36; S. Houston, \$2,292.95; R. M. T. Hunter, \$2,210.99; A. Iverson, \$2,210.99; C. T. James, \$2,210.99; R. W. Johnson, \$632.21; G. W. Jones, \$2,235.58; J. C. Jones, \$2,047.05; S. R. Mallory, \$2,276.56; J. M. Mason, \$2,170; J. A. Pearce, \$2,194.59; T. G. Pratt, \$2,129.02; G. E. Pugh, \$2,096.21; D. S. Reid, \$2,235.58; T. J. Rusk, \$2,292.95; W. K. Sebastian, \$2,137.22; W. H. Seward, \$2,292.95; John Slidell, \$2,276.56; C. E. Stuart, \$2,292.95; C. Sumner, \$2,292.95;

J. B. Thompson, \$2,235.57; John R. Thomson, \$2,022.46; Robert Toombs, \$2,006.07; Isaac Toucey, \$2,292.65; L. Trumbull, \$2,251.97; B. F. Wade, \$2,202.79; J. B. Weiler, \$2,251.97; H. Wilson, \$2,178.20; W. Wright, \$2,120.82; D. L. Yulee, \$2,194.59.

ACT OF 1866.—Under the retroactive provision of the act of July 28, 1866, the following named Senators received the amounts opposite their respective names:

Messrs. H. B. Anthony, \$2,805.56; B. Gratz Brown, \$2,805.56; C. R. Buckalew, \$2,805.56; Z. Chandler, \$2,805.56; D. Clark, \$2,805.56; J. Collamer, \$1,366.15; J. Conness, \$2,805.56; E. Cowan, \$2,805.56; A. H. Cragin, \$2,805.56; J. A. J. Creswell, \$2,805.56; G. Davis, \$2,805.56; J. Dixon, \$2,805.56; J. R. Doolittle, \$2,805.56; W. P. Fessenden, \$2,805.56; S. Foot, \$2,136.76; L. F. S. Foster, President *pro tempore*, \$261.93; J. W. Grimes, \$2,805.56; J. Guthrie, \$2,805.56; I. Harris, \$2,805.56; J. B. Henderson, \$2,805.56; T. A. Hendricks, \$2,805.56; J. M. Howard, \$2,805.56; T. O. Howe, \$2,805.56; R. Johnson, \$2,805.56; H. S. Lane, \$2,805.56; J. H. Lane, \$2,710.49; James A. McDougall, \$2,805.56; E. D. Morgan, \$2,805.56; L. M. Morrill, \$2,805.56; J. W. Nesmith, \$2,805.56; D. S. Norton, \$2,805.56; J. W. Nye, \$2,805.56; S. C. Pomeroy, \$2,805.56; A. Ramsey, \$2,805.56; G. R. Riddle, \$2,805.56; W. Saulsbury, \$2,805.56; J. Sherman, \$2,805.56; W. M. Stewart, \$2,805.56; C. Sumner, \$2,805.56; L. Trumbull, \$2,805.56; P. G. VanWinkle, \$2,805.56; B. Wade, \$2,805.56; W. T. Willey, \$2,805.56; G. H. Williams, \$2,805.56; H. Wilson, \$2,805.56; W. Wright, \$2,805.56; R. Yates, \$2,805.56; J. Harlan, \$350; L. P. Poland, \$1,361; John P. Stockton, \$2,131.20; S. J. Kirkwood, \$2,361.10; G. F. Edmunds, \$666.66; E. G. Ross, \$180.40.

ACT OF 1873.—Under the retroactive provision of the act of March 3, 1873, the following named Senators received the sums set opposite their respective names:

Messrs. A. Ames, \$2,840; J. L. Alcorn, \$2,312.39; J. T. Bayard, \$4,865.60; F. P. Blair, \$3,761.60; A. I. Boreman, \$4,514; W. G. Brownlow, \$4,588; A. Caldwell, \$2,647.60; S. Cameron, \$4,856; M. H. Carpenter, \$3,887.60; E. Casserly, \$970.40; Z. Chandler, \$3,906.80; P. Clayton, \$2,600; C. Cole, \$970.40; H. Cooper, \$3,760; H. G. Davis, \$4,635.20; O. S. Ferry, \$4,652; T. W. Ferry, \$3,920; J. W. Flanagan, \$2,000; A. Gilbert, \$3,680; George Goldthwaite, \$3,924.80; M. C. Hamilton, \$2,480; Joshua Hill, \$4,083.20; P. W. Hitchcock, \$2,852.80; T. O. Howe, \$3,689.60; J. W. Johnston, \$4,705.60; John T. Lewis, \$4,804.40; John A. Logan, \$3,800; W. B. Machen, \$552.98; L. M. Morrill, \$4,190; J. S. Morrill, (draft in favor of the treas-



urer of the State of Vermont,) \$4,386 80; T. M. Norwood, \$4,169 60; J. W. Nye, \$2,076 80; T. W. Osborn, \$3,440; J. W. Patterson, \$4,280; S. C. Pomeroy, \$3,320; John Pool, \$4,620 80; M. W. Ransom, \$4,817 60; B. F. Rice, \$3,200; T. J. Robertson, \$4,374 80; F. A. Sawyer, \$4,294 40; George E. Spencer, \$4,106; W. Sprague, \$4,508; W. M. Stewart, \$1,486 40; J. P. Stockton, \$4,790; T. W. Tipton, \$3,358; Lyman Trumbull, \$3,980; G. Vickers, \$4,880; J. R. West, \$2,468 80.

III.—*Names of Senators who covered into the Treasury amounts due them under retroactive provisions of law, with date of such action.*

There is no record in my office showing that any Senator covered into the Treasury any money to which he was entitled by the retroactive provisions of either of the acts of September 22, 1789, March 19, 1816, January 22, 1818, August 16, 1856, or July 28, 1866.

The following Senators covered into the Treasury the amounts due them under the retroactive provision of the act of March 3, 1873, namely:

1873.—May 26, H. B. Anthony, \$4,497 20; June 23, W. A. Buckingham, \$4,553 60; May 21, R. E. Fenton, \$4,184; June 2, F. T. Frelinghuysen, \$4,644 80; May 19, H. Hamlin, \$4,136; August 14, O. P. Morton, \$3,922 40; April 9, D. D. Pratt, \$4,121 60; August 25, A. Ramsey, \$3,041 40; March 28, C. Schurz, \$3,761 60; May 9, John Scott, \$4,733 06; July 11, John Sherman, \$4,336 40; May 2, C. Sumner, \$4,445 60; May 22, A. G. Thurman, \$4,359 20; March 28, Henry Wilson, \$4,448; September 6, George G. Wright, \$3,140 80.

NOTE.—Several of these Senators, as well as others who have not either drawn or covered into the Treasury the amounts due them under the retroactive provision of the act of 1873, expressed to me their intention to allow the money to lapse into the Treasury by the ordinary operation of law, which they supposed would occur July 3, 1873. After learning that it could not be covered in, except by their order, before July 3, 1875, some gave me written instructions to anticipate the latter date. I am unable to furnish from any information in my office the names of Senators who themselves paid into the Treasury salary drawn under the act of 1873 or previous acts. I have not furnished the names of Senators who have left increased salary undrawn, as this information was not called for in the resolution.

IV.—*A Comparative Statement.*

Total compensation and allowance of Senators, under act of July 28, 1866, from March 4, 1871, to March 3, 1872: Compensation, \$370,000; mileage, \$37,041 20; stationery and newspapers, \$9,250; total,

\$416,291 20; average per Senator, \$5,625 55 $\frac{2}{3}$ .

Under same act, from March 4, 1872, to March 3, 1873, during which year members of the Senate received mileage for attending the special session of the Senate, held in May, 1872, the following amounts were paid: Compensation, \$370,000; mileage, \$59,002 80; newspapers and stationery, \$9,250; total, \$438,252 80; average per Senator, \$5,922 23 $\frac{1}{7}$ .

Total compensation and allowance of Senators under act of March 3, 1873: Compensation, \$555,000; traveling expenses, based upon the certificates of forty-six Senators, (twenty-eight having presented none,) amounting to \$4,607 95, giving an average of \$100 17x74=\$7,412 58; total, \$562,412 58; average per Senator, \$7,600 17.

In connection with this were statements, prepared by the Secretary of the Senate, and laid before that body by Senator CAMERON, January 9, 1874, of the amounts of mileage paid in dollars (cents omitted) at particular dates under the acts of 1856 and 1866, are given. The act of 1856 fixed mileage at forty cents per mile each way, and the act of 1866 fixed it at twenty cents per mile each way.

#### Returning Boards.

At the second session of the 42d Congress that body, and the President as well, were compelled to consider a new question in connection with politics—an actual conflict of State Governments. There had always been, in well regulated State governments, returning boards, but with a view the better to guard the newly enfranchised citizens of the South from intimidation, the Louisiana Republicans, under very bold and radical leaders, had greatly strengthened the powers of her returning boards. It could canvass the votes, reject the returns in part or as a whole of parishes where force or fraud had been used, and could declare results after such revision. The Governor of Louisiana had made several removals and appointments of State officers for the purpose mainly of making a friendly majority in the returning board, and this led to the appointment of two bodies, both claiming to be the legitimate returning board. There soon followed two State governments and legislatures, the Democratic headed by Governor John McEnery, the Republican by Governor Wm. Pitt Kellogg, later in the U. S. Senate. Kellogg brought suit against the Democratic officers before Judge Durell, of the Federal District Court, and obtained an order that the U. S. Marshal (S. B. Packard, afterwards Governor), should seize the State House and prevent the meetings of the McEnery

legislature. Then both governments were hastily inaugurated, and claimed the recognition of Congress. The Senate Committee reported that Judge Durell's decision was not warranted, but the report refused a decisive recognition of either government. A bill was introduced declaring the election of Nov. 4, 1872, on which this condition of affairs was based, null and void, and providing for a new election, but this bill was defeated by a close vote. Later on, Louisiana claimed a large share in National politics. Somewhat similar troubles occurred in Alabama, Arkansas, and Texas, but they were settled with far greater ease than those of Louisiana. The correspondence in all of these cases was too voluminous to reproduce here, and we shall dismiss the subject until the period of actual hostilities were reached in Louisiana.

#### The Grangers.

So early as 1867 a secret society had been formed first in Washington, known as the Patrons of Husbandry, and it soon succeeded in forming subordinate lodges or granges in Illinois, Wisconsin, and other States. It was declared not to be political; that its object was co-operation among farmers in purchasing supplies from first hands, so as to do away with middle-men, but, like many other secret organizations, it was soon perverted to political purposes, and for a time greatly disturbed the political parties of the Western States. This was especially true of the years 1873-74, when the Grangers announced a contemplated war on railroad corporations, and succeeded in carrying the legislatures of Illinois and Wisconsin, and inducing them subsequently to pass acts, the validity of which the Supreme Courts of the State, under a temporary popular pressure which was apparently irresistible, could not sustain. The effect of these laws was to almost bankrupt the Illinois Central, theretofore wealthy, to cripple all railroads, to interfere largely with foreign exports, and to react against the interests of the people of the States passing them, that the demand for repeal was soon very much greater than the original demand for passage. As these laws, though repealed, are still often referred to in the discussion of political and corporate questions, we give the text of one of them:

#### Illinois Railroad Act of 1873.

An Act to prevent extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to punish the same, and prescribe a mode of procedure and rules of evidence in

relation thereto, and to repeal an act entitled "An act to prevent unjust discrimination and extortions in the rates to be charged by the different railroads in this State for the transportation of freights on said roads," approved April 7, A. D. 1871.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* If any railroad corporation, organized or doing business in this State under any act of incorporation, or general law of this State now in force, or which may hereafter be enacted, or any railroad corporation organized or which may hereafter be organized under the laws of any other State, and doing business in this State, shall charge, collect, demand, or receive more than a fair and reasonable rate of toll or compensation for the transportation of passengers or freight of any description, or for the use and transportation of any railroad car upon its track, or any of the branches thereof, or upon any railroad within this State which it has the right, license, or permission to use, operate, or control, the same shall be deemed guilty of extortion, and upon conviction thereof shall be dealt with as hereinafter provided.

SEC. 2. If any such railroad corporation aforesaid shall make any unjust discrimination in its rates or charges of toll, or compensation, for the transportation of passengers or freight of any description, or for the use and transportation of any railroad car upon its said road, or upon any of the branches thereof, or upon railroads connected therewith, which it has the right, license, or permission to operate, control, or use, within this State, the same shall be deemed guilty of having violated the provisions of this act, and upon conviction thereof shall be dealt with as hereinafter provided.

SEC. 3. If any such railroad corporation shall charge, collect, or receive for the transportation of any passenger, or freight of any description, upon its railroad, for any distance within this State, the same or a greater amount of toll or compensation than is at the same time charged, collected, or received for the transportation, in the same direction, of any passenger, or like quantity of freight of the same class, over a greater distance of the same railroad; or if it shall charge, collect, or receive at any point upon this railroad a higher rate of toll or compensation for receiving, handling, or delivering freight of the same class and quantity than it shall at the same time charge, collect, or receive at any other point upon the same railroad; or if it shall charge, collect or receive for the transportation of any passenger, or freight of any description, over its railroad a greater amount as toll or compensation

than shall at the same time be charged, collected, or received by it for the transportation of any passenger or like quantity of freight of the same class, being transported in the same direction over any portion of the same railroad of equal distance; or if it shall charge, collect, or receive from any person or persons a higher or greater amount of toll or compensation than it shall at the same time charge, collect, or receive from any other person or persons for receiving, handling, or delivering freight of the same class and like quantity at the same point upon its railroad; or if it shall charge, collect, or receive from any person or persons for the transportation of any freight upon its railroad a higher or greater rate of toll or compensation than it shall at the same time charge, collect, or receive from any other person or persons for the transportation of the like quantity of freight of the same class being transported from the same direction over equal distances of the same railroad; or if it shall charge, collect, or receive from any person or persons for the use and transportation of any railroad car or cars upon its railroad for any distance the same or a greater amount of toll or compensation than is at the same time charged, collected, or received from any person or persons for the use and transportation of any railroad car of the same class or number, for a like purpose, being transported in the same direction over a greater distance of the same railroad; or if it shall charge, collect, or receive from any person or persons for the use and transportation of any railroad car or cars upon its railroad a higher or greater rate of toll or compensation than it shall at the same time charge, collect, or receive from any other person or persons for the use and transportation of any railroad car or cars of the same class or number, for a like purpose, being transported from the same point in the same direction over an equal distance of the same railroad; all such discriminating rates, charges, collections, or receipts, whether made directly or by means of any rebate, drawback, or other shift or evasion, shall be deemed and taken against such railroad corporation as *prima facie* evidence of the unjust discriminations prohibited by the provisions of this act, and it shall not be deemed a sufficient excuse or justification of such discriminations on the part of such railroad corporation, that the railway station or point at which it shall charge, collect, or receive the same or less rates of toll or compensation for the transportation of such passenger or freight, or for the use and transportation of such railroad car the greater distance than for the shorter distance, is a railway station or point at which there exists competition with any other railroad or means of transportation. This section shall not be con-

strued so as to exclude other evidence tending to show any unjust discrimination in freight and passenger rates. The provisions of this section shall extend and apply to any railroad, the branches thereof, and any road or roads which any railroad corporation has the right, license, or permission to use, operate, or control, wholly or in part, within the State: *Provided, however,* That nothing herein contained shall be so construed as to prevent railroad corporations from issuing commutation, excursion, or thousand mile tickets, as the same are now issued by such corporations.

SEC. 4. Any such railroad corporation guilty of extortion, or of making any unjust discrimination as to passenger or freight rates, or the rates for the use and transportation of railroad cars, or in receiving, handling, or delivering freights shall, upon conviction thereof, be fined in any sum not less than one thousand dollars (\$1,000) nor more than five thousand dollars (\$5,000) for the first offense; and for the second offense not less than five thousand dollars (\$5,000) nor more than ten thousand dollars (\$10,000;) and for the third offense not less than ten thousand dollars (\$10,000) nor more than twenty thousand dollars (\$20,000;) and for every subsequent offense and conviction thereof shall be liable to a fine of twenty-five thousand dollars (\$25,000:) *Provided,* That in all cases under this act either party shall have the right of trial by jury.

SEC. 5. The fines hereinbefore provided for may be recovered in an action of debt in the name of the people of the State of Illinois, and there may be several counts joined in the same declaration as to extortion and unjust discrimination, and as to passenger and freight rates, and rates for the use and transportation of railroad cars, and for receiving, handling, or delivering freights. If, upon the trial of any case instituted under this act, the jury shall find for the people, they shall assess and return with their verdict the amount of the fine to be imposed upon the defendant, at any sum not less than one thousand dollars (\$1,000) nor more than five thousand dollars (\$5,000,) and the court shall render judgment accordingly; and if the jury shall find for the people, and that the defendant has been once before convicted of a violation of the provisions of this act, they shall return such finding with their verdict, and shall assess and return with their verdict the amount of the fine to be imposed upon the defendant, at any sum not less than five thousand dollars (\$5,000) nor more than ten thousand dollars (\$10,000,) and the court shall render judgment accordingly; and if the jury shall find for the people, and that the defendant has been twice before convicted of a violation

of the provisions of this act, with respect to extortion or unjust discrimination, they shall return such finding with their verdict, and shall assess and return with their verdict the amount of the fine to be imposed upon the defendant, at any sum not less than ten thousand dollars (\$10,000) nor more than twenty thousand dollars (\$20,000;) and in like manner for every subsequent offense and conviction such defendant shall be liable to a fine of twenty-five thousand dollars (\$25,000.) *Provided*, That in all cases under the provisions of this act a preponderance of evidence in favor of the people shall be sufficient to authorize a verdict and judgment for the people.

SEC. 6. If any such railroad corporation shall, in violation of any of the provisions of this act, ask, demand, charge, or receive of any person or corporation, any extortionate charge or charges for the transportation of any passengers, goods, merchandise, or property, or for receiving, handling, or delivering freights, or shall make any unjust discrimination against any person or corporation in its charges therefor, the person or corporation so offended against may for each offense recover of such railroad corporation, in any form of action, three times the amount of the damages sustained by the party aggrieved, together with cost of suit and a reasonable attorney's fee, to be fixed by the court where the same is heard, on appeal or otherwise, and taxed as a part of the costs of the case.

SEC. 7. It shall be the duty of the railroad and warehouse commissioners to personally investigate and ascertain whether the provisions of this act are violated by any railroad corporation in this State, and to visit the various stations upon the line of each railroad for that purpose, as often as practicable; and whenever the facts in any manner ascertained by said commissioners shall in their judgment warrant such prosecution, it shall be the duty of said commissioners to immediately cause suits to be commenced and prosecuted against any railroad corporation which may violate the provisions of this act. Such suits and prosecutions may be instituted in any county in the State, through or into which the line of the railroad corporation sued for violating this act may extend. And such railroad and warehouse commissioners are hereby authorized, when the facts of the case presented to them shall, in their judgment, warrant the commencement of such action, to employ counsel to assist the Attorney General in conducting such suit on behalf of the State. No such suits commenced by said commissioners shall be dismissed, except said railroad and warehouse commissioners

and the Attorney General shall consent thereto.

SEC. 8. The railroad and warehouse commissioners are hereby directed to make for each of the railroad corporations doing business in this State, as soon as practicable, a schedule of reasonable maximum rates of charges for the transportation of passengers and freight and cars on each of said railroads; and said schedule shall, in all suits brought against any such railroad corporations, wherein is in any way involved the charges of any such railroad corporation for the transportation of any passenger or freight or cars, or unjust discrimination in relation thereto, be deemed and taken, in all courts of this State, as *prima facie* evidence that the rates therein fixed are reasonable maximum rates of charges for the transportation of passengers and freights and cars upon the railroads for which said schedules may have been respectively prepared. Said commissioners shall, from time to time, and as often as circumstances may require, change and revise said schedules. When such schedules shall have been made or revised as aforesaid, it shall be the duty of said commissioners to cause publication thereof to be made for three successive weeks, in some public newspaper published in the city of Springfield in this state: "*Provided*, That the schedules thus prepared shall not be taken as *prima facie* evidence as herein provided until schedules shall have been prepared and published as aforesaid for all the railroad companies now organized under the laws of this State, and until the fifteenth day of January, A. D. 1874, or until ten days after the meeting of the next session of this General Assembly, provided a session of the General Assembly shall be held previous to the fifteenth day of January aforesaid." All such schedules, purporting to be printed and published as aforesaid, shall be received and held, in all such suits, as *prima facie* the schedules of said commissioners, without further proof than the production of the paper in which they were published, together with the certificate of the publisher of said paper that the schedule therein contained is a true copy of the schedule furnished for publication by said commissioners, and that it has been published the above specified time; and any such paper purporting to have been published at said city, and to be a public newspaper, shall be presumed to have been so published at the date thereof, and to be a public newspaper.

SEC. 10. In all cases under the provisions of this act, the rules of evidence shall be the same as in other civil actions, except as hereinbefore otherwise provided. All fines recovered under the provisions of this act shall be paid into the county treasury of the county in which the suit is

tried, by the person collecting the same, in the manner now provided by law, to be used for county purposes. The remedies hereby given shall be regarded as cumulative to the remedies now given by law against railroad corporations, and this act shall not be construed as repealing any statute giving such remedies. Suits commenced under the provisions of this act shall have precedence over all other business, except criminal business.

SEC. 11. The term "railroad corporation," contained in this act, shall be deemed and taken to mean all corporations, companies, or individuals now owning or operating, or which may hereafter own or operate any railroad, in whole or in part, in this State; and the provisions of this act shall apply to all persons, firms, and companies, and to all associations of persons, whether incorporated or otherwise, that shall do business as common carriers upon any of the lines of railways in this State (street railways excepted) the same as to railroad corporations therein-before mentioned.

SEC. 12. An act entitled "An act to prevent unjust discriminations and extortions in the rates to be charged by the different railroads in this State for the transportation of freight on said roads," approved April 7, A. D. 1871, is hereby repealed, but such repeal shall not affect nor repeal any penalty incurred or right accrued under said act prior to the time this act takes effect, nor any proceedings or prosecutions to enforce such rights or penalties.

Approved May 2, 1873.

S. M. CULLOM,

*Speaker House of Representatives.*

JOHN EARLY,

*President of the Senate.*

JOHN L. BEVERIDGE,

*Governor.*

The same spirit, if not the same organization, led to many petitions to Congress for the regulation of inter-state commerce and freight rates, and to some able reports on the subject. Those which have commanded most attention were by Senator Windom of Minnesota and Representative Reagan of Texas, the latter being the author of a bill which commanded much consideration from Congress in the sessions of 1878-'80, but which has not yet secured favorable action. In lieu of such bill Senator Cameron, of Pennsylvania, introduced a joint resolution for the appointment of a Commission to investigate and report upon the entire question. Final action has not yet been taken, and at this writing interest in the subject seems to have flagged.

The disastrous political action attempted by the Grangers in Illinois and Wisconsin, led to such general condemnation that sub-

sequent attempts were abandoned save in isolated cases, and as a rule the society has passed away. The principle upon which it was based was wholly unsound, and if strictly carried out, would destroy all home improvements and enterprise. Parties and societies based upon a class, and directed or perverted toward political objects, are very happily short-lived in this Republic of ours. If they could thrive, the Republic could not long endure.

#### Supplementary Civil Rights Bill.

Senator Sumner's Supplementary Civil Rights Bill was passed by the second session of the 43d Congress, though its great author had died the year before—March 11th, 1874. The text of the Act is given in Book V. of this volume, on Existing Political Laws. Its validity was sustained by the U. S. District Courts in their instructions to grand juries. The first conviction under the Act was in Philadelphia, in February, 1876. Rev. Fields Cook, pastor of the Third Baptist colored church of Alexandria, Virginia, was refused sleeping and eating accommodations at the Bingham House, by Upton S. Newcomer, one of its clerks; and upon the trial of the case, in the U. S. District Court, JOHN CADWALADER, Judge, instructed the jury as follows:

The fourteenth amendment of the Constitution of the United States makes all persons born or naturalized in the United States, and subject to the jurisdiction thereof, citizens of the United States, and provides that no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State \* \* \* deny to any person within its jurisdiction the equal protection of the laws. This amendment expressly gives to Congress the power to enforce it by appropriate legislation. An act of Congress of March 1, 1875, enacts that all persons within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities and privileges of inns, public conveyances on land or water, theatres and other places of public amusement, subject only to the conditions and limitations established by law, and applicable alike to citizens of every race and color, and makes it a criminal offense to violate these enactments by denying to any citizen, except for reasons by law applicable to citizens of every race and color, \* \* \* the full enjoyment of any of the accommodations, advantages, facilities or privileges enumerated. As the law of Pennsylvania had stood until the 22d of March, 1867, it was not wrongful for inn-keepers or carriers by land or water to dis-

criminate against travelers of the colored race to such an extent as to exclude them from any part of the inns or public conveyances which was set apart for the exclusive accommodation of white travelers. The Legislature of Pennsylvania, by an act of 22d of March, 1867, altered the law in this respect as to passengers on railroads. But the law of the State was not changed as to inns by any act of the State Legislature. Therefore, independently of the amendment of the Constitution of the United States and of the act of Congress now in question, the conduct of the defendant on the occasion in question might, perhaps, have been lawful. It is not necessary to express an opinion upon this point, because the decision of the case depends upon the effect of this act of Congress. I am under opinion that under the Fourteenth Amendment of the Constitution the enactment of this law was within the legislative power of Congress, and that we are bound to give effect to the act of Congress according to its fair meaning. According to this meaning of the act I am of opinion that if this defendant, being in charge of the business of receiving travelers in this inn, and of providing necessary and proper accommodations for them in it, refused such accommodations to the witness Cook, then a traveler, by reason of his color, the defendant is guilty in manner and form as he stands indicted. If the case depended upon the unsupported testimony of this witness alone, there might be some reason to doubt whether this defendant was the person in charge of this part of the business. But under this head the additional testimony of Mr. Annan seems to be sufficient to remove all reasonable doubt. If the jury are convinced of the defendant's identity, they will consider whether any reasonable doubt of his conduct or motives in refusing the accommodations to Fields Cook can exist. The case appears to the court to be proved; but this question is for the jury, not for the court. If the jury have any reasonable doubt, they should find the defendant not guilty; otherwise they will find him guilty.

The jury brought in a verdict of guilty, March 1, 1876, and the Court imposed a fine of \$500.

#### The Morton Amendment.

In the session of '73, Senator Morton, of Indiana, introduced an amendment to the Constitution providing for the general choice of Presidential Electors by Congressional districts, and delivered several speeches on the subject which attracted much attention at the time. Since then many amendments have been introduced on the subject, and it is a matter for annual discussion. We quote the Morton

Amendment as the one most likely to command favorable action:

*“Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of each House concurring therein:)* That the following article is hereby proposed as an amendment to the Constitution of the United States, and, when ratified by the Legislatures of three-fourths of the several States, shall be valid, to all intents and purposes, as a part of the Constitution, to wit:

#### “ARTICLE —.

“I. The President and Vice-President shall be elected by the direct vote of the people in the manner following: Each State shall be divided into districts, equal in number to the number of Representatives to which the State may be entitled in the Congress, to be composed of contiguous territory, and to be as nearly equal in population as may be; and the person having the highest number of votes in each district for President shall receive the vote of that district, which shall count one presidential vote.

“II. The person having the highest number of votes for President in a State shall receive two presidential votes from the State at large.

“III. The person having the highest number of presidential votes in the United States shall be President.

“IV. If two persons have the same number of votes in any State, it being the highest number, they shall receive each one presidential vote from the State at large; and if more than two persons shall have each the same number of votes in any State, it being the highest number, no presidential vote shall be counted from the State at large. If more persons than one shall have the same number of votes, it being the highest number in any district, no presidential vote shall be counted from that district.

“V. The foregoing provisions shall apply to the election of Vice-President.

“VI. The Congress shall have power to provide for holding and conducting the elections of President and Vice-President, and to establish tribunals for the decision of such elections as may be contested.”

VII. The States shall be divided into districts by the legislatures thereof, but the Congress may at any time by law make or alter the same.

The present mode of election is given in Book V. of this volume.

#### The Whisky Ring.

During 1875 an extensive Whisky Ring, organized to control revenue legislation and avoidance of revenue taxes, was dis-

covered in the West. It was an association of distillers in collusion with Federal officers, and for a time it succeeded in defrauding the government of the tax on distilled spirits. This form of corruption, after the declaration by President Grant—"let no guilty man escape"—was traced by detectives to the portals of the White House, but even partisan rancor could not connect the President therewith. O. E. Babcock, however, was his private Secretary, and upon him was charged complicity with the fraud. He was tried and acquitted, but had to resign. Several Federal officers were convicted at St. Louis.

#### Impeachment of Belknap.

Another form of corruption was discovered in 1876, when the House impeached Wm. W. Belknap, the Secretary of War, on the charge of selling an Indian trading establishment. The first and main specification was, that—

On or about the second day of November, eighteen hundred and seventy, said William W. Belknap, while Secretary of War as aforesaid, did receive from Caleb P. Marsh fifteen hundred dollars, in consideration of his having appointed said John S. Evans to maintain a trading-establishment at Fort Sill aforesaid, and for continuing him therein.

The following summary of the record shows the result, and that Belknap escaped punishment by a refusal of two-thirds to vote "guilty:"

The examination of witnesses was begun, and continued on various days, till July 26, when the case was closed.

August 1.—The SENATE voted. On the first article, thirty-five voted guilty, and twenty-five not guilty. On the second, third and fourth, Mr. MAXEY made the thirty-sixth who voted guilty. On the fifth, Mr. MORTON made the thirty-seventh who voted guilty. The vote on first was:

VOTING GUILTY—Messrs. *Bayard*, *Booth*, *Cameron* of Pennsylvania, *Cockrell*, *Cooper*, *Davis*, *Dawes*, *Dennis*, *Edmunds*, *Gordon*, *Hamilton*, *Harvey*, *Hitchcock*, *Kelly*, *Kernan*, *Key*, *McCreery*, *McDonald*, *Merrimon*, *Mitchell*, *Morrill* of Vermont, *Norwood*, *Oglesby*, *Randolph*, *Ransom*, *Robertson*, *Sargent*, *Saulsbury*, *Sherman*, *Stevenson*, *Thurman*, *Wadleigh*, *Wallace*, *Whyte*, *Withers*—35.

VOTING NOT GUILTY—Messrs. *Allison*, *Anthony*, *Boutwell*, *Bruce*, *Cameron* of Wisconsin, *Christiency*, *Conkling*, *Conover*, *Cragin*, *Dorsey*, *Eaton*, *Ferry* of Michigan, *Frelinghuysen*, *Hamlin*, *Howe*, *Ingalls*, *Jones* of Nevada, *Logan*, *McMillan*, *Paddock*, *Patterson*, *Spencer*, *West*, *Win-  
dom*, *Wright*—25.

Mr. JONES of Florida declined to vote.

Those "voting not guilty" generally denied jurisdiction, and so voted accordingly. Belknap had resigned and the claim was set up that he was a private citizen.

#### The White League.

By 1874 the Democrats of the South, who then generally classed themselves as Conservatives, had gained control of all the State governments except those of Louisiana, Florida and South Carolina. In nearly all, the Republican governments had called upon President Grant for military aid in maintaining their positions, but this was declined except in the presence of such outbreak as the proper State authorities could not suppress. In Arkansas, Alabama, Mississippi, and Texas, Grant declined to interfere save to cause the Attorney General to give legal advice. The condition of all these governments demanded constant attention from the Executive, and his task was most difficult and dangerous. The cry came from the Democratic partisans in the South for home-rule; another came from the negroes that they were constantly disfranchised, intimidated and assaulted by the White League, a body of men organized in the Gulf States for the purpose of breaking up the "carpet-bag governments." So conflicting were the stories, and so great the fear of a final and destructive war of races, that the Congressional elections in the North were for the first time since the war greatly influenced. The Forty-fourth Congress, which met in December, 1875, had been changed by what was called "the tidal wave," from Republican to Democratic, and M. C. Kerr, of Indiana, was elected Speaker. The Senate remained Republican with a reduced margin.

The troubles in the South, and especially in Louisiana, had been in the year previous and were still of the gravest character. Gen'l Sheridan had been sent to New Orleans and on the 10th of January, 1875, made a report which startled the country as to the doings of the White League. As it still remains a subject for frequent quotation we give its text:

#### SHERIDAN'S REPORT.

NEW ORLEANS, January 10, 1875.

HON. W. W. BELKNAP, *Secretary of War*:

Since the year 1866, nearly thirty-five hundred persons, a great majority of whom were colored men, have been killed and wounded in this State. In 1868 the official record shows that eighteen hundred and eighty-four were killed and wounded. From 1868 to the present time, no official investigation has been made, and the civil authorities in all but a few cases have been

unable to arrest, convict and punish perpetrators. Consequently, there are no correct records to be consulted for information. There is ample evidence, however, to show that more than twelve hundred persons have been killed and wounded during this time, on account of their political sentiments. Frightful massacres have occurred in the parishes of Bossier, Caddo, Catahoula, Saint Bernard, Saint Landry, Grant and Orleans. The general character of the massacres in the above named parishes is so well known that it is unnecessary to describe them. The isolated cases can best be illustrated by the following instances which I have taken from a mass of evidence now lying before me of men killed on account of their political principles. In Natchitoches Parish, the number of isolated cases reported is thirty-three. In the parish of Bienville, the number of men killed is thirty. In Red River Parish the number of isolated cases of men killed is thirty-four. In Winn Parish the number of isolated cases where men were killed is fifteen. In Jackson Parish the number killed is twenty; and in Catahoula Parish the number of isolated cases reported where men were killed is fifty; and most of the country parishes throughout the State will show a corresponding state of affairs. The following statement will illustrate the character and kind of these outrages. On the 29th of August, 1874, in Red River Parish, six State and parish officers, named Twitchell, Divers, Holland, Howell, Edgerton and Willis, were taken, together with four negroes, under guard, to be carried out of the State, and were deliberately murdered on the 30th of August, 1874. The White League tried, sentenced, and hung two negroes on the 28th of August, 1874. Three negroes were shot and killed at Brownsville, just before the arrival of the United States troops in the parish. Two White Leaguers rode up to a negro cabin and called for a drink of water. When the old colored man turned to draw it, they shot him in the back and killed him. The courts were all broken up in this district, and the district judge driven out. In the parish of Caddo, prior to the arrival of the United States troops, all of the officers at Shreveport were compelled to abdicate by the White League, which took possession of the place. Among those obliged to abdicate were Walsh, the mayor, Rapers, the sheriff, Wheaton, clerk of the court, Durant, the recorder, and Ferguson and Renfro, administrators. Two colored men, who had given evidence in regard to frauds committed in the parish, were compelled to flee for their lives and reached this city last night, having been smuggled through in a cargo of cotton. In the parish of Bossier the White League have attempted to force the abdication of

Judge Baker, the United States Commissioner and parish judge, together with O'Neal, the sheriff, and Walker, the clerk of the court; and they have compelled the parish and district courts to suspend operations. Judge Baker states that the White Leaguers notified him several times that if he became a candidate on the republican ticket, or if he attempted to organize the republican party, he should not live until election.

They also tried to intimidate him through his family by making the same threats to his wife, and when told by him that he was a United States commissioner, they notified him not to attempt to exercise the functions of his office. In but few of the country parishes can it be truly said that the law is properly enforced, and in some of the parishes the judges have not been able to hold court for the past two years. Human life in this State is held so cheaply, that when men are killed on account of political opinions, the murderers are regarded rather as heroes than as criminals, in the localities where they reside, and by the White League and their supporters. An illustration of the ostracism that prevails in the State may be found in a resolution of a White League club in the parish of De Soto, which states, "That they pledge themselves under (no?) circumstances after the coming election to employ, rent land to, or in any other manner give aid, comfort, or credit, to any man, white or black, who votes against the nominees of the white man's party." Safety for individuals who express their opinion in the isolated portion of this State has existed only when that opinion was in favor of the principles and party supported by the Ku-Klux and White League organizations. Only yesterday Judge Myers, the parish judge of the parish of Natchitoches, called on me upon his arrival in this city, and stated that in order to reach here alive, he was obliged to leave his home by stealth, and after nightfall, and make his way to Little Rock, Arkansas, and come to this city by way of Memphis. He further states that while his father was lying at the point of death in the same village, he was unable to visit him for fear of assassination; and yet he is a native of the parish, and proscribed for his political sentiments only. It is more than probable that if bad government has existed in this State it is the result of the armed organizations, which have now crystallized into what is called the White League; instead of bad government developing them, they have by their terrorism prevented to a considerable extent the collection of taxes, the holding of courts, the punishment of criminals, and vitiated public sentiment by familiarizing it with the scenes above described. I am now engaged in compiling evidence for a



detailed report upon the above subject, but it will be some time before I can obtain all the requisite data to cover the cases that have occurred throughout the State. I will also report in due time upon the same subject in the States of Arkansas and Mississippi.

P. H. SHERIDAN,  
*Lieutenant-General.*

President Grant said in a special message to Congress, January 13, 1875:—

“It has been bitterly and persistently alleged that Kellogg was not elected. Whether he was or not is not altogether certain, nor is it any more certain that his competitor, McEnery, was chosen. The election was a gigantic fraud, and there are no reliable returns of its result. Kellogg obtained possession of the office, and in my opinion has more right to it than his competitor.

“On the 20th of February, 1873, the Committee on Privileges and Elections of the Senate made a report, in which they say they were satisfied by testimony that the manipulation of the election machinery by Warmoth and others was equivalent to twenty thousand votes; and they add, to recognize the McEnery government ‘would be recognizing a government based upon fraud, in defiance of the wishes and intention of the voters of the State.’ Assuming the correctness of the statements in this report, (and they seem to have been generally accepted by the country,) the great crime in Louisiana, about which so much has been said, is, that one is holding the office of governor who was cheated out of twenty thousand votes, against another whose title to the office is undoubtedly based on fraud, and in defiance of the wishes and intentions of the voters of the State.

“Misinformed and misjudging as to the nature and extent of this report, the supporters of McEnery proceeded to displace by force in some counties of the State the appointees of Governor Kellogg; and on the 13th of April, in an effort of that kind, a butchery of citizens was committed at Colfax, which in blood-thirstiness and barbarity is hardly surpassed by any acts of savage warfare.

“To put this matter beyond controversy, I quote from the charge of Judge Woods, of the United States circuit court, to the jury in the case of the United States *vs.* Cruikshank and others, in New Orleans, in March, 1874. He said:

“‘In the case on trial there are many facts not in controversy. I proceed to state some of them in the presenee and hearing of counsel on both sides; and if I state as a conceded fact any matter that is disputed, they can correct me.’

“After stating the origin of the diffi-

culty, which grew out of an attempt of white persons to drive the parish judge and sheriff, appointees of Kellogg, from office, and their attempted protection by colored persons, which led to some fighting in which quite a number of negroes were killed, the judge states:

“‘Most of those who were not killed were taken prisoners. Fifteen or sixteen of the blacks had lifted the boards and taken refuge under the floor of the court-house. They were all captured. About thirty-seven men were taken prisoners; the number is not definitely fixed. They were kept under guard until dark. They were led out, two by two, and shot. Most of the men were shot to death. A few were wounded, not mortally, and by pretending to be dead were afterward, during the night, able to make their escape. Among them was the Levi Nelson named in the indictment.

“‘The dead bodies of the negroes killed in this affair were left unburied until Tuesday, April 15, when they were buried by a deputy marshal and an officer of the militia from New Orleans. These persons found fifty-nine dead bodies. They showed pistol-shot wounds, the great majority in the head, and most of them in the back of the head. In addition to the fifty-nine dead bodies found, some charred remains of dead bodies were discovered near the court-house. Six dead bodies were found under a warehouse, all shot in the head but one or two, which were shot in the breast.

“‘The only white men injured from the beginning of these troubles to their close were Hadnot and Harris. The court-house and its contents were entirely consumed.

“‘There is no evidence that any one in the crowd of whites bore any lawful warrant for the arrest of any of the blacks. There is no evidence that either Nash or Cazabat, after the affair, ever demanded their offices, to which they had set up claim, but Register continued to act as parish judge, and Shaw as Sheriff.

“‘These are facts in this case, as I understand them to be admitted.’

“‘To hold the people of Louisiana generally responsible for these atrocities would not be just; but it is a lamentable fact that insuperable obstructions were thrown in the way of punishing these murderers, and the so-called conservative papers of the State not only justified the massacre, but denounced as Federal tyranny and despotism the attempt of the United States officers to bring them to justice. Fierce denunciations ring through the country about office-holding and election matters in Louisiana, while every one of the Colfax miscreants goes unwhipped of justice, and no way can be found in this boasted land

of civilization and Christianity to punish the perpetrators of this bloody and monstrous crime.

“Not unlike this was the massacre in August last. Several northern young men of capital and enterprise had started the little and flourishing town of Coushatta. Some of them were republicans and officeholders under Kellogg. They were therefore doomed to death. Six of them were seized and carried away from their homes and murdered in cold blood. No one has been punished; and the conservative press of the State denounced all efforts to that end, and boldly justified the crime.”

The House on the 1st of March, 1875, by a strict party vote, 155 Republicans to 86 Democrats, recognized the Kellogg government. The Senate did the same on March 5th, by 33 to 23, also a party vote.

Under the influence of the resolution unanimously adopted by the House of Representatives of the United States, recommending that the House of Representatives of that State seat the persons rightfully entitled thereto from certain districts, the whole subject was, by consent of parties, referred to the Special Committee of the House who examined into Louisiana affairs, viz.: Messrs. George F. Hoar, William A. Wheeler, William P. Frye, Charles Foster, William Walter Phelps, Clarkson N. Potter and Samuel S. Marshall, who, after careful examination, made an award, which was adopted by the Legislature in April, 1875. It is popularly known as the “Wheeler Compromise.”

#### Text of the Wheeler Compromise.

NEW ORLEANS, March, 1875.

*Whereas*, It is desirable to adjust the difficulties growing out of the general election in this State, in 1872, the action of the Returning Board in declaring and promulgating the results of the general election, in the month of November last, and the organization of the House of Representatives, on the 4th day of January last, such adjustment being deemed necessary to the re-establishment of peace and order in this State.

Now, therefore, the undersigned members of the Conservative party, claiming to have been elected members of the House of Representatives, and that their certificates of election have been illegally withheld by the Returning Board, hereby severally agree to submit their claims to seats in the House of Representatives to the award and arbitrament of George F. Hoar, William A. Wheeler, William P. Frye, Charles Foster, William Walter Phelps, Clarkson N. Potter, and Samuel S. Marshall, who are hereby authorized to examine and determine the same upon the equities of the several cases; and when

such awards shall be made, we hereby severally agree to abide by the same:

And such of us as may become members of the House of Representatives, under this arrangement, hereby severally agree to sustain by our influence and votes the joint resolution herein set forth.

[Here follow the signatures of the Democrats who claimed that their certificates of election as members of the House of Representatives had been illegally withheld by the Returning Board.]

And the undersigned claiming to have been elected Senators from the Eighth and Twenty-Second Senatorial Districts, hereby agree to submit their claims to the foregoing award and arbitrament, and in all respects to abide the results of the same.

[Here follow the signatures of the Democrats, who made a like claim as to seats in the Senate.]

And the undersigned, holding certificates of election from the Returning Board, hereby severally agree that upon the coming in of the award of the foregoing arbitrators they will, when the same shall have been ratified by the report of the Committee on Elections and Qualifications of the body in session at the State House claiming to be the House of Representatives, attend the sitting of the said House for the purpose of adopting said report, and if said report shall be adopted, and the members embraced in the foregoing report shall be seated, then the undersigned severally agree that immediately upon the adoption of said report they will vote for the following joint resolution:

[Here follow the signatures of the Democratic members of the House of Representatives in relation to whose seats there was no controversy.]

#### JOINT RESOLUTION.

*Resolved*, by the General Assembly of the State of Louisiana, That said Assembly, without approving the same, will not disturb the present State Government claiming to have been elected in 1872, known as the Kellogg Government, or seek to impeach the Governor for any past official acts, and that henceforth it will accord to said Governor all necessary and legitimate support in maintaining the laws and advancing the peace and prosperity of the people of this State: and that the House of Representatives, as to its members, as constituted under the award of George F. Hoar, W. A. Wheeler, W. P. Frye, Charles Foster, Samuel S. Marshall, Clarkson N. Potter, and William Walter Phelps, shall remain without change except by resignation or death of members until a new general election, and that the Senate, as now organized, shall also remain unchanged except so far as that body shall make changes on contests.

## TEXT OF THE AWARD.

NEW YORK, March 13, 1875.

The undersigned having been requested to examine the claims of the persons hereinafter named to seats in the Senate and House of Representatives of the State of Louisiana, and having examined the returns and the evidence relating to such claims, are of opinion, and do hereby find, award and determine, that F. S. Goode is entitled to a seat in the Senate from the Twenty-second Senatorial District; and that J. B. Elam is not entitled to a seat in the Senate from the Eighth Senatorial District; and that the following named persons are entitled to seats in the House of Representatives from the following named parishes respectively: From the Parish of Assumption, R. R. Beaseley, E. F. X. Dugas; from the Parish of Bienville, James Brice; from the Parish of De Soto, J. S. Scales, Charles Schuler; from the Parish of Jackson, E. Kidd; from the Parish of Rapides, James Jeffries, R. C. Lockett, G. W. Stafford; from the Parish of Terrebone, Edward McCollum, W. H. Keyes; from the Parish of Winn, George A. Kelley. And that the following named persons are not entitled to seats which they claim from the following named parishes respectively, but that the persons now holding seats from said parishes are entitled to retain the seats now held by them; from the Parish of Avoyelles, J. O. Quinn; from the Parish of Iberie, W. F. Schwing; from the Parish of Caddo, A. D. Land, T. R. Vaughan, J. J. Horan. We are of opinion that no person is entitled to a seat from the Parish of Grant.

In regard to most of the cases, the undersigned are unanimous; as to the others the decision is that of a majority.

GEORGE F. HOAR,  
W. A. WHEELER,  
W. P. FRYE,  
CHARLES FOSTER,  
CLARKSON N. POTTER,  
WILLIAM WALTER PHELPS,  
SAMUEL S. MARSHALL.

This adjustment and award were accepted and observed, until the election in November, 1876, when a controversy arose as to the result, the Republicans claiming the election of Stephen B. Packard as Governor by about 3,500 majority, and a Republican Legislature; and the Democrats claiming the election of Francis T. Nicholls as Governor, by about 8,000 majority, and a Democratic Legislature. Committees of gentlemen visited New Orleans, by request of President Grant and of various political organizations, to witness the count of the votes by the Returning Board. And in December, 1876, on the meeting of Congress, committees of investigation were appointed by the Senate and by the House of

Representatives. Exciting events were now daily transpiring. On the 1st of January, 1877, the Legislature organized in the State House without exhibitions of violence. The Democrats did not unite in the proceedings, but met in a separate building, and organized a separate Legislature. Telegraphic communication was had between the State House and the Custom House, where was the office of Marshal Pitkin, who with the aid of the United States troops, was ready for any emergency. About noon the Democratic members, accompanied by about 500 persons, called at the State House and demanded admission. The officer on duty replied that the members could enter, but the crowd could not. A formal demand was then made upon General Badger and other officials, by the spokesman, for the removal of the obstructions, barricades, police, etc., which prevented the ingress of members, which being denied, Col. Bush, in behalf of the crowd, read a formal protest, and the Democrats retired. Gov. Kellogg was presented by a committee with a copy of the protest, and he replied, that as chief magistrate and conservator of the peace of the State, believing that there was danger of the organization of the General Assembly being violently interfered with, he had caused a police force to be stationed in the lower portion of the building; that he had no motive but to preserve the peace; that no member or attache of either house will be interfered with in any way, and that no United States troops are stationed in the capitol building. Clerk Trezevant declined to call the House to order unless the policemen were removed. Upon the refusal to do so, he withdrew, when Louis Sauer, a member, called the roll, and 68 members—a full House being 120—answered to their names. Ex-Gov. Hahn was elected Speaker, receiving 53 votes as against 15 for Ex-Gov. Warmoth.

The Senate was organized by Lieutenant-Governor Antoine with 19 present—a full Senate being 30—eight of whom held over, and 11 were returned by the Board. Gov. Kellogg's message was presented to each House.

The Democrats organized their Legislature in St. Patrick's hall. The Senators were called to order by Senator Ogden. Nineteen Senators, including nine holding over, and four, who were counted out by the board, were present.

The Democratic members of the House were called to order by Clerk Trezevant, and 61 answered to their names. Louis Bush was elected Speaker.

January 3d—Republican Legislature passed a resolution asking for military protection against apprehended Democratic violence, and it was telegraphed to the President.

On Sunday, January 8th, Gov. Kellogg telegraphed to President Grant to the same effect.

January 8th—Stephen B. Packard took the oath of office as Governor, and C. C. Antoine as Lieutenant-Governor, at the State House at 1:30, in the presence of the Legislature.

January 8—Francis T. Nicholls and L. A. Wiltz to-day took the oath of office of Governor and Lieutenant-Governor, respectively, on the balcony of St. Patrick's hall.

By the 11th of January both parties were waiting for the action of the authorities at Washington. Gov. Packard to-day commissioned A. S. Badger Major-General of the State National Guard, and directed him to organize the first division at once. Two members of the Packard Legislature, Mr. Barrett, of Rapides, and Mr. Kennedy, of St. Charles, had withdrawn from that body and gone over to the Nicholls Legislature.

Messrs. Breux, Barrett, Kennedy, Estopival, Wheeler, and Hamlet, elected as Republicans, under the advice of Pinchback—a defeated Republican candidate for U. S. Senator, left the Packard or Republican, and joined the Nicholls Legislature.

On the 15th, Governor Packard, after receiving a copy of the telegram of the President to General Augur, issued a proclamation aimed at the "organized and armed combination and conspiracy of men now offering unlawful and violent resistance to the lawful authority of the State government."

The Nicholls court issued an order to Sheriff Handy to provide the means for protecting the court from any violence or intrusion on the part of the adherents of "S. B. Packard, a wicked and shameless impostor."

Governor Packard on the 16th, in a letter to Gen. Augur, acknowledges the receipt of a communication from his aide-de-camp asking for assurances from him that the President's wishes concerning the preservation of the present *status* be respected, and says that the request would have been more appropriate if made immediately after his installation as Governor and before many of the main branches of the Government had been forcibly taken possession of by the opposition. He says: "I had scarcely taken the oath of office when the White League were called to arms; the Court room and the records of the Supreme Court of the State were forcibly taken possession of, and various precinct police-stations were captured in like manner by overwhelming forces. Orders had been issued by the Secretary of War early on that day that all unauthorized armed bodies should desist. A dispatch from yourself of the same

date to the Secretary of War, conveyed the assurances that Nicholls had promised the disbandment of his armed forces. \*

\* \* \* It was my understanding, that neither side should be permitted to interfere with the *status* of the other side. Yet the day after this order was received and the pledge given by Nicholls, a force of several hundred armed White Leaguers repaired to the State Arsenal and took therefrom into their own keeping five pieces of artillery, and a garrison of armed men was placed in and around the Supreme Court building. That on the following day, January 11, an armed company of the White League broke into and took possession of the office of the Recorder of Mortgages. \* \* \* \* In view of all these facts it seemed to me that to give the pledge verbally asked of me this morning would be to sanction revolution, and by acquiescence give it the force of accomplished fact, and I therefore declined."

Many telegrams followed between the Secretary of War, J. Don. Cameron, Gen'l Augur and Mr. Packard, the latter daily complaining of new "outrages by the White League," while the Nicholls government professed to accord rights to all classes, and to obey the instructions from Washington, to faithfully maintain the *status* of affairs until decisive action should be taken by the National government. None was taken, President Grant being unwilling to outline a Southern policy for his successor in office.

#### Election of Hayes and Wheeler.

The troubles in the South, and the almost general overthrow of the "carpet bag government," impressed all with the fact that the Presidential election of 1876 would be exceedingly close and exciting, and the result confirmed this belief. The Greenbackers were the first to meet in National Convention, at Indianapolis, May 17th. Peter Cooper of New York was nominated for President, and Samuel F. Cary of Ohio, for Vice President.

The Republican National Convention met at Cincinnati, June 14th, with James G. Blaine recognized as the leading candidate. Grant had been named for a third term, and there was a belief that his name would be presented. Such was the feeling on this question that the House of Congress and a Republican State Convention in Pennsylvania, had passed resolutions declaring that a third term for President would be a violation of the "unwritten law" handed down through the examples of Washington, and Jackson. His name, however, was not then presented. The "unit rule" at this Convention was for the first time resisted, and by the friends of Blaine,

with a view to release from instructions of State Conventions some of his friends. New York had instructed for Conkling, and Pennsylvania for Hartranft. In both of these states some delegates had been chosen by their respective Congressional districts, in advance of any State action, and these elections were as a rule confirmed by the State bodies. Where they were not, there were contests, and the right of district representation was jeopardized if not destroyed by the reinforcement of the unit rule. It was therefore thought to be a question of much importance by the warring interests. Hon. Edw. McPherson was the temporary Chairman of the Convention, and he took the earliest opportunity presented to decide against the binding force of the unit rule, and to assert the liberty of each delegate to vote as he pleased. The Convention sustained the decision on an appeal.

Ballots of the Cincinnati Republican Convention, 1876 :

Ballots,	1	2	3	4	5	6	7
Blaine,	285	296	292	293	287	308	351
Conkling,	113	114	121	126	114	111	21
Bristow,	99	93	90	84	82	81	
Morton,	124	120	113	108	95	85	
Hayes,	61	64	67	68	102	113	384
Hartranft,	58	63	68	71	69	50	
Jewell,	11						
Washb'ne,		1	1	3	3	4	
Wheeler,	3	3	2	2	2	2	

Gen. Rutherford B. Hayes, of Ohio, was nominated for President, and Hon. Wm. A. Wheeler, of New York, for Vice President.

The Democratic National Convention met at St. Louis, June 28th. Great interest was excited by the attitude of John Kelly, the Tammany leader of New York, who was present and opposed with great bitterness the nomination of Tilden. He afterwards bowed to the will of the majority and supported him. Both the unit and the two-thirds rule were observed in this body, as they have long been by the Democratic party. On the second ballot, Hon. Samuel J. Tilden, of New York, had 535 votes to 203 for all others. His leading competitor was Hon. Thomas A. Hendricks, of Indiana, who was nominated for Vice President.

#### The Electoral Count.

The election followed Nov. 7th, 1876, Hayes and Wheeler carrying all of the Northern States except Connecticut, New York, New Jersey and Indiana; Tilden and Hendricks carried all of the Southern States except South Carolina, Florida and Louisiana. The three last named States were claimed by the Democrats, but their members of the Congressional Investiga-

ting Committee quieted rival claims as to South Carolina by agreeing that it had fairly chosen the Republican electors. So close was the result that success or failure hinged upon the returns of Florida and Louisiana, and for days and weeks conflicting stories and claims came from these States. The Democrats claimed that they had won on the face of the returns from Louisiana, and that there was no authority to go behind these. The Republicans publicly alleged frauds in nearly all of the Southern States; that the colored vote had been violently suppressed in the Gulf States, but they did not formally dispute the face of the returns in any State save where the returning boards gave them the victory. This doubtful state of affairs induced a number of prominent politicians of both the great parties to visit the State capitals of South Carolina, Florida and Louisiana to witness the count. Some of these were appointed by President Grant; others by the Democratic National Committee, and both sets were at the time called the "visiting statesmen," a phrase on which the political changes were rung for months and years thereafter.

The electoral votes of Florida were decided by the returning board to be Republican by a majority of 926,—this after throwing out the votes of several districts where fraudulent returns were alleged to be apparent or shown by testimony. The Board was cited before the State Supreme Court, which ordered a count of the face of the returns; a second meeting only led to a second Republican return, and the Republican electors were then declared to have been chosen by a majority of 206, though before this was done, the Electoral College of the State had met and cast their four votes for Hayes and Wheeler. Both parties agreed very closely in their counts, except as to Baker county, from which the Republicans claimed 41 majority, the Democrats 95 majority—the returning board accepting the Republican claim.

In Louisiana the Packard returning board was headed by J. Madison Welis, and this body refused to permit the Democrats to be represented therein. It was in session three weeks, the excitement all the time being at fever heat, and finally made the following average returns: Republican electors, 74,436; Democratic, 70,505; Republican majority, 3,931. McEnery, who claimed to be Governor, gave the Democratic electors a certificate based on an average vote of 83,635 against 75,759, a Democratic majority of 7,876.

In Oregon, the three Republican electors had an admitted majority of the popular vote, but on a claim that one of the number was a Federal office-holder and therefore ineligible, the Democratic Governor gave a certificate to two of the Republican elec-

tors, and a Mr. Cronin, Democrat. The three Republican electors were certified by the Secretary of State, who was the canvassing officer by law. This Oregon business led to grave suspicions against Mr. Tilden, who was thereafter freely charged by the Republicans with the use of his immense private fortune to control the result, and thereafter, the *New York Tribune*, with unexampled enterprise, exposed and reprinted the "cipher dispatches" from Gramercy, which Mr. Pelton, the nephew and private secretary of Mr. Tilden, had sent to Democratic "visiting statesmen" in the four disputed sections. In 1878, the Potter Investigating Committee subsequently confirmed the "cipher dispatches" but Mr. Tilden denied any knowledge of them.

The second session of the 44th Congress met on Dec. 5th, 1876, and while by that time all knew the dangers of the approaching electoral count, yet neither House would consent to the revision of the joint rule regulating the count. The Republicans claimed that the President of the Senate had the sole authority to open and announce the returns in the presence of the two Houses; the Democrats plainly disputed this right, and claimed that the joint body could control the count under the law. Some Democrats went so far as to say that the House (which was Democratic, with Samuel J. Randall in the Speaker's chair) could for itself decide when the emergency had arrived in which it was to elect a President.

There was grave danger, and it was asserted that the Democrats, fearing the President of the Senate would exercise the power of declaring the result, were preparing first to forcibly and at least with secrecy swear in and inaugurate Tilden. Mr. Watterson, member of the House from Kentucky, boasted that he had completed arrangements to have 100,000 men at Washington on inauguration day, to see that Tilden was installed. President Grant and Secretary of War Cameron, thought the condition of affairs critical, and both made active though secret preparations to secure the safe if not the peaceful inauguration of Hayes. Grant, in one of his sententious utterances, said he "would have peace if he had to fight for it." To this end he sent for Gov. Hartranft of Pennsylvania, to know if he could stop any attempted movement of New York troops to Washington, as he had information that the purpose was to forcibly install Tilden. Gov. Hartranft replied that he could do it with the National Guard and the Grand Army of the Republic. He was told to return to Harrisburg and prepare for such an emergency. This he did, and as the Legislature was then in session, a Republican caucus was called, and it resolved,

without knowing exactly why, to sustain any action of the Governor with the resources of the State. Secretary Cameron also sent for Gen'l Sherman, and for a time went on with comprehensive preparations, which if there had been need for completion, would certainly have put a speedy check upon the madness of any mob. There is a most interesting unwritten history of events then transpiring which no one now living can fully relate without unjustifiable violations of political and personal confidences. But the danger was avoided by the patriotism of prominent members of Congress representing both of the great political parties. These gentlemen held several important and private conferences, and substantially agreed upon a result several days before the exciting struggle which followed the introduction of the Electoral Commission Act. The leaders on the part of the Republicans in these conferences were Conkling, Edmunds, Frelinghuysen; on the part of the Democrats Bayard, Gordon, Randall and Hewitt, the latter a member of the House and Chairman of the National Democratic Committee.

The Electoral Commission Act, the basis of agreement, was supported by Conkling in a speech of great power, and of all men engaged in this great work he was at the time most suspected by the Republicans, who feared that his admitted dislike to Hayes would cause him to favor a bill which would secure the return of Tilden, and as both of the gentlemen were New Yorkers, there was for several days grave fears of a combination between the two. The result showed the injustice done, and convinced theretofore doubting Republicans that Conkling, even as a partisan, was faithful and far-seeing. The Electoral Commission measure was a Democratic one, if we are to judge from the character of the votes cast for and against it. In the Senate the vote stood 47 for to 17 against. There were 21 Republicans for it and 16 against, while there were also 26 Democrats for it to only 1 (Eaton) against. In the House much the same proportion was maintained, the bill passing that body by 191 to 86. The following is the text of the

#### ELECTORAL COMMISSION ACT.

An act to provide for and regulate the counting of votes for President and Vice-President, and the decision of questions arising thereon, for the term commencing March fourth, Anno Domini eighteen hundred and seventy-seven.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Senate and House of Representatives shall meet in the hall of the House of Representatives, at the hour of one o'clock post

meridian, on the first Thursday in February, Anno Domini eighteen hundred and seventy-seven; the President of the Senate shall be their presiding officer. Two tellers shall be previously appointed on the part of the Senate, and two on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates, and papers purporting to be certificates, of the electoral votes, which certificates and papers shall be opened, presented and acted upon in the alphabetical order of the States, beginning with the letter A; and said tellers having then read the same in presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted as in this act provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, and the names of the persons, if any elected, which announcement shall be deemed a sufficient declaration of the persons elected President and Vice-President of the United States, and, together with a list of the votes, be entered on the journals of the Houses. Upon such reading of any such certificate or paper when there shall only be one return from a State, the President of the Senate shall call for objections, if any. Every objection shall be made in writing, and shall state clearly and concisely, and without argument, the ground thereof, and shall be signed by at least one Senator and one Member of the House of Representatives before the same shall be received. When all objections so made to any vote or paper from a State shall have been received and read, the Senate shall thereupon withdraw, and such objections shall be submitted to the Senate for its decision; and the Speaker of the House of Representatives shall, in like manner, submit such objections to the House of Representatives for its decision; and no electoral vote or votes from any State from which but one return has been received shall be rejected, except by the affirmative vote of the two Houses. When the two Houses have votes, they shall immediately again meet, and the presiding officer shall then announce the decision of the question submitted.

SEC. 2. That if more than one return, or paper purporting to be a return from a State, shall have been received by the President of the Senate, purporting to be the certificate of electoral votes given at the last preceding election for President and Vice-President in such State (unless they shall be duplicates of the same return), all such returns and papers shall be opened by him in the presence of the two Houses when met as aforesaid, and read by the tellers, and

all such returns and papers shall thereupon be submitted to the judgment and decision as to which is the true and lawful electoral vote of such State, of a commission constituted as follows, namely: During the session of each House, on the Tuesday next preceding the first Thursday in February, eighteen hundred and seventy-seven, each House shall, by viva voce vote, appoint five of its members, with the five associate justices of the Supreme Court of the United States to be ascertained as hereinafter provided, shall constitute a commission for the decision of all questions upon or in respect of such double returns named in this section. On the Tuesday next preceding the first Thursday in February, Anno Domini, eighteen hundred and seventy-seven, or as soon thereafter as may be, the associate justices of the Supreme Court of the United States now assigned to the first, third, eighth, and ninth circuits shall select, in such manner as a majority of them shall deem fit, another of the associate justices of said court, which five persons shall be members of said commission; and the person longest in commission of said five justices shall be the president of said commission. The members of said commission shall respectively take and subscribe the following oath: "I———do solemnly swear (or affirm, as the case may be,) that I will impartially examine and consider all questions submitted to the commission of which I am a member, and a true judgment give thereon, agreeably to the Constitution and the laws: so help me God;" which oath shall be filed with the Secretary of the Senate. When the commission shall have been thus organized, it shall not be in the power of either House to dissolve the same, or to withdraw any of its members; but if any such Senator or member shall die or become physically unable to perform the duties required by this act, the fact of such death or physical inability shall be by said commission, before it shall proceed further, communicated to the Senate or House of Representatives, as the case may be, which body shall immediately and without debate proceed by viva voce vote to fill the place so vacated, and the person so appointed shall take and subscribe the oath hereinbefore prescribed, and become a member of said commission; and in like manner, if any of said justices of the Supreme Court shall die or become physically incapable of performing the duties required by this act, the other of said justices, members of the said commission, shall immediately appoint another justice of said court a member of said commission, and in like manner, if any of said justices of the Supreme Court shall die or become physically incapable of performing the duties required by this act, the other of said

justices, members of the said commission, shall immediately appoint another justice of said court a member of said commission, and, in such appointment, regard shall be had to the impartiality and freedom from bias sought by the original appointments to said commission, who shall thereupon immediately take and subscribe the oath hereinbefore prescribed, and become a member of said commission to fill the vacancy so occasioned. All the certificates and papers purporting to be certificates of the electoral votes of each State shall be opened, in the alphabetical order of the States, as provided in section one of this act; and when there shall be more than one such certificate or paper, as the certificates and papers from such State shall so be opened (excepting duplicates of the same return), they shall be read by the tellers, and thereupon the President of the Senate shall call for objections, if any. Every objection shall be made in writing, and shall state clearly and concisely, and without argument, the ground thereof, and shall be signed by at least one Senator and one member of the House of Representatives before the same shall be received. When all such objections so made to any certificate, vote, or paper from a State shall have been received and read, all such certificates, votes and papers so objected to, and all papers accompanying the same, together with such objections, shall be forthwith submitted to said commission, which shall proceed to consider the same, with the same powers, if any, now possessed for that purpose by the two Houses acting separately or together, and, by a majority of votes, decide whether any and what votes from such State are the votes provided for by the Constitution of the United States, and how many and what persons were duly appointed electors in such State, and may therein take into view such petitions, depositions, and other papers, if any, as shall, by the Constitution and now existing law, be competent and pertinent in such consideration; which decision shall be made in writing, stating briefly the ground thereof, and signed by the members of said commission agreeing therein; whereupon the two Houses shall again meet, and such decision shall be read and entered in the journal of each house, and the counting of the vote shall proceed in conformity therewith, unless, upon objection made thereto in writing by at least five Senators and five members of the House of Representatives, the two Houses shall separately concur in ordering otherwise, in which case such concurrent order shall govern. No votes or papers from any other State shall be acted upon until the objections previously made to the votes or papers from any State shall have been finally disposed of.

SEC. 3. That, while the two Houses shall be in meeting, as provided in this act, no debate shall be allowed and no question shall be put by the presiding officer, except to either House on a motion to withdraw; and he shall have power to preserve order.

SEC. 4. That when the two Houses separate to decide upon an objection that may have been made to the counting of any electoral vote or votes from any State, or upon objection to a report of said commission, or other question arising under this act, each Senator and Representative may speak to such objection or question ten minutes, and not oftener than once; but after such debate shall have lasted two hours, it shall be the duty of each House to put the main question without further debate.

SEC. 5. That at such joint meeting of the two Houses, seats shall be provided as follows: For the President of the Senate, the Speaker's chair; for the Speaker, immediately upon his left; the Senators in the body of the hall upon the right of the presiding officer; for the Representatives, in the body of the hall not provided for the Senators; for the tellers, Secretary of the Senate, and Clerk of the House of Representatives, at the Clerk's desk; for the other officers of the two Houses, in front of the Clerk's desk and upon each side of the Speaker's platform. Such joint meeting shall not be dissolved until the count of electoral votes shall be completed and the result declared; and no recess shall be taken unless a question shall have arisen in regard to counting any such votes, or otherwise under this act, in which case it shall be competent for either House, acting separately, in the manner hereinbefore provided, to direct a recess of such House not beyond the next day, Sunday excepted, at the hour of ten o'clock in the forenoon. And while any question is being considered by said commission, either House may proceed with its legislative or other business.

SEC. 6. That nothing in this act shall be held to impair or affect any right now existing under the Constitution and laws to question, by proceeding in the judicial courts of the United States, the right or title of the person who shall be declared elected, or who shall claim to be President or Vice-President of the United States, if any such right exists.

SEC. 7. That said commission shall make its own rules, keep a record of its proceedings, and shall have power to employ such persons as may be necessary for the transaction of its business and the execution of its powers.

Approved, January 29, 1877.

**Members of the Commission.**

Hon. NATHAN CLIFFORD, *Associate Justice Supreme Court, First Circuit.*



HON. WILLIAM STRONG, *Associate Justice Supreme Court, Third Circuit.*

HON. SAMUEL F. MILLER, *Associate Justice Supreme Court, Eighth Circuit.*

HON. STEPHEN J. FIELD, *Associate Justice Supreme Court, Ninth Circuit.*

HON. JOSEPH P. BRADLEY, *Associate Justice Supreme Court, Fifth Circuit.*

HON. GEORGE F. EDMUNDS, *United States Senator.*

HON. OLIVER P. MORTON, *United States Senator.*

HON. FREDERICK T. FRELINGHUYSEN, *United States Senator.*

HON. ALLEN G. THURMAN, *United States Senator.*

HON. THOMAS F. BAYARD, *United States Senator.*

HON. HENRY B. PAYNE, *United States Representative.*

HON. EPPA HUNTON, *United States Representative.*

HON. JOSIAH G. ABBOTT, *United States Representative.*

HON. JAMES A. GARFIELD, *United States Representative.*

HON. GEORGE F. HOAR, *United States Representative.*

The Electoral Commission met February 1st, and by uniform votes of 8 to 7, decided all objections to the Electoral votes of Florida, Louisiana, South Carolina, and Oregon, in favor of the Republicans, and while the two Houses disagreed on nearly all of these points by strict party votes, the electoral votes were, under the provisions of the law, given to Hayes and Wheeler, and the final result declared to be 185 electors for Hayes and Wheeler, to 184 for Tilden and Hendricks. Questions of eligibility had been raised against individual electors from Michigan, Nevada, Pennsylvania, Rhode Island, Vermont and Wisconsin, but the Commission did not sustain any of them, and as a rule they were unsupported by evidence. Thus closed the gravest crisis which ever attended an electoral count in this country, so far as the Nation was concerned; and while for some weeks the better desire to peacefully settle all differences prevailed, in a few weeks partisan bitterness was manifested on the part of a great majority of Northern Democrats, who believed their party had been deprived by a partisan spirit of its rightful President.

#### The Title of President Hayes.

The uniform vote of 8 to 7 on all important propositions considered by the Electoral Commission, to their minds showed a partisan spirit, the existence of which it was difficult to deny. The action of the Republican "visiting statesmen" in Louisiana, in practically overthrowing the

Packard or Republican government there, caused distrust and dissatisfaction in the minds of the more radical Republicans, who contended with every show of reason that if Hayes carried Louisiana, Packard must also have done so. The only sensible excuse for seating Hayes on the one side and throwing out Governor Packard on the other, was a patriotic desire for peace in the settlement of both Presidential and Southern State issues. This desire was plainly manifested by President Hayes on the day of his inauguration and for two years thereafter. He took early occasion to visit Atlanta, Ga., and while at that point and *en route* there made the most conciliatory speeches, in which he called those who had engaged in the Rebellion, "brothers," "gallant soldiers," etc. These speeches excited much attention. They had little if any effect upon the South, while the more radical Republicans accused the President of "slopping over." They did not allay the hostility of the Democratic party, and did not restore the feeling in the South to a condition better than that which it had shown during the exciting days of the Electoral count. The South then, under the lead of men like Stephens, Hill and Gordon, in the main showed every desire for a peaceful settlement. As a rule only the Border States and Northern Democrats manifested extreme distrust and bitterness, and these were plainly told by some of the leaders from the Gulf States, that so far as they were concerned, they had had enough of civil war.

As late as April 22, 1877, the Maryland Legislature passed the following:

*Resolved by the General Assembly of Maryland, That the Attorney General of the State be, and he is hereby, instructed, in case Congress shall provide for expediting the action, to exhibit a bill in the Supreme Court of the United States, on behalf of the State of Maryland, with proper parties thereto, setting forth the fact that due effect has not been given to the electoral vote cast by this State on the 6th day of December, 1876, by reason of fraudulent returns made from other States and allowed to be counted provisionally by the Electoral Commission, and subject to judicial revision, and praying said court to make the revision contemplated by the act establishing said commission; and upon such revision to declare the returns from the States of Louisiana and Florida, which were counted for Rutherford B. Hayes and William A. Wheeler, fraudulent and void, and that the legal electoral votes of said States were cast for Samuel J. Tilden as President, and Thomas A. Hendricks as Vice President, and that by virtue thereof and of 184 votes cast by other States, of which 8 were cast by the State of Maryland, the said Tilden and Hendricks were*

duly elected, and praying said Court to decree accordingly.

‡ It was this resolution which induced the Clarkson N. Potter resolution of investigation, a resolution the passage of which was resisted by the Republicans through filibustering for many days, but was finally passed by 146 Democratic votes to 2 Democratic votes (Mills and Morse) against, the Republicans not voting.

#### The Cipher Despatches.

An amendment offered to the Potter resolution but not accepted, and defeated by the Democratic majority, cited some fair specimens of the cipher dispatches exposed by the *New York Tribune*. These are matters of historical interest, and convey information as to the methods which politicians will resort to in desperate emergencies. We therefore quote the more pertinent portions.

*Resolved*, That the select committee to whom this House has committed the investigation of certain matters affecting, as is alleged, the legal title of the President of the United States to the high office which he now holds, be and is hereby instructed in the course of its investigations to fully inquire into all the facts connected with the election in the State of Florida in November, 1876, and especially into the circumstances attending the transmission and receiving of certain telegraphic dispatches sent in said year between Tallahassee in said State and New York City, viz.:

“TALLAHASSEE, *November 9, 1876.*

“A. S. HEWITT, *New York* :

“Comply if possible with my telegram.  
“Geo. P. RAREY.”

Also the following :

“TALLAHASSEE, *December 1, 1876.*

“W. T. PELTON, *New York* :

“Answer Mac’s dispatch immediately, or we will be embarrassed at a critical time.  
WILKINSON CALL.”

Also the following :

“TALLAHASSEE, *December 4, 1876.*

“W. T. PELTON :

“Things culminating here. Answer Mac’s despatch to-day.  
W. CALL.”

And also the facts connected with all telegraphic dispatches between one John F. Coyle and said Pelton, under the latter’s real or fictitious name, and with any and all demands for money on or about December 1, 1876, from said Tallahassee, on said Pelton, or said Hewitt, or with any attempt to corrupt or bribe any official of the said State of Florida by any person

acting for said Pelton, or in the interest of Samuel J. Tilden as a presidential candidate.

Also to investigate the charges of intimidation at Lake City, in Columbia county, where Joel Niblack and other white men put ropes around the necks of colored men and proposed to hang them, but released them on their promise to join a Democratic club and vote for Samuel J. Tilden.

Also the facts of the election in Jackson county, where the ballot-boxes were kept out of the sight of voters, who voted through openings or holes six feet above the ground, and where many more Republican votes were thus given into the hands of the Democratic inspectors than were counted or returned by them.

Also the facts of the election in Waldo precinct, in Alachua county, where the passengers on an emigrant-train, passing through on the day of election, were allowed to vote.

Also the facts of the election in Manatee county, returning 235 majority for the Tilden electors, where there were no county officers, no registration, no notice of the election, and where the Republican party, therefore, did not vote.

Also the facts of the election in the third precinct of Key West, giving 342 Democratic majority, where the Democratic inspector carried the ballot-box home, and pretended to count the ballots on the next day, outside of the precinct and contrary to law.

Also the facts of the election in Hamilton, where the election-officers exercised no control over the ballot-box, but left it in unauthorized hands, that it might be tampered with.

Also the reasons why the Attorney-General of the State, Wm. Archer Cocke, as a member of the Canvassing Board, officially advised the board, and himself voted, to exclude the Hamilton county and Key West precinct returns, thereby giving, in any event, over 500 majority to the Republican electoral ticket, and afterwards protested against the result which he had voted for, and whether or not said Cocke was afterward rewarded for such protest by being made a State Judge.

#### OREGON.

And that said committee is further instructed and directed to investigate into all the facts connected with an alleged attempt to secure one electoral vote in the State of Oregon for Samuel J. Tilden for President of the United States, and Thomas A. Hendricks for Vice-President, by unlawfully setting up the election of E. A. Cronin as one of such presidential electors elected from the State of Oregon on the 7th of November, the candidates for the

presidential electors on the two tickets being as follows:

On the Republican ticket: W. C. Odell, J. C. Cartwright, and John W. Watts.

On the Democratic ticket: E. A. Cronin, W. A. Laswell, and Henry Klippel.

The votes received by each candidate, as shown by the official vote as canvassed, declared, and certified to by the Secretary of State under the seal of the State,—the Secretary being under the laws of Oregon sole canvassing-officer, as will be shown hereafter,—being as follows:

W. K. Odell received.....	15,206	votes
John C. Cartwright received....	15,214	"
John W. Watts received.....	15,206	"
E. A. Cronin received.....	14,157	"
W. A. Laswell received.....	14,149	"
Henry Klippel received.....	14,136	"

And by the unlawful attempt to bribe one of said legally elected electors to recognize said Cronin as an elector for President and Vice-President, in order that one of the electoral votes of said State might be cast for said Samuel J. Tilden as President and for Thomas A. Hendricks as Vice-President; and especially to examine and inquire into all the facts relating to the sending of money from New York to some place in said Oregon for the purposes of such bribery, the parties sending and receiving the same, and their relations to and agency for said Tilden, and more particularly to investigate into all the circumstances attending the transmission of the following telegraphic despatches:

"PORTLAND, Oregon, Nov. 14, 1876.

"Gov. L. F. GROVER:

"Come down to-morrow if possible.

"W. H. EFFINGER,

"A. NOLTNER,

"C. P. BELLINGER."

"PORTLAND, November 16, 1876.

"To Gov. GROVER, Salem:

"We want to see you particularly on account of despatches from the East.

"WILLIAM STRONG, S. H. REED,

"C. P. BELLINGER, W. W. THAYER,

"C. E. BRONAUGH."

Also the following cipher despatch sent from Portland, Oregon, on the 28th day of November, 1876, to New York City:

"PORTLAND, November 28, 1876.

"To W. T. Pelton, No. 15 Gramercy Park, New York:

"By vizier association innocuous negligence cunning minutely previously readmit doltish to purchase afar act with cunning afar sacristy unweighed afar pointer tigress cattle superannuated syllabus dilatoriness misapprehension contraband Kountz bisulcuous top usher spiniferous answer. J. H. N. PATRICK.

"I fully endorse this.

"JAMES K. KELLY."

Of which, when the key was discovered, the following was found to be the true intent and meaning:

"PORTLAND, November 28, 1876.

"To W. T. PELTON, No. 15 Gramercy Park, New York:

"Certificate will be issued to one Democrat. Must purchase a Republican elector to recognize and act with Democrats and secure the vote and prevent trouble. Deposit \$10,000 to my credit with Kountz Brothers, Wall Street. Answer.

J. H. N. PATRICK.

"I fully endorse this.

"JAMES K. KELLY."

Also the following:

"NEW YORK, November 25, 1876.

"A. BUSH, Salem:

"Use all means to prevent certificate. Very important. C. E. TILTON."

Also the following:

"December 1, 1876.

"To Hon. SAM. J. TILDEN, No. 15 Gramercy Park, New York:

"I shall decide every point in the case of post-office elector in favor of the highest Democratic elector, and grant certificate accordingly on morning of 6th instant. Confidential. GOVERNOR."

Also the following:

"SAN FRANCISCO, December 5.

"LADD & BUSH, Salem:

"Funds from New York will be deposited to your credit here to-morrow when bank opens. I know it. Act accordingly. Answer. W. C. GRISWOLD."

Also the following, six days before the foregoing:

"NEW YORK, November 29, 1876.

"To J. H. N. PATRICK, Portland, Oregon:

"Moral hasty sideral vizier gabble cramp by hemistic welcome licentiate muskeete compassion neglectful recoverable hathouse live innovator brackish association dime afar idolator session hemistic mitre."

[No signature.]

Of which the interpretation is as follows:

"NEW YORK, November 29, 1876.

"To J. H. N. PATRICK, Portland, Oregon:

"No. How soon will Governor decide certificate? If you make obligation contingent on the result in March, it can be done, and slightly if necessary."

[No signature.]

Also the following, one day later:

"PORTLAND, *November 30, 1876.*

"TO W. T. PELTON, *No. 15 Gramercy Park, New York:*

"Governor all right without reward. Will issue certificate Tuesday. This is a secret. Republicans threaten if certificate issued to ignore Democratic claims and fill vacancy, and thus defeat action of Governor. One elector must be paid to recognize Democrat to secure majority. Have employed three lawyers, editor of only Republican paper as one lawyer, fee \$3,000. Will take \$5,000 for Republican elector; must raise money; can't make fee contingent. Sail Saturday. Kelly and Bellinger will act. Communicate with them. Must act promptly." [No signature].

Also the following:

"SAN FRANCISCO, *December 5, 1876.*

"TO KOUNTZE BROS., *No. 12 Wall St., New York:*

"Has my account credit by any funds lately? How much?"

"J. H. N. PATRICK."

Also the following:

"NEW YORK, *December 6.*

"J. H. N. PATRICK, *San Francisco:*

"Davis deposited eight thousand dollars December first. KOUNTZE BROS."

Also the following:

"SAN FRANCISCO, *December 6.*

"TO JAMES K. KELLY:

"The eight deposited as directed this morning. Let no technicality prevent winning. Use your discretion."

[No signature.]

And the following:

"NEW YORK, *December 6.*

"HON. JAS. K. KELLY:

"Is your matter certain? There must be no mistake. All depends on you. Place no reliance on any favorable report from threesouthward. Sonetter. Answer quick."

[No signature.]

Also the following:

"DECEMBER 6, 1876.

"TO Col. W. T. PELTON, *15 Gramercy Park, N. Y.:*

"Glory to God! Hold on to the one vote in Oregon! I have one hundred thousand men to back it up!"

"CORSE."

And said committee is further directed to inquire into and bring to light, so far as it may be possible, the entire correspondence and conspiracy referred to in the above telegraphic despatches, and to ascertain what were the relations existing between any of the parties sending or receiving said

despatches and W. T. Pelton, of New York, and also what relations existed between said W. T. Pelton and Samuel J. Tilden, of New York.

April 15, 1878, Mr. Kimmel introduced a bill, which was never finally acted upon, to provide a mode for trying and determining by the Supreme Court of the United States the title of the President and Vice-President of the United States to take their respective offices when their election to such offices is denied by one or more of the States of the Union.

The question of the title of President was finally settled June 14, 1878, by the following report of the House Judiciary Committee:

#### Report of the Judiciary Committee.

June 14—Mr. HARTRIDGE, from the Committee on the Judiciary, made the following report:

The Committee on the Judiciary, to whom were referred the bill (H. R. No. 4315) and the resolutions of the Legislature of the State of Maryland directing judicial proceedings to give effect to the electoral vote of that State in the last election of President and Vice-President of the United States, report back said bill and resolutions with a recommendation that the bill do not pass.

Your committee are of the opinion that Congress has no power, under the Constitution, to confer upon the Supreme Court of the United States the original jurisdiction sought for it by this bill. The only clause of the Constitution which could be plausibly invoked to enable Congress to provide the legal machinery for the litigation proposed, is that which gives the Supreme Court original jurisdiction in "cases" or "controversies" between a State and the citizens of another State. The committee are of the opinion that this expression "cases" and "controversies" was not intended by the framers of the Constitution to embrace an original proceeding by a State in the Supreme Court of the United States to oust any incumbent from a political office filled by the declaration and decision of the two Houses of Congress clothed with the constitutional power to count the electoral votes and decide as a final tribunal upon the election for President and Vice-President. The Forty-fourth Congress selected a commission to count the votes for President and Vice-President, reserving to itself the right to ratify or reject such count, in the way prescribed in the act creating such commission. By the joint action of the two Houses it ratified the count made by the commission, and thus made it the expression of its own judgment.

All the Departments of the Federal

Government, all the State governments in their relations to Federal authority, foreign nations, the people of the United States, all the material interests and industries of the country, have acquiesced in, and acted in accordance with, the pronounced finding of that Congress. In the opinion of this committee, the present Congress has no power to undo the work of its predecessor in counting the electoral vote, or to confer upon any judicial tribunal the right to pass upon and perhaps set aside the action of that predecessor in reference to a purely political question, the decision of which is confided by the Constitution in Congress.

But apart from these fundamental objections to the bill under consideration, there are features and provisions in it which are entirely impracticable. Your committee can find no warrant of authority to summon the chief-justices of the supreme courts of the several States to sit at Washington as a jury to try any case, however grave and weighty may be its nature. The right to summon must carry with it the power to enforce obedience to the mandate, and the Committee can see no means by which the judicial officers of a State can be compelled to assume the functions of jurors in the Supreme Court of the United States.

There are other objections to the practical working of the bill under consideration, to which we do not think it necessary to refer.

It may be true that the State of Maryland has been, in the late election for President and Vice-President, deprived of her just and full weight in deciding who were legally chosen, by reason of frauds perpetrated by returning boards in some of the States. It may also be true that these fraudulent acts were countenanced or encouraged or participated in by some who now enjoy high offices as the fruit of such frauds. It is due to the present generation of the people of this country and their posterity, and to the principles on which our Government is founded, that all evidence tending to establish the fact of such fraudulent practices should be calmly, carefully, and rigorously examined.

But your committee are of the opinion that the consequence of such examination, if it discloses guilt upon the part of any in high official position, should not be an effort to set aside the judgment of a former Congress as to the election of a President and Vice-President, but should be confined to the punishment, by legal and constitutional means, of the offenders, and to the preservation and perpetuation of the evidences of their guilt, so that the American people may be protected from a recurrence of the crime.

Your committee, therefore, recommend

the adoption of the accompanying resolution:

*Resolved*, That the two Houses of the Forty-fourth Congress having counted the votes cast for President and Vice-President of the United States, and having declared Rutherford B. Hayes to be elected President, and William A. Wheeler to be elected Vice-President, there is no power in any subsequent Congress to reverse that declaration, nor can any such power be exercised by the courts of the United States, or any other tribunal that Congress can create under the Constitution.

We agree to the foregoing report so far as it states the reasons for the resolution adopted by the committee, but dissent from the concluding portion, as not having reference to such reasons, as not pertinent to the inquiry before us, and as giving an implied sanction to the propriety of the pending investigation ordered by a majority vote of the House of Representatives, to which we were and are opposed.

WM. P. FRYE.

O. D. CONGER.

E. G. LAPHAM.

Leave was given to Mr. KNOTT to present his individual views, also to Mr. BUTLER (the full committee consisting of Messrs. *Knott, Lynde, Harris*, of Virginia, *Hartridge, Stenger, McMahon, Culberson, Frye, Butler, Conger, Lapham.*)

The question being on the resolution reported by the committee, it was agreed to—yeas 235, nays 14, not voting 42.

#### The Hayes Administration.

It can be truthfully said that from the very beginning the administration of President Hayes had not the cordial support of the Republican party, nor was it solidly opposed by the Democrats, as was the last administration of General Grant. His early withdrawal of the troops from the Southern States,—and it was this withdrawal and the suggestion of it from the “visiting statesmen” which overthrew the Packard government in Louisiana,—embittered the hostility of many radical Republicans. Senator Conkling was conspicuous in his opposition, as was Logan of Illinois; and when he reached Washington, the younger Senator Cameron, of Pennsylvania. It was during this administration, and because of its conservative tendencies, that these three leaders formed the purpose to bring Grant again to the Presidency. Yet the Hayes’ administration was not always conservative, and many Republicans believed that its moderation had afforded a much needed breathing spell to the country. Toward its close all became better satisfied, the radical por-

tion by the President's later efforts to prevent the intimidation of negro voters in the South, a form of intimidation which was now accomplished by means of rifle clubs, still another advance from the White League and the Ku Klux. He made this a leading feature in his annual message to the Congress which began December 2d, 1878, and by a virtual abandonment of his earlier policy he succeeded in reuniting what were then fast separating wings of his own party. The conference report on the Legislative Appropriation Bill was adopted by both Houses June 18th, and approved the 21st. The Judicial Expenses Bill was vetoed by the President June 23d, on the ground that it would deprive him of the means of executing the election laws. An attempt on the part of the Democrats to pass the Bill over the veto failed for want of a two-thirds vote, the Republicans voting solidly against it. June 26th the vetoed bill was divided, the second division still forbidding the pay of deputy marshals at elections. This was again vetoed, and the President sent a special message urging the necessity of an appropriation to pay United States marshals. Bills were accordingly introduced, but were defeated. This failure to appropriate moneys called for continued until the end of the session. The President was compelled, therefore, to call an extra session, which he did March 19th, 1879, in words which briefly explain the cause:—

#### THE EXTRA SESSION OF 1879.

"The failure of the last Congress to make the requisite appropriation for legislative and judicial purposes, for the expenses of the several executive departments of the Government, and for the support of the Army, has made it necessary to call a special session of the Forty-sixth Congress.

"The estimates of the appropriations needed, which were sent to Congress by the Secretary of the Treasury at the opening of the last session, are renewed, and are herewith transmitted to both the Senate and the House of Representatives.

"Regretting the existence of the emergency which requires a special session of Congress at a time when it is the general judgment of the country that the public welfare will be best promoted by permanency in our legislation, and by peace and rest, I commend these few necessary measures to your considerate attention."

By this time both Houses were Democratic. In the Senate there were 42 Democrats, 33 Republicans and 1 Independent (David Davis). In the House 149 Democrats, 130 Republicans, and 14 Nationals—a name then assumed by the Greenbackers and Labor-Reformers. The House passed the Warner Silver Bill, providing for the

unlimited coinage of silver, the Senate Finance Committee refused to report it, the Chairman, Senator Bayard, having refused to report it, and even after a request to do so from the Democratic caucus,—a course of action which heralded him every where as a "hard-money" Democrat.

The main business of the extra session was devoted to the consideration of the Appropriation Bills which the regular session had failed to pass. On all of these the Democrats added "riders" for the purpose of destroying Federal supervision of the elections, and all of these political riders were vetoed by President Hayes. The discussions of the several measures and the vetoes were highly exciting, and this excitement cemented afresh the Republicans, and caused all of them to act in accord with the administration. The Democrats were equally solid, while the Nationals divided—Forsythe, Gillette, Kelley, Weaver, and Yocum generally voting with the Republicans; De La Matyr, Stevenson, Ladd and Wright with the Democrats.

President Hayes, in his veto of the Army Appropriation Bill, said:

"I have maturely considered the important questions presented by the bill entitled 'An Act making appropriations for the support of the Army for the fiscal year ending June 30, 1880, and for other purposes,' and I now return it to the House of Representatives, in which it originated, with my objections to its approval.

"The bill provides, in the usual form, for the appropriations required for the support of the Army during the next fiscal year. If it contained no other provisions, it would receive my prompt approval. It includes, however, further legislation, which, attached as it is to appropriations which are requisite for the efficient performance of some of the most necessary duties of the Government, involves questions of the gravest character. The sixth section of the bill is amendatory of the statute now in force in regard to the authority of persons in the civil, military and naval service of the United States 'at the place where any general or special election is held in any State.' This statute was adopted February 25, 1865, after a protracted debate in the Senate, and almost without opposition in the House of Representatives, by the concurrent votes of both of the leading political parties of the country, and became a law by the approval of President Lincoln. It was re-enacted in 1874 in the Revised Statutes of the United States, sections 2002 and 5528.

\* \* \* \* \*

"Upon the assembling of this Congress, in pursuance of a call for an extra session, which was made necessary by the failure of the Forty-fifth Congress to make the

needful appropriations for the support of the Government, the question was presented whether the attempt made in the last Congress to engraft, by construction, a new principle upon the Constitution should be persisted in or not. This Congress has ample opportunity and time to pass the appropriation bills, and also to enact any political measures which may be determined upon in separate bills by the usual and orderly methods of proceeding. But the majority of both Houses have deemed it wise to adhere to the principles asserted and maintained in the last Congress by the majority of the House of Representatives. That principle is that the House of Representatives has the sole right to originate bills for raising revenue, and therefore has the right to withhold appropriations upon which the existence of the Government may depend, unless the Senate and the President shall give their assent to any legislation which the House may see fit to attach to appropriation bills. To establish this principle is to make a radical, dangerous, and unconstitutional change in the character of our institutions. The various Departments of the Government, and the Army and Navy, are established by the Constitution, or by laws passed in pursuance thereof. Their duties are clearly defined, and their support is carefully provided for by law. The money required for this purpose has been collected from the people, and is now in the Treasury, ready to be paid out as soon as the appropriation bills are passed. Whether appropriations are made or not, the collection of the taxes will go on. The public money will accumulate in the Treasury. It was not the intention of the framers of the Constitution that any single branch of the Government should have the power to dictate conditions upon which this treasure should be applied to the purpose for which it was collected. Any such intention, if it had been entertained, would have been plainly expressed in the Constitution."

The vote in the House on this Bill, notwithstanding the veto, was 148 for to 122 against—a party vote, save the division of the Nationals, previously given. Not receiving a two-thirds vote, the Bill failed.

The other appropriation bills with political riders shared the same fate, as did the bill to prohibit military interference at elections, the modification of the law touching supervisors and marshals at congressional elections, etc. The debates on these measures were bitterly partisan in their character, as a few quotations from the *Congressional Record* will show:

The Republican view was succinctly and very eloquently stated by General Garfield, when, in his speech of the 29th of March, 1879, he said to the revolutionary Democratic House:

"The last act of Democratic domination in this Capitol, eighteen years ago, was striking and dramatic, perhaps heroic. Then the Democratic party said to the Republicans, 'If you elect the man of your choice as President of the United States we will shoot your Government to death;' and the people of this country, refusing to be coerced by threats or violence, voted as they pleased, and lawfully elected Abraham Lincoln President of the United States.

"Then your leaders, though holding a majority in the other branch of Congress, were heroic enough to withdraw from their seats and fling down the gage of mortal battle. We called it rebellion; but we recognized it as courageous and manly to avow your purpose, take all the risks, and fight it out on the open field. Notwithstanding your utmost efforts to destroy it, the Government was saved. Year by year since the war ended, those who resisted you have come to believe that you have finally renounced your purpose to destroy, and are willing to maintain the Government. In that belief you have been permitted to return to power in the two Houses.

"To-day, after eighteen years of defeat, the book of your domination is again opened, and your first act awakens every unhappy memory and threatens to destroy the confidence which your professions of patriotism inspired. You turned down a leaf of the history that recorded your last act of power in 1861, and you have now signalized your return to power by beginning a second chapter at the same page; not this time by a heroic act that declares war on the battle-field, but you say if all the legislative powers of the Government do not consent to let you tear certain laws out of the statute-book, you will not shoot our Government to death as you tried to do in the first chapter; but you declare that if we do not consent against our will, if you cannot coerce an independent branch of this Government against its will, to allow you to tear from the statute-books some laws put there by the will of the people, you will starve the Government to death. [Great applause on the Republican side.]

"Between death on the field and death by starvation, I do not know that the American people will see any great difference. The end, if successfully reached, would be death in either case. Gentlemen, you have it in your power to kill this Government; you have it in your power, by withholding these two bills, to smite the nerve-centres of our Constitution with the paralysis of death; and you have declared your purpose to do this, if you cannot break down that fundamental element of free consent which up to this hour has always ruled in the legislation of this Government."

The Democratic view was ably given by Representative Tucker of Virginia, April 3, 1879: "I tell you, gentlemen of the House of Representatives, *the Army dies on the 30th day of June, unless we resuscitate it by legislation.* And what is the question here on this bill? Will you resuscitate the Army after the 30th of June, with the power to use it as keepers of the polls? That is the question. It is not a question of repeal. It is a question of re-enactment. If you do not appropriate this money, there will be no Army after the 30th of June to be used at the polls. The only way to secure an Army at the polls is to appropriate the money. *Will you appropriate the money for the Army in order that they may be used at the polls? We say no, a thousand times no.* \* \* \* The gentlemen on the other side say there must be no coercion. Of whom? Of the President? But what right has the President to coerce us? There may be coercion one way or the other. He demands an unconditional supply. *We say we will give him no supply but upon conditions.* \* \* \* When, therefore, vicious laws have fastened themselves upon the statute-book which imperil the liberty of the people, this House is bound to say it will appropriate no money to give effect to such laws until and except upon condition that they are repealed. [Applause on the Democratic side.] \* \* \* We will give him the Army on a single condition that it shall never be used or be present at the polls when an election is held for members of this House, or in any presidential election, or in any State or municipal election. \* \* \* Clothed thus with unquestioned power, bound by clear duty, to expunge these vicious laws from the statute-book, following a constitutional method sanctioned by venerable precedents in English history, we feel that we have the undoubted right, and are beyond cavil in the right, in declaring that with our grant of supply there must be a cessation of these grievances, and we make these appropriations conditioned on securing a free ballot and fair juries for our citizens."

The Senate, July 1, passed the House bill placing quinine on the free list.

The extra session finally passed the Appropriation bills without riders, and adjourned July 1st, 1879, with the Republican party far more firmly united than at the beginning of the Hayes administration. The attempt on the part of the Democrats to pass these political riders, and their threat, in the words of Garfield, who had then succeeded Stevens and Blaine as the Republican Commoner of the House, re-awakened all the partisan animosities which the administration of President Hayes had up to that time allayed. Even the President caught its spirit, and plainly

manifested it in his veto messages. It was a losing battle to the Democrats, for they had, with the view not to "starve the government," to abandon their position, and the temporary demoralization which followed bridged over the questions pertaining to the title of President Hayes, overshadowed the claims of Tilden, and caused the North to again look with grave concern on the establishment of Democratic power. If it had not been for this extra session, it is asserted and believed by many, the Republicans could not have so soon gained control of the lower House, which they did in the year following; and that the plan to nominate General Hancock for the Presidency, which originated with Senator Wallace of Pennsylvania, could not have otherwise succeeded if Tilden's cause had not been kept before his party, unclouded by an extra session which was freighted with disaster to the Democratic party.

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#### The Negro Exodus.

During this summer political comment, long after adjournment, was kept active by a great negro exodus from the South to the Northwest, most of the emigrants going to Kansas. The Republicans ascribed this to ill treatment, the Democrats to the operations of railroad agents. The people of Kansas welcomed them, but other States, save Indiana, were slow in their manifestations of hospitality, and the exodus soon ceased for a time. It was renewed in South Carolina in the winter of 1881-82, the design being to remove to Arkansas, but at this writing it attracts comparatively little notice. The Southern journals generally advise more liberal treatment of the blacks in matters of education, labor contracts, etc., while none of the Northern or Western States any longer make efforts to get the benefit of their labor, if indeed they ever did.

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#### Closing Hours of the Hayes Administration.

At the regular session of Congress, which met December 1st, 1879, President Hayes advised Congress against any further legislation in reference to coinage, and favored the retirement of the legal tenders.

The most important political action taken at this session was the passage, for Congress was still Democratic, of a law to prevent the use of the army to keep the peace at the polls. To this was added the Garfield proviso, that it should not be construed to prevent the Constitutional use of the army to suppress domestic violence in a State—a proviso which in the view of the Republicans rid the bill of material partisan objections, and it was therefore



passed and approved. The "political riders" were again added to the Appropriation and Deficiency bills, but were again vetoed and failed in this form to become laws. Upon these questions President Hayes showed much firmness. During the session the Democratic opposition to the General Election Law was greatly tempered, the Supreme Court having made an important decision, which upheld its constitutionality. Like all sessions under the administration of President Hayes and since, nothing was done to provide permanent and safe methods for completing the electoral count. On this question each party seemed to be afraid of the other. The session adjourned June 16th, 1880.

The second session of the 46th Congress began December 1st, 1880. The last annual message of President Hayes recommended the earliest practicable retirement of the legal-tender notes, and the maintenance of the present laws for the accumulation of a sinking fund sufficient to extinguish the public debt within a limited period. The laws against polygamy, he said, should be firmly and effectively executed. In the course of a lengthy discussion of the civil service the President declared that in his opinion "every citizen has an equal right to the honor and profit of entering the public service of his country. The only just ground of discrimination is the measure of character and capacity he has to make that service most useful to the people. Except in cases where, upon just and recognized principles, as upon the theory of pensions, offices and promotions are bestowed as rewards for past services, their bestowal upon any theory which disregards personal merit is an act of injustice to the citizen, as well as a breach of that trust subject to which the appointing power is held. Considerable space was given in the Message to the condition of the Indians, the President recommending the passage of a law enabling the government to give Indians a title-fee, inalienable for twenty-five years, to the farm lands assigned to them by allotment. He also repeats the recommendation made in a former message that a law be passed admitting the Indians who can give satisfactory proof of having by their own labor supported their families for a number of years, and who are willing to detach themselves from their tribal relations, to the benefit of the Homestead Act, and authorizing the government to grant them patents containing the same provision of inalienability for a certain period.

The Senate, on the 19th, appointed a committee of five to investigate the causes of the recent negro exodus from the South. On the same day a committee was appointed by the House to examine into the subject of an inter-oceanic ship-canal.

The payment of the award of the Halifax Fisheries Commission—\$5,500,000—to the British government was made by the American minister in London, November 23, 1879, accompanied by a communication protesting against the payment being understood as an acquiescence in the result of the Commission "as furnishing any just measure of the value of a participation by our citizens in the inshore fisheries of the British Provinces."

On the 17th of December 1879, gold was sold in New York at par. It was first sold at a premium January 13, 1862. It reached its highest rate, \$2.85, July 11, 1864.

The electoral vote was counted without any partisan excitement or disagreement. Georgia's electoral college had met on the second instead of the first Wednesday of December, as required by the Federal law. She actually voted under her old Confederate law, but as it could not change the result, both parties agreed to the count of the vote of Georgia "in the alternative," *i. e.*—"if the votes of Georgia were counted the number of votes for A and B. for President and Vice-President would be so many, and if the votes of Georgia were not counted, the number of votes for A and B. for President and Vice-President would be so many, and that in either case A and B are elected."

Among the bills not disposed of by this session were the electoral count joint rule; the funding bill; the Irish relief bill; the Chinese indemnity bill; to restrict Chinese immigration; to amend the Constitution as to the election of President; to regulate the pay and number of supervisors of election and special deputy-marshals; to abrogate the Clayton-Bulwer Treaty; to prohibit military interference at elections; to define the terms of office of the Chief Supervisors of elections; for the appointment of a tariff commission; the political assessment bill; the Kellogg-Spofford case; and the Fitz-John Porter bill.

The regular appropriation bills were all completed. The total amount appropriated was about \$186,000,000. Among the special sums voted were \$30,000 for the centennial celebration of the Yorktown victory, and \$100,000 for a monument to commemorate the same.

Congress adjourned March 3d, 1881, and President Hayes on the following day retired from office. The effect of his administration was, in a political sense, to strengthen a growing independent sentiment in the ranks of the Republicans—an element more conservative generally in its views than those represented by Conkling and Blaine. This sentiment began with Bristow, who while in the cabinet made a show of seeking out and punishing all corruptions in government office or service. On this platform and record he had con-

tested with Hayes the honors of the Presidential nominations, and while the latter was at the time believed to well represent the same views, they were not urgently pressed during his administration. Indeed, without the knowledge of Hayes, what is believed to be a most gigantic "steal," and which is now being prosecuted under the name of the Star Route cases, had its birth, and thrived so well that no important discovery was made until the incoming of the Garfield administration. The Hayes administration, it is now fashionable to say, made little impress for good or evil upon the country, but impartial historians will give it the credit of softening party asperities and aiding very materially in the restoration of better feeling between the North and South. Its conservatism, always manifested save on extraordinary occasions, did that much good at least.

**The Campaign of 1880.**

The Republican National Convention met June 5th, 1880, at Chicago, in the Exposition building, capable of seating 20,000 people. The excitement in the ranks of the Republicans was very high, because of the candidacy of General Grant for what was popularly called a "third term," though not a third consecutive term. His three powerful Senatorial friends, in the face of bitter protests, had secured the instructions of their respective State Conventions for Grant. Conkling had done this in New York, Cameron in Pennsylvania, Logan in Illinois, but in each of the three States the opposition was so impressive that no serious attempts were made to substitute other delegates for those which had previously been selected by their Congressional districts. As a result there was a large minority in the delegations of these States opposed to the nomination of General Grant, and the votes of them could only be controlled by the enforcement of the unit rule. Senator Hoar of Massachusetts, the President of the Convention, decided against its enforcement, and as a result all of the delegates were free to vote upon either State or District instructions, or as they chose. The Convention was in session three days. We present herewith the

<i>Ballots.</i>	BALLOTS.					
	1	2	3	4	5	6
Grant,	304	305	305	305	305	305
Blaine,	284	282	282	281	281	281
Sherman,	93	94	93	95	95	95
Edmunds,	34	32	32	32	32	31
Washburne,	30	32	31	31	31	31
Windom,	10	10	10	10	10	10
Garfield,		1	1	1	2	2
Harrison,		1				

<i>Ballots.</i>	7	8	9	10	11	12
Grant,	305	306	308	305	305	304
Blaine,	281	284	282	282	281	283
Sherman,	94	91	90	91	62	93
Edmunds,	32	31	31	30	31	31
Washburne,	31	32	32	22	32	33
Windom,	10	10	10	10	10	10
Garfield,	1	1	1	2	2	1
Hayes,					.1	2

<i>Ballots,</i>	13	14	15	16	17	18
Grant,	305	305	309	306	303	305
Blaine,	285	285	281	283	284	283
Sherman,	89	89	88	88	90	92
Edmunds,	31	31	31	31	31	31
Washburne,	33	35	36	36	34	35
Windom,	10	10	10	10	10	10
Garfield,	1					
Hayes,	1	1				
Davis,					1	
McCrary,	1					

<i>Ballots,</i>	19	20	21	22	23	24
Grant,	305	308	305	305	304	305
Blaine,	279	276	276	275	274	279
Sherman,	95	93	96	95	98	93
Edmunds,	31	31	31	31	31	31
Washburne,	31	35	35	35	36	35
Windom,	10	10	10	10	10	10
Garfield,	1	1	1	1	2	2
Hartranft,	1	1	1	1		

<i>Ballots,</i>	25	26	27
Grant,	302	303	306
Blaine,	281	280	277
Sherman,	94	93	93
Edmunds,	31	31	31
Washburne,	36	35	36
Windom,	10	10	10
Garfield,	2	2	2

There was little change from the 27th ballot until the 36th and final one, which resulted as follows:

Whole number of votes.....	755
Necessary to a choice.....	378
Grant.....	306
Blaine.....	42
Sherman.....	3
Washburne.....	5
Garfield.....	399

As shown, General James A. Garfield, of Ohio, was nominated on the 36th ballot, the forces of General Grant alone remaining solid. The result was due to a sudden union of the forces of Blaine and Sherman, it is believed with the full consent of both, for both employed the same wire leading from the same room in Washington in telegraphing to their friends at Chicago. The object was to defeat Grant. After Garfield's nomination there was a temporary adjournment, during which the friends of the nominee consulted Conkling and his leading friends, and the result was the selection of General Chester A. Arthur

of New York, for Vice-President. The object of this selection was to carry New York, the great State which was then almost universally believed to hold the key to the Presidential position.

The Democratic National Convention met at Cincinnati, June 22d. Tilden had up to the holding of the Pennsylvania State Convention been one of the most prominent candidates. In this Convention there was a bitter struggle between the Wallace and Randall factions, the former favoring Hancock, the latter Tilden. Wallace, after a contest far sharper than he expected, won, and bound the delegation by the unit rule. When the National Convention met, John Kelly, the Tammany leader of New York, was again there, as at St. Louis four years before, to oppose Tilden, but the latter sent a letter disclaiming that he was a candidate, and yet really inviting a nomination on the issue of "the fraudulent counting in of Hayes." There were but two ballots, as follows:

FIRST BALLOT.

Hancock.....	171	Randall.....	6
Bayard.....	153½	Loveland.....	5
Payne.....	81	McDonald.....	3
Thurman.....	63½	McClellan.....	3
Field.....	66	English.....	1
Morrison.....	62	Jewett.....	1
Hendricks.....	46½	Black.....	1
Tilden.....	38	Lothrop.....	1
Ewing.....	10	Parker.....	1
Seymour.....	8		

SECOND BALLOT.

Hancock.....	705
Tilden.....	1
Bayard.....	2
Hendricks.....	30

Thus General Winfield S. Hancock, of New York, was nominated on the second ballot. Wm. H. English, of Indiana, was nominated for Vice-President.

The National Greenback-Labor Convention, held at Chicago, June 11, nominated General J. B. Weaver, of Iowa, for President, and General E. J. Chambers, of Texas, for Vice-President.

In the canvass which followed, the Republicans were aided by such orators as Conkling, Blaine, Grant, Logan, Curtis, Boutwell, while the Camerons, father and son, visited the October States of Ohio and Indiana, as it was believed that these would determine the result, Maine having in September very unexpectedly defeated the Republican State ticket by a small majority. The Democrats were aided by Bayard, Voorhees, Randall, Wallace, Hill, Hampton, Lamar, and hosts of their best orators. Every issue was recalled, but for the first time in the history of the Republicans of the West, they accepted the tariff

issue, and made open war on Watterson's plank in the Democratic platform—"a tariff for revenue only." Iowa, Ohio, and Indiana, all elected the Republican State tickets with good margins; West Virginia went Democratic, but the result was, notwithstanding this, reasonably assured to the Republicans. The Democrats, however, feeling the strong personal popularity of their leading candidate, persisted with high courage to the end. In November all of the Southern States, with New Jersey, California,\* and Nevada in the North, went Democratic; all of the others Republican. The Greenbackers held only a balance of power, which they could not exercise, in California, Indiana, and New Jersey. The electoral vote of Garfield and Arthur was 214, that of Hancock and English 155. The popular vote was Republican, 4,442,950; Democratic, 4,442,035; Greenback or National, 306,867; scattering, 12,576. The Congressional elections in the same canvass gave the Republicans 147 members; the Democrats, 136; Greenbackers, 9; Independents, 1.

Fifteen States elected Governors, nine of them Republicans and six Democrats.

General Garfield, November 10, sent to Governor Foster, of Ohio, his resignation as a Senator, and John Sherman, the Secretary of the Treasury, was in the winter following elected as his successor.

The third session of the Forty-sixth Congress was begun December 6. The President's Message was read in both Houses. Among its recommendations to Congress were the following: To create the office of Captain-General of the Army for General Grant; to defend the inviolability of the constitutional amendments; to promote free popular education by grants of public lands and appropriations from the United States Treasury; to appropriate \$25,000 annually for the expenses of a Commission to be appointed by the President to devise a just, uniform, and efficient system of competitive examinations, and to supervise the application of the same throughout the entire civil service of the government; to pass a law defining the relations of Congressmen to appointments to office, so as to end Congressional encroachment upon the appointing power; to repeal the Tenure-of-office Act, and pass a law protecting office-holders in resistance to political assessments; to abolish the present system of executive and judicial government in Utah, and substitute for it a government by a commission to be appointed by the President and confirmed by the Senate, or, in case the present government is continued, to withhold from all who practice

\* One Democratic elector was defeated, being cut by over 500 voters on a local issue.

polygamy the right to vote, hold office, and sit on juries; to repeal the act authorizing the coinage of the silver dollar of 412½ grains, and to authorize the coinage of a new silver dollar equal in value as bullion with the gold dollar; to take favorable action on the bill providing for the allotment of lands on the different reservations.

Two treaties between this country and China were signed at Peking, November 17, 1881, one of commerce, and the other securing to the United States the control and regulation of the Chinese immigration.

President Hayes, February 1, 1881, sent a message to Congress sustaining in the main the findings of the Ponca Indian Commission, and approving its recommendation that they remain on their reservation in Indian Territory. The President suggested that the general Indian policy for the future should embrace the following ideas: First, the Indians should be prepared for citizenship by giving to their young of both sexes that industrial and general education which is requisite to enable them to be self-supporting and capable of self-protection in civilized communities; second, lands should be allotted to the Indians in severalty, inalienable for a certain period; third, the Indians should have a fair compensation for their lands not required for individual allotments, the amount to be invested, with suitable safeguards, for their benefit; fourth, with these prerequisites secured, the Indians should be made citizens, and invested with the rights and charged with the responsibilities of citizenship.

The Senate, February 4, passed Mr. Morgan's concurrent resolution declaring that the President of the Senate is not invested by the Constitution of the United States with the right to count the votes of electors for President and Vice-President of the United States, so as to determine what votes shall be received and counted, or what votes shall be rejected. An amendment was added declaring in effect that it is the duty of Congress to pass a law at once providing for the orderly counting of the electoral vote. The House concurred February 5, but no action by bill or otherwise has since been taken.

Senator Pendleton, of Ohio, December 15, 1881, introduced a bill to regulate the civil service and to promote the efficiency thereof, and also a bill to prohibit Federal officers, claimants, and contractors from making or receiving assessments or contributions for political purposes.

The Burnside Educational Bill passed the Senate December 17, 1881. It provides that the proceeds of the sale of public land and the earnings of the Patent Office shall be funded at four per cent., and the interest divided among the States in proportion to their illiteracy. An

amendment by Senator Morgan provides for the instruction of women in the State agricultural colleges in such branches of technical and industrial education as are suited to their sex. No action has yet been taken by the House.

On the 9th of February the electoral votes were counted by the Vice-President in the presence of both Houses, and Garfield and Arthur were declared elected President and Vice-President of the United States. There was no trouble as to the count, and the result previously stated was formally announced.

#### The Three Per Cent. Funding Bill.

The 3 per cent. Funding Bill passed the House March 2, and was on the following day vetoed by President Hayes on the ground that it dealt unjustly with the National Banks in compelling them to accept and employ this security for their circulation in lieu of the old bonds. This feature of the bill caused several of the Banks to surrender their circulation, conduct which for a time excited strong political prejudices. The Republicans in Congress as a rule contended that the debt could not be surely funded at 3 per cent.; that 3½ was a safer figure, and to go below this might render the bill of no effect. The same views were entertained by President Hayes and Secretary Sherman. The Democrats insisted on 3 per cent., until the veto, when the general desire to fund at more favorable rates broke party lines, and a 3½ per cent. funding bill was passed, with the feature objectionable to the National Banks omitted.

The Republicans were mistaken in their view, as the result proved. The loan was floated so easily, that in the session of 1882 Secretary Sherman, now a Senator, himself introduced a 3 per cent. bill, which passed the Senate Feb. 2d, 1882, in this shape:—

*Be it enacted, &c.* That the Secretary of the Treasury is hereby authorized to receive at the Treasury and at the office of any Assistant Treasurer of the United States and at any postal money order office, lawful money of the United States to the amount of fifty dollars or any multiple of that sum or any bonds of the United States, bearing three and a-half per cent. interest, which are hereby declared valid, and to issue in exchange therefore an equal amount of registered or coupon bonds of the United States, of the denomination of fifty, one hundred, five hundred, one thousand and ten thousand dollars, of such form as he may prescribe, bearing interest at the rate three per centum per annum, payable either quarterly or semi-annually, at the Treasury of the United

States. Such bonds shall be exempt from all taxation by or under state authority, and be payable at the pleasure of the United States. "Provided, That the bonds herein authorized shall not be called in and paid so long as any bonds of the United States heretofore issued bearing a higher rate of interest than three per centum, and which shall be redeemable at the pleasure of the United States, shall be outstanding and uncalled. The last of the said bonds originally issued and their substitutes under this act shall be first called in and this order of payment shall be followed until all shall have been paid."

The money deposited under this act shall be promptly applied solely to the redemption of the bonds of the United States bearing three and a-half per centum interest, and the aggregate amount of deposits made and bonds issued under this act shall not exceed the sum of two hundred million dollars. The amount of lawful money so received on deposit, as aforesaid, shall not exceed, at any time, the sum of twenty-five million dollars. Before any deposits are received at any postal money office under this act, the postmaster at such office shall file with the Secretary of the Treasury his bond, with satisfactory security, conditioned that he will promptly transmit to the Treasury of the United States the money received by him in conformity with regulations to be prescribed by such secretary; and the deposit with any postmaster shall not at any time, exceed the amount of his bond.

SECTION 2. Any national banking association now organized or hereafter organized desiring to withdraw its circulating notes upon a deposit of lawful money with the Treasury of the United States as provided in section 4 of the Act of June 20, 1874, entitled "An act fixing the amount of United States notes providing for a re-distribution of National bank currency and for other purposes," shall be required to give thirty days' notice to the Controller of the Currency of its intention to deposit lawful money and withdraw its circulating notes; provided that not more than five million of dollars of lawful money shall be deposited during any calendar month for this purpose; and provided further, that the provisions of this section shall not apply to bonds called for redemption by the Secretary of the Treasury.

SECTION 3. That nothing in this act shall be so construed as to authorize an increase of the public debt.

In the past few years opinions on the rates of interest have undergone wonderful changes. Many supposed—indeed it was a "standard" argument—that rates must ever be higher in new than old countries. that these higher rates comported with and

aided the higher rates paid for commodities and labor. The funding operations since the war have dissipated this belief, and so shaken political theories that no party can now claim a monopoly of sound financial doctrine. So high is the credit of the government, and so abundant are the resources of our people after a comparatively short period of general prosperity, that they seem to have plenty of surplus funds with which to aid any funding operation, however low the rate of interest, if the government—State or National—shows a willingness to pay. As late as February, 1882, Pennsylvania funded seven millions of her indebtedness at 3, 3½ and 4 per cent., the two larger sums commanding premiums sufficient to cause the entire debt to be floated at a little more than 3 per cent., and thus floating commands an additional premium in the money exchanges.

#### History of the National Loans.

In Book VII of this volume devoted to Tabulated History, we try to give the reader at a glance some idea of the history of our National finances. An attempt to go into details would of itself fill volumes, for no class of legislation has taken so much time or caused such a diversity of opinion. Yet it is shown, by an admirable review of the loans of the United States, by Rafael A. Bayley, of the Treasury Department published in the February (1882) number of the *International Review*, that the "financial system of the government of the United States has continued the same from its organization to the present time." Mr. Bayley has completed a history of our National Loans, which will be published in the Census volume on "Public Debts." From his article in the *Review* we condense the leading facts bearing on the history of our national loans.

The financial system of the United States, in all its main features, is simple and well defined, and its very simplicity may probably be assigned as the reason why it appears so difficult of comprehension by many people of intelligence and education. It is based upon the principles laid down by Alexander Hamilton, and the practical adoption of the fundamental maxim which he regarded as the true secret for rendering public credit immortal, viz., "that the creation of the debt should always be accompanied with the means of extinguishment." A faithful adherence to this system by his successors has stood the test of nearly a century, with the nation at peace or at war, in prosperity or adversity; so that, with all the change that progress has entailed upon the people of the age, no valid grounds exist for any change here.

"During the colonial period, and under

the confederation, the financial operations of the Government were based on the law of necessity, and depended for success upon the patriotism of the people, the co-operation of the several States, and the assistance of foreign powers friendly to our cause.

"It was the willingness of the people to receive the various kinds of paper money issued under authority of the Continental Congress, and used in payment for services and supplies, together with the issue of similar obligations by the different States, for the redemption of which they assumed the responsibility; aided by the munificent gift of money from Louis XVI. of France, followed by loans for a large amount from both France and Holland, that made victory possible, and laid the foundations for the republic of to-day, with its credit unimpaired, and with securities commanding a ready sale at a high premium in all the principal markets of the world.

"Authorities vary as to the amount of paper money issued and the cost of the war for independence. On the 1st of September, 1779, Congress resolved that it would 'on no account whatever emit more bills of credit than to make the whole amount of such bills two hundred millions of dollars.' Mr. Jefferson estimates the value of this sum *at the time of its emission* at \$36,367,719.83 in specie, and says; 'If we estimate at the same value the like sum of \$200,000,000 supposed to have been emitted by the States, and reckon the Federal debt, foreign and domestic, at about \$43,000,000, and the State debt at \$25,000,000, it will form an amount of \$140,000,000, the total sum which the war cost the United States. It continued eight years, from the battle of Lexington to the cessation of hostilities in America. The annual expense was, therefore, equal to about \$17,500,000 in specie.'

"The first substantial aid rendered the colonies by any foreign power was a free gift of money and military supplies from Louis XVI. of France, amounting in the aggregate to 10,000,000 livres, equivalent to \$1,815,000.

"These supplies were not furnished openly, for the reason that France was not in a position to commence a war with Great Britain. The celebrated Caron de Beaumarchais was employed as a secret agent, between whom and Silas Deane, as the political and commercial agent of the United States, a contract was entered into whereby the former agreed to furnish a large amount of military supplies from the arsenals of France, and to receive American produce in payment therefor.

"Under this arrangement supplies were furnished by the French Government to the amount of 2,000,000 livres. An additional 1,000,000 was contributed by the

Government of Spain for the same purpose, and through the same agency. The balance of the French subsidy was paid through Benjamin Franklin. In 1777 a loan of 1,000,000 livres was obtained from the 'Farmers General of France' under a contract for its repayment in American tobacco at a stipulated price. From 1778 to 1783, additional loans were obtained from the French King, amounting to 34,000,000 livres. From 1782 to 1789, loans to the amount of 9,000,000 guilders were negotiated in Holland, through the agency of John Adams, then the American Minister to the Hague.

"The indebtedness of the United States at the organization of the present form of government (including interest to December 31, 1790) may be briefly stated, as follows:

Foreign debt.....	\$11,883,315.96
Domestic debt.....	40,256,802.45
Debt due foreign officers...	198,208.10
Arrears outstanding (since discharged).....	450,395.52
	<hr/>
Total.....	\$52,788,722.03

To this should be added the individual debts of the several States, the precise amount and character of which was then unknown, but estimated by Hamilton at that time to aggregate about \$25,000,000.

"The payment of this vast indebtedness was virtually guaranteed by the provisions of Article VI. of the Constitution, which says: 'All debts contracted, and engagements entered into, before the adoption of this Constitution shall be as valid against the United States under this Constitution as under the confederation.' On the 21st of September, 1789, the House of Representatives adopted the following resolutions:

*Resolved*, That this House consider an adequate provision for the support of the public credit as a matter of high importance to the national honor and prosperity.

*Resolved*, That the Secretary of the Treasury be directed to prepare a plan for that purpose, and to report the same to this House at its next meeting.

"In reply thereto Hamilton submitted his report on the 9th of January, 1790, in which he gave many reasons for assuming the debts of the old Government, and of the several States, and furnished a plan for supporting the public credit. His recommendations were adopted, and embodied in the act making provision for the payment of the debt of the United States, approved August 4, 1790.

"This act authorized a loan of \$12,000,000, to be applied to the payment of the foreign debt, principal and interest; a loan equal to the full amount of the domestic debt, payable in certificates issued for its

amount according to their specie value, and computing the interest to December 31, 1791, upon such as bore interest; and a further loan of \$21,500,000, payable in the principal and interest of the certificates or notes which, prior to January 1, 1790, were issued by the respective States as evidences of indebtedness incurred by them for the expenses of the late war. 'In the case of the debt of the United States, interest upon two-thirds of the principal only, at 6 per cent., was immediately paid; interest upon the remaining third was deferred for ten years, and only three per cent. was allowed upon the arrears of interest, making one-third of the whole debt. In the case of the separate debts of the States, interest upon four-ninths only of the entire sum was immediately paid; interest upon two-ninths was deferred for ten years, and only 3 per cent. allowed on three-ninths.' Under this authority 6 per cent. stock was issued to the amount of \$30,060,511, and deferred 6 per cent. stock, bearing interest from January 1, 1800, amounting to \$14,635,386. This stock was made subject to redemption by payments not exceeding, in one year, on account both of principal and interest, the proportion of eight dollars upon a hundred of the sum mentioned in the certificates; \$19,719,237 was issued in 3 per cent. stock, subject to redemption whenever provision should be made by law for that purpose.

"The money needed for the payment of the principal and interest of the foreign debt was procured by new loans negotiated in Holland and Antwerp to the amount of \$9,400,000, and the issue of new stock for the balance of \$2,024,900 due on the French debt, this stock bearing a rate of interest one-half of one per cent. in advance of the rate previously paid, and redeemable at the pleasure of the Government. Subsequent legislation provided for the establishment of a sinking fund, under the management of a board of commissioners, consisting of the President of the Senate, Chief Justice of the Supreme Court, Secretary of State, Secretary of the Treasury, and Attorney General, for the time being, who, or any three of whom, were authorized, under the direction of the President of the United States, to make purchases of stock, and otherwise provide for the gradual liquidation of the entire debt, from funds set apart for this purpose. On assuming the position of Secretary of the Treasury, Hamilton found himself entirely without funds to meet the ordinary expenses of the Government, except by borrowing, until such time as the revenues from duties on imports and tonnage began to come into the Treasury. Under these circumstances, he was forced to make arrangements with the Bank of New York and the Bank of North America for tem-

porary loans, and it was from the moneys received from these banks that he paid the first installment of salary due President Washington, Senators, Representatives and officers of Congress, during the first session under the Constitution, which began at the city of New York, March 4, 1789.

"The first 'Bank of the United States' appears to have been proposed by Alexander Hamilton in December, 1790, and it was incorporated by an act of Congress, approved February 25, 1791, with a capital stock of \$10,000,000 divided into 25,000 shares at \$400 each. The government subscription of \$2,000,000, under authority of the act, was paid by giving to the bank bills of exchange on Holland equivalent to gold, and borrowing from the bank a like sum for ten years at 6 per cent. interest. The bank went into operation very soon after its charter was obtained, and declared its first dividend in July, 1792. It was evidently well managed, and was of great benefit to the Government and the people at large, assisting the Government by loans in cases of emergency, and forcing the 'wildcat' banks of the country to keep their issues 'somewhere within reasonable bounds.' More than \$100,000,000 of Government money was received and disbursed by it without the loss of a single dollar. It made semi-annual dividends, averaging about 8½ per cent., and its stock rose to a high price. The stock belonging to the United States was sold out at different times at a profit, 2,220 shares sold in 1802 bringing an advance of 45 per cent. The government subscription, with ten years' interest amounted to \$3,200,000, while there was received in dividends and for stock sold \$3,773,580, a profit of nearly 28.7 per cent. In 1796 the credit of the Government was very low, as shown by its utter failure to negotiate a loan for the purpose of paying a debt to the Bank of the United States for moneys borrowed and used, partly to pay the expenses of suppressing the whisky insurrection in Pennsylvania and to buy a treaty with the pirates of Algiers. On a loan authorized for \$5,000,000, only \$80,000 could be obtained, and this at a discount of 12½ per cent.; and, there being no other immediate resource, United States Bank stock to the amount of \$1,304,260 was sold at a premium of 25 per cent.

"Under an act approved June 30, 1798, the President was authorized to accept such vessels as were suitable to be armed for the public service, not exceeding twelve in number, and to issue certificates, or other evidences of the public debt of the United States, in payment. The ships George Washington, Merrimack, Maryland and Patapsco, brig Richmond, and frigates Boston, Philadelphia, John Adams, Essex and New York, were purchased, and 6 per

cent. stock, redeemable at the pleasure of Congress, was issued in payment to the amount of \$711,700.

"The idea of creating a navy by the purchase of vessels built by private parties and issuing stock in payment therefor, seems to have originated with Hamilton.

"In the years 1797 and 1798 the United States, though nominally at peace with all the world, was actually at war with France—a war not formally declared, but carried on upon the ocean with very great virulence. John Marshall, Elbridge Gerry and Charles C. Pinckney were appointed envoys extraordinary to the French Republic, with power for terminating all differences and restoring harmony, good understanding and commercial and friendly intercourse between the two nations; but their efforts were in vain, and extensive preparations were made to resist a French invasion. It was evident that the ordinary revenues of the country would be inadequate for the increased expenditure, and a loan of \$5,000,000 was authorized by an act approved July 16, 1798, redeemable at pleasure after fifteen years. The rate of interest was not specified in the act, and the market rate at the time being 8 per cent. this rate was paid, and it was thought by a committee of Congress that the loan was negotiated 'upon the best terms that could be procured, and with a laudable eye to the public interest.' A loan of \$3,500,000 was authorized by an act approved May 7, 1800, for the purpose of meeting a large deficit in the revenues of the preceding year, caused by increased expenditures rendered necessary on account of the difficulties with France, and stock bearing 8 per cent. interest, reimbursable after fifteen years, was issued to the amount of \$1,481,700, on which a premium was realized of nearly  $5\frac{3}{4}$  per cent. These are the only two instances in which the Government has paid 8 per cent. interest on its bonds.

"The province of Louisiana was ceded to the United States by a treaty with France, April 30, 1803, in payment for which 6 per cent. bonds, payable in fifteen years, were issued to the amount of \$11,250,000, and the balance which the Government agreed to pay for the province, amounting to \$3,750,000, was devoted to reimbursing American citizens for French depredations on their commerce. These claims were paid in money, and the stock redeemed by purchases made under the direction of the Commissioners of the Sinking Fund within twelve years. Under an act approved February 11, 1807, a portion of the 'old 6 per cent.' and 'deferred stocks' was refunded into new stock, bearing the same rate of interest, but redeemable at the pleasure of the United States. This was done for the purpose of placing

it within the power of the Government to reimburse the amount refunded within a short time, as under the old laws these stocks could only be redeemed at the rate of 2 per cent. annually. Stock was issued amounting to \$6,294,051, nearly all of which was redeemed within four years. Under the same act old '3 per cent. stock' to the amount of \$2,861,309 was converted into 6 per cents., at sixty-five cents on the dollar, but this was not reimbursable without the assent of the holder until after the whole of certain other stocks named in the act was redeemed. The stock issued under this authority amounted to \$1,859,871. It would appear that the great majority of the holders of the "old stock" preferred it to the new. A loan equal to the amount of the principal of the public debt reimbursable during the current year was authorized by an act approved May 1, 1810, and \$2,750,000 was borrowed at 6 per cent. interest from the Bank of the United States, for the purpose of meeting any deficiency arising from increased expenditures on account of the military and naval establishments. This was merely a temporary loan, which was repaid the following year.

"The ordinary expenses for the year 1812 were estimated by the Committee of Ways and Means of the House of Representatives at \$1,200,000 more than the estimated receipts for the same period, and the impending war with Great Britain made it absolutely necessary that some measures should be adopted to maintain the public credit, and provide the requisite funds for carrying on the Government. Additional taxes were imposed upon the people, but as these could not be made immediately available there was no other resource but new loans and the issue of Treasury notes. This was the first time since the formation of the new Government that the issue of such notes had been proposed, and they were objected to as engrafting on our system of finance a new and untried measure.

"Under various acts of Congress approved between March 4, 1812, and February 24, 1815, 6 per cent. bonds were issued to the amount of \$50,792,674. These bonds were negotiated at rates varying from 20 per cent. discount to par, the net cash realized amounting to \$44,530,123. A further sum of \$4,025,000 was obtained by temporary loans at par, of which sum \$225,000 was for the purpose of repairing the public buildings in Washington, damaged by the enemy on the night of August 24, 1814. These 'war loans' were all made redeemable at the pleasure of the Government after a specified date, and the faith of the United States was solemnly pledged to provide sufficient revenues for this purpose. The 'Treasury note system' was a new feature, and its success was regarded as somewhat doubtful.



"Its subsequent popularity, however, was owing to a variety of causes. The notes were made receivable everywhere for dues and customs, and in payment for public lands. They were to bear interest from the day of issue, at the rate of 5 2-5 per cent. per annum, and their payment was guaranteed by the United States, principal and interest, at maturity. They thus furnished a circulating medium to the country, superior to the paper of the suspended and doubtful State banks. These issues were therefore considered more desirable than the issue of additional stock, which could be realized in cash only by the payment of a ruinous discount. The whole amount of Treasury notes issued during the war period was \$36,680,794. The Commissioners of the Sinking Fund were authorized to provide for their redemption by purchase, in the same manner as for other evidences of the public debt, and by authority of law \$10,575,738 was redeemed by the issue of certificates of funded stock, bearing interest at from 6 to 7 per cent. per annum, redeemable at any time after 1824.

"During the years 1812-13 the sum of \$2,984,747 of the old 6 per cent. and deferred stocks were refunded into new 6 per cent. stock redeemable in twelve years; and by an act approved March 31, 1814, Congress having authorized a settlement of the 'Yazoo claims' by an issue of non-interest-bearing stock, payable out of the first receipts from the sale of public lands in the Mississippi territory, \$4,282,037 was issued for this purpose. On the 24th of February, 1815, Secretary Dallas reported to Congress that the public debt had been increased, in consequence of the war with Great Britain, \$68,783,122, a large portion of which was due and unpaid, while another considerable proportion was fast becoming due. These unpaid or accruing demands were in part for temporary loans, and the balance for Treasury notes either due or maturing daily. To provide for their payment a new loan for the full amount needed was authorized by act of March 3, 1815, and six per. cent stock redeemable in fifteen years, was issued in the sum of \$12,238,148. This stock was sold at from 95 per cent. to par, and was nearly all redeemed in 1820 by purchases made by the Commissioners of the Sinking Fund.

"The Government became a stockholder in the second Bank of the United States, to the amount of 70,000 shares, under the act of incorporation, approved April 10, 1816. The capital stock was limited to \$35,000,000, divided into 350,000 shares of \$100 each. The Government subscription was paid by the issue of 5 per cent. stock to the amount of \$7,000,000, redeemable at the pleasure of the Government. This was a profitable investment for the United States, as in ad-

dition to \$1,500,000 which the bank paid as a bonus for its charter, the net receipts over and above disbursements amounted to \$4,993,167. The available funds in the Treasury on the 1st of January, 1820, were less than \$250,000, and the estimated deficiency for the year amounted to nearly \$4,000,000. This state of affairs was owing partly to the disastrous effects of the commercial crisis of 1819, heavy payments for the redemption of the public debt, continued through a series of years, and large outstanding claims, amounting to over \$30,000,000, resulting from the late war with Great Britain. To meet the emergency, a loan was authorized by act of May 15, 1820, and \$999,999.13 was borrowed at 5 per cent., redeemable in twelve years, and \$2,000,000 at 6 per cent., reimbursable at pleasure, this latter stock realizing a premium of 2 per cent. By act of March 3, 1821, 5 per cent. stock amounting to \$4,735,276 was issued at a premium of over 5½ per cent., and the proceeds used in payment of the principal and interest of the public debt falling due within the year.

"An effort was made in 1822 to refund a portion of the 6 per cent. war loans of 1812-14 into 5 per cents., but only \$56,705 could be obtained. Two years later the Government was more successful, and, under the act of May 26, 1824, 6 per cent. stock of 1813 to the amount of \$4,454,728 was exchanged for new stock bearing 4½ per cent. interest, redeemable in 1833-34. During the same year \$5,000,000 was borrowed at 4½ per cent. to provide for the payment of the awards made by the Commissioners under the treaty with Spain of February 22, 1819, and a like amount, at the same rate of interest, to be applied in paying off that part of the 6 per cent. stock of 1812 redeemable the following year. The act of March 3, 1825, authorized a loan of \$12,000,000, at 4½ per cent. interest, the money borrowed to be applied in paying off prior loans, but only \$1,539,336 was exchanged for an equal amount of 6 per cent. stock of 1813.

"In the year 1836 the United States was, for the first time in the history of the country, practically out of debt. Secretary Woodbury, in his report of December 8, 1836, estimated the amount of public debt still outstanding at about \$328,582, and this remained unpaid solely because payment had not been demanded, ample funds to meet it having been deposited in the United States Bank and loan offices. The debt outstanding consisted mainly of unclaimed interest and dividends, of claims for services and supplies during the Revolution, and of old Treasury notes, and it is supposed that payment of these had not been asked for solely because the evidences of the debt had been lost or destroyed. The estimates showed the probability of a

surplus of at least \$14,000,000 in the Treasury at the close of the year 1836, and this estimate proved to be far below the truth. In this favorable condition of the public finances, Congress adopted the extraordinary resolution of depositing the surplus over \$5,000,000 with the several States, and under the act of June 23, 1836, surplus revenue amounting to \$28,101,644.91 was so deposited.

"In 1837, however, the state of the country had changed. The 'flush' times of 1835 and 1836 had been succeeded by extraordinary depression, which ultimately produced a panic. In May most of the banks suspended specie payments. The sales of public lands, and the duties on the importations of foreign goods, which had helped to swell the balance in the Treasury to over \$42,000,000, had fallen off enormously. Even on the goods that were imported it was difficult to collect the duties, for the law compelled them to be paid in specie, and specie was hard to obtain. It had become impossible not only to pay the fourth installment of the surplus at the end of 1836 to the several States, but even to meet the current expenses of the Government from its ordinary revenues. In this emergency the Secretary of the Treasury suggested that contingent authority be given the President to cause the issue of Treasury notes. This measure was generally supported on the ground of absolute necessity, as there was a large deficit already existing, and this was likely to increase from the condition of the country at that time. The measure was opposed, however, by some who thought that greater economy in expenditures would relieve the Treasury, while others denounced it as an attempt "to start a Treasury bank."

"However, an act was approved October 12, 1837, authorizing an issue of \$10,000,000 in Treasury notes in denominations not less than fifty dollars, redeemable in one year from date, with interest at rates fixed by the Secretary, not exceeding 6 per cent. These notes, as usual, were receivable in payment of all duties and taxes levied by the United States, and in payment for public lands. Prior to 1846, the issue of notes of this character amounted to \$47,002,900, bearing interest at rates varying from one-tenth of one per cent. to 6 per cent. To provide in part for their redemption, authority was granted for the negotiation of several loans, and \$21,021,094 was borrowed for this purpose, bonds being issued for a like sum, bearing interest at from 5 to 6 per cent., redeemable at specified dates. These bonds were sold at from 2½ per cent. discount to 3¾ per cent. premium, and redeemed at from par to 19½ per cent. advance.

"War with Mexico was declared May 13, 1846, and in order to provide against a

deficiency a further issue of \$10,000,000 in Treasury notes was authorized by act of July 22, 1846, under the same limitations and restrictions as were contained in the act of October, 1837, except that the authority given was to expire at the end of one year from the passage of the act. The sum of \$7,687,800 was issued in Treasury notes, and six per cent. bonds having ten years to run were issued under the same act to the amount of \$4,999,149. These were sold at a small advance, and redeemed at various rates from par to eighteen and two-thirds per cent. premium.

"The expenses incurred on account of the war with Mexico were much greater than the original estimates, and the failure to provide additional revenues sufficient to meet the increased demands made a new loan necessary, as well as an additional issue of notes, which had now become a popular method of obtaining funds. Under the authority granted by act of January 28, 1847, Treasury notes to the amount of \$26,122,100 were issued at par, redeemable one and two years from date, with interest at from 5 2-5 to 6 per cent. More money still being needed, a 6 per cent. loan, having twenty years to run, was placed upon the market, under the authority of the same act, and bonds to the amount of \$28,230,350 were sold at various rates, ranging from par to 2 per cent. premium. Of this stock the sum of \$18,815,100 was redeemed at an advance of from 1½ to 21½ per cent., the premium paid (exclusive of commissions) amounting to \$3,466,107. Under the act of March 31, 1848, 6 per cent. bonds, running twenty years, were issued to the amount of \$16,000,000, and sold at a premium ranging from 3 to 4.05 per cent. This loan was made for the same purpose as the preceding one, and \$7,091,658 was redeemed by purchase at an advance ranging from 8 to 22.46 per cent., the premium paid amounting to \$1,251,258.

"The widespread depression of trade and commerce which occurred in 1857 was severely felt by the Government, as well as by the people, and so great was the decrease in the revenues from customs that it became absolutely necessary to provide the Treasury with additional means for meeting the demands upon it. Treasury notes were considered as preferable to a new loan, and by the act of December 23, 1857, a new issue was authorized for such an amount as the exigencies of the public service might require, but not to exceed at any one time \$20,000,000. These notes were receivable in payment for all debts due the United States, including customs, and were issued at various rates of interest, ranging from 3 to 6 per cent., to the amount of \$52,778,900, redeemable one year from date, the interest to cease at the expiration of sixty days' notice after

maturity. In May, 1858, the Secretary of the Treasury informed Congress that, owing to the appropriations having been increased by legislation nearly \$10,000,000 over the estimates, while the customs revenue had fallen off to a like amount, it would be necessary to provide some means to meet the deficit. In these circumstances, a new loan was authorized by act of June 14, 1858, and 5 per cent. bonds amounting to \$20,000,000, redeemable in fifteen years, were sold at an average premium of over 3½ per cent. Under the act of December 17, 1873, \$13,957,000 in bonds of the loan of 1881, and \$260,000 in bonds of a loan of 1907, were issued in exchange for a like amount of bonds of this loan.

"The act of June 22, 1860, authorized the President to borrow \$21,000,000 on the credit of the United States, the money to be used only in the redemption of Treasury notes, and to replace any amount of such notes in the Treasury which should have been paid in for public dues. Only \$7,022,000 was borrowed at 5 per cent. interest, the certificates selling at from par to 1.45 per cent. premium. The failure to realize the whole loan was caused by the political troubles which culminated in the civil war. In September, bids were invited for \$10,000,000, and the whole amount offered was speedily taken. It soon became evident, however, that war was inevitable, and a commercial crisis ensued, during which a portion of the bidders forfeited their deposits, and the balance of the loan was withdrawn from the market. Authority was granted by the act of December 17, 1860, for a new issue of Treasury notes, redeemable in one year from date, but not to exceed \$10,000,000 at any one time, with interest at such rates as might be offered by the lowest responsible bidders after advertisement. An unsuccessful attempt was made to pledge the receipts from the sale of public lands specifically for their redemption. The whole amount of notes issued under this act was \$10,010,900, of which \$4,840,000 bore interest at 12 per cent. Additional offers followed, ranging from 15 to 36 per cent., but the Treasury declined to accept them.

"Up to this period of our national existence the obtaining of the money necessary for carrying on the Government and the preservation inviolate of the public credit had been comparatively an easy task. The people of the several States had contributed in proportion to their financial resources; and a strict adherence to the fundamental maxim laid down by Hamilton had been maintained by a judicious system of taxation to an extent amply sufficient to provide for the redemption of all our national securities as they became due. But the time had come when we were no longer a united people, and the means required for

defraying the ordinary expenses of the Government were almost immediately curtailed and jeopardized by the attitude of the States which attempted to secede. The confusion which followed the inauguration of the administration of President Lincoln demonstrated the necessity of providing unusual resources without delay. A system of internal revenue taxation was introduced, and the tariff adjusted with a view to increased revenues from customs. As the Government had not only to exist and pay its way, but also to provide for an army and navy constantly increasing in numbers and equipment, new and extraordinary methods were resorted to for the purpose of securing the money which must be had in order to preserve the integrity of the nation. Among these were the issue of its own circulating medium in the form of United States notes\* and circulating notes, † for the redemption of which the faith of the nation was solemnly pledged. New loans were authorized to an amount never before known in our history, and the success of our armies was assured by the determination manifested by the people themselves to sustain the Government at all hazards. A brief review of the loan transactions during the period covered by the war is all that can be attempted within the limited space afforded this article. The first war loan may be considered as having been negotiated under the authority of an act approved February 8, 1861. The credit of the Government at this time was very low, and a loan of \$18,415,000, having twenty years to run, with 6 per cent. interest, could only be negotiated at a discount of \$2,019,776.10, or at an average rate of \$89.03 per one hundred dollars. From this time to June 30, 1865, Government securities of various descriptions were issued under authority of law to the amount of \$3,888,686,575, including the several issues of bonds, Treasury notes, seven-thirties, legal tenders and fractional currency. The whole amount issued under the same authority to June 30, 1880, was \$7,137,646,836, divided as follows:

Six per cent. bonds.....	\$1,130,279,000
Five per cent. bonds.....	196,118,300
Temporary loan certificates..	969,992,250
Seven-thirty notes.....	716,099,247
Treasury notes and certificates of indebtedness.....	1,074,713,132
Old demand notes, legal tenders, coin certificates and fractional currency.....	3,050,444,907
Total.....	<u>\$7,137,646,836</u>

"This increase may be readily accounted for by the continued issue of legal tenders,

\* Commonly called "Greenbacks," or "Legal Tender notes"

† Commonly called "National Bank notes."

compound interest notes, fractional currency and coin certificates, together with a large amount of bonds issued in order to raise the money necessary to pay for military supplies, and other forms of indebtedness growing out of the war. The rebellion was practically at an end in May, 1865, yet the large amount of money required for immediate use in the payment and disbandment of our enormous armies necessitated the still further negotiation of loans under the several acts of Congress then in force, and it was not until after the 31st of August, 1865, that our national debt began to decrease. At that time the total indebtedness, exclusive of the "old funded and unfunded debt" of the Revolution, and of cash in the Treasury, amounted to \$2,844,646,626.56. The course of our financial legislation since that date has been constantly toward a reduction of the interest, as well as the principal of the public debt.

"By an act approved March 3, 1865, a loan of \$600,000,000 was authorized upon similar terms as had been granted for previous loans, with the exception that nothing authorized by this act should be made a legal tender, or be issued in smaller denominations than fifty dollars. The rate of interest was limited to 6 per cent. in coin, or 7.3 per cent. in currency, the bonds issued to be redeemable in not less than five, nor more than forty, years. Authority was also given for the conversion of Treasury notes or other interest-bearing obligations into bonds of this loan. An amendment to this act was passed April 12, 1866, authorizing the Secretary of the Treasury, at his discretion, to receive any Treasury notes or other obligations issued under any act of Congress, whether bearing interest or not, in exchange for any description of bonds authorized by the original act; and also to dispose of any such bonds, either in the United States or elsewhere, to such an amount, in such manner, and at such rates as he might deem advisable, for lawful money, Treasury notes, certificates of indebtedness, certificates of deposit, or other representatives of value, which had been or might be issued under any act of Congress; the proceeds to be used only for retiring Treasury notes or other national obligations, provided the public debt was not increased thereby. As this was the first important measure presented to Congress since the close of the war tending to place our securities upon a firm basis, the action of Congress in relation to it was looked forward to with a great deal of interest. The discussion took a wide range, in which the whole financial administration of the Government during the war was reviewed at length. After a long and exciting debate the bill finally passed, and was approved by the President. Under the authority of

these two acts, 6 per cent. bonds to the amount of \$958,483,550 have been issued to date. These bonds were disposed of at an aggregate premium of \$21,522,074, and under the acts of July 14, 1870, and January 20, 1871, the same bonds to the amount of \$725,582,400 have been refunded into other bonds bearing a lower rate of interest. The success of these several loans was remarkable, every exertion being used to provide for their general distribution among the people.

"In 1867 the first issue of 6 per cent. bonds, known as five-twenties, authorized by the act of Feb. 25, 1862, became redeemable, and the question of refunding them and other issues at a lower rate of interest had been discussed by the Secretary of the Treasury in his annual reports, but the agitation of the question as to the kinds of money in which the various obligations of the Government should be paid, had so excited the apprehension of investors as to prevent the execution of any refunding scheme.

"The act to strengthen the public credit was passed March 18, 1869, and its effect was such as secured to the public the strongest assurances that the interest and principal of the public debt outstanding at that time would be paid in coin, according to the terms of the bonds issued, without any abatement.

"On the 12th of January, 1870, a bill authorizing the refunding and consolidation of the national debt was introduced in the Senate, and extensively debated in both Houses for several months, during which the financial system pursued by the Government during the war was freely reviewed. The adoption of the proposed measure resulted in an entire revolution of the refunding system, under which the public debt of the United States at that time was provided for, by the transmission of a large amount of debt to a succeeding generation. The effect of this attempt at refunding the major portion of the public debt was far more successful than any similar effort on the part of any Government, so far as known.

The act authorizing refunding certificates convertible into 4 per cent. bonds, approved February 26, 1879, was merely intended for the benefit of parties of limited means, and was simply a continuation of the refunding scheme authorized by previous legislation.

"The period covered precludes any attempt toward reviewing the operation by which the immediate predecessor of the present Secretary reduced the interest on some six hundred millions of 5 and 6 per cent. bonds to 3½ per cent. It is safe to say, however, that under the administration of the present Secretary there will be no deviation from the original law laid down by Hamilton.

**James A. Garfield.**

James A. Garfield and Chester A. Arthur were publicly inaugurated President and Vice President of the United States March 4, 1881.

President Garfield in his inaugural address promised full and equal protection of the Constitution and the laws for the negro, advocated universal education as a safeguard of suffrage, and recommended such an adjustment of our monetary system "that the purchasing power of every coined dollar will be exactly equal to its debt-paying power in all the markets of the world." The national debt should be refunded at a lower rate of interest, without compelling the withdrawal of the National Bank notes, polygamy should be prohibited, and civil service regulated by law.

An extra session of the Senate was opened March 4. On the 5th, the following cabinet nominations were made and confirmed: Secretary of State, James G. Blaine, of Maine; Secretary of the Treasury, William Windom, of Minnesota; Secretary of the Navy, William H. Hunt, of Louisiana; Secretary of War, Robert T. Lincoln, of Illinois; Attorney General, Wayne MacVeagh, of Pennsylvania; Postmaster General, Thomas L. James, of New York; Secretary of the Interior, Samuel J. Kirkwood, of Iowa.

In this extra session of the Senate Vice President Arthur had to employ the casting vote on all questions where the parties divided, and he invariably cast it on the side of the Republicans. The evenness of the parties caused a dead-lock on the question of organization, for when David Davis, of Illinois, voted with the Democrats, the Republicans had not enough even with the Vice President, and he was not, therefore, called upon to decide a question of that kind. The Republicans desired new and Republican officers; the Democrats desired to retain the old and Democratic ones.

**Republican Factions.**

President Garfield, March 23d, sent in a large number of nominations, among which was that of William H. Robertson, the leader of the Blaine wing of the Republican party in New York, to be Collector of Customs. He had previously sent in five names for prominent places in New York, at the suggestion of Senator Conkling, who had been invited by President Garfield to name his friends. At this interview it was stated that Garfield casually intimated that he would make no immediate change in the New York Collectorship, and both factions seemed satisfied to allow Gen'l Edwin A. Merritt to retain that place for a time at least. There were loud protests, however, at the first and early selection of the friends

of Senator Conkling to five important places, and these protests were heeded by the President. With a view to meet them, and, doubtless, to quiet the spirit of faction rapidly developing between the Grant and anti-Grant elements of the party in New York, the name of Judge Robertson was sent in for the Collectorship. He had battled against the unit rule at Chicago, disavowed the instructions of his State Convention to vote for Grant, and led the Blaine delegates from that State while Blaine was in the field, and when withdrawn went to Garfield. Senator Conkling now sought to confirm his friends, and hold back his enemy from confirmation; but these tactics induced Garfield to withdraw the nomination of Conkling's friends, and in this way Judge Robertson's name was alone presented for a time. Against this course Vice-President Arthur and Senators Conkling and Platt remonstrated in a letter to the President, but he remained firm. Senator Conkling, under the plea of "the privilege of the Senate,"—a courtesy and custom which leaves to the Senators of a State the right to say who shall be confirmed or rejected from their respective States if of the same party—now sought to defeat Robertson. In this battle he had arrayed against him the influence of his great rival, Mr. Blaine, and it is presumed the whole power of the administration. He lost, and the morning following the secret vote, May 17th, 1881, his own and the resignation of Senator Platt were read. These resignations caused great excitement throughout the entire country. They were prepared without consultation with any one—even Vice-President Arthur, the intimate friend of both, not knowing anything of the movement until the letters were opened at the chair where he presided. Logan and Cameron—Conkling's colleagues in the great Chicago battle—were equally unadvised. The resignations were forwarded to Gov. Cornell, of New York, who, by all permissible delays, sought to have them reconsidered and withdrawn, but both Senators were firm. The Senate confirmed Judge Robertson for Collector, and General Merritt as Consul-General at London, May 18th, President Garfield having wisely renewed the Conkling list of appointees, most of whom declined under the changed condition of affairs.

These events more widely separated the factions in New York—one wing calling itself "Stalwart," the other "Half-Breed," a term of contempt flung at the Independents by Conkling. Elections must follow to fill the vacancies, the New York Legislature being in session. These vacancies gave the Democrats for the time control of the United States Senate, but they thought it unwise to pursue an advantage which

would compel them to show their hands for or against one or other of the opposing Republican factions. The extra session of the Senate adjourned May 20th.

The New York Legislature began balloting for successors to Senators Conkling and Platt on the 31st of May. The majority of the Republicans (Independents or "Half-breeds") supported Chauncey M. Depew as the successor of Platt for the long term, and William A. Wheeler as the successor of Conkling for the short term, a few supporting Cornell. The minority (Stalwarts) renominated Messrs. Conkling and Platt. The Democrats nominated Francis Kernan for the long term, and John C. Jacobs for the short term; and, on his withdrawal, Clarkson N. Potter. The contest lasted until July 22, and resulted in a compromise on Warner A. Miller as Platt's successor, and Elbridge G. Lapham as Conkling's successor. In Book VII., our Tabulated History of Politics, we give a correct table of the ballots. These show at a single glance the earnestness and length of the contest.

The factious feelings engendered thereby were carried into the Fall nominations for the Legislature, and as a result the Democrats obtained control, which in part they subsequently lost by the refusal of the Tammany Democrats to support their nominees for presiding officers. This Democratic division caused a long and tiresome deadlock in the Legislature of New York. It was broken in the House by a promise on the part of the Democratic candidate for Speaker to favor the Tammany men with a just distribution of the committees—a promise which was not satisfactorily carried out, and as a result the Tammany forces of the Senate joined hands with the Republicans. The Republican State ticket would also have been lost in the Fall of 1881, but for the interposition of President Arthur, who quickly succeeded in uniting the warring factions. This work was so well done, that all save one name on the ticket (Gen'l Husted) succeeded.

The same factious spirit was manifested in Pennsylvania in the election of U. S. Senator in the winter of 1881, the two wings taking the names of "Regulars" and "Independents." The division occurred before the New York battle, and it is traceable not alone to the bitter nominating contest at Chicago, but to the administration of President Hayes and the experiment of civil service reform. Administrations which are not decided and firm upon political issues, invariably divide their parties, and while these divisions are not always to be deplored, and sometimes lead to good results, the fact that undecided administrations divide the parties which they represent, ever remains. The exam-

ples are plain: Van Buren's, Tyler's, Fillmore's, Buchanan's, and Hayes'. The latter's indecision was more excusable than that of any of his predecessors. The inexorable firmness of Grant caused the most bitter partisan assaults, and despite all his efforts to sustain the "carpet-bag governments" of the South, they became unpopular and were rapidly supplanted. As they disappeared, Democratic representation from the South increased, and this increase continued during the administration of Hayes—the greatest gains being at times when he showed the greatest desire to conciliate the South. Yet his administration did the party good, in this, that while at first dividing, it finally cemented through the conviction that experiments of that kind with a proud Southern people were as a rule unavailing. The re-opening of the avenues of trade and other natural causes, apparently uncultivated, have accomplished in this direction much more than any political effort.

In Pennsylvania a successor to U. S. Senator Wm. A. Wallace was to be chosen. Henry W. Oliver, Jr., received the nomination of the Republican caucus, the friends of Galusha A. Grow refusing to enter after a count had been made, and declaring in a written paper that they would not participate in any caucus, and would independently manifest their choice in the Legislature. The following is the first vote in joint Convention:

OLIVER.		WALLACE.	
Senate .....	20	Senate.....	16
House.....	75	House.....	77
	—		—
Total.....	95	Total.....	93
GROW.		AGNEW.	
Senate.....	12	Senate.....	1
House.....	44	House.....	...
	—		—
Total.....	56	Total.....	1
BREWSTER.		BAIRD.	
Senate.....	...	Senate.....	...
House.....	1	House.....	1
	—		—
Total.....	1	Total.....	1
M'VEAGH.			
Senate.....	...		
House.....	1		
	—		
Total.....	1		

Whole number of votes cast, 248; necessary to a choice, 125.

On the 17th of January the two factions issued opposing addresses. From these we quote the leading ideas, which divided the factions. The "Regulars" said:

"Henry W. Oliver, jr., of Allegheny county, was nominated on the third ballot, receiving 79 of the 95 votes present. Under the rules of all parties known to the

present or past history of our country, a majority of those participating should have been sufficient; but such was the desire for party harmony and for absolute fairness, that a majority of all the Republican members of the Senate and House was required to nominate. The effect of this was to give those remaining out a negative voice in the proceedings, the extent of any privilege given them in regular legislative sessions by the Constitution. In no other caucus or convention has the minority ever found such high consideration, and we believe there remains no just cause of complaint against the result. Even captious faultfinding can find no place upon which to hang a sensible objection. Mr. Oliver was, therefore, fairly nominated by the only body to which is delegated the power of nomination and by methods which were more than just, which, from every standpoint, must be regarded as generous; and in view of these things, how can we, your Senators and Representatives, in fairness withhold our support from him in open sessions; rather how can we ever abandon a claim established by the rules regulating the government of all parties, accepted by all as just, and which are in exact harmony with that fundamental principle of our Government which proclaims the right of the majority to rule? To do otherwise is to confess the injustice and the failure of that principle—something we are not prepared to do. It would blot the titles to our own positions. There is not a Senator or member who does not owe his nomination and election to the same great principle. To profit by its acceptance in our own cases and to deny it to Mr. Oliver would be an exhibition of selfishness too flagrant for our taste. To acknowledge the right to revolt when no unfairness can be truthfully alleged and when more than a majority have in the interest of harmony been required to govern, would be a travesty upon every American notion and upon that sense of manliness which yields when fairly beaten."

The "Independent" address said:

"*First.* We recognize a public sentiment which demands that in the selection of a United States Senator we have regard to that dignity of the office to be filled, its important duties and functions, and the qualifications of the individual with reference thereto. This sentiment is, we understand, that there are other and higher qualifications for this distinguished position than business experience and success, and reckons among these the accomplishments of the scholar, the acquirements of the student, the mature wisdom of experience and a reasonable familiarity with public affairs. It desires that Pennsylvania shall be distinguished among her sister Commonwealths, not only by her populous

cities, her prosperous communities, her vast material wealth and diversified industries and resources, but that in the wisdom, sagacity and statesmanship of her representative she shall occupy a corresponding rank and influence. To meet this public expectation and demand we are and have at all times been willing to subordinate our personal preferences, all local considerations and factional differences, and unite with our colleagues in the selection of a candidate in whom are combined at least some of these important and essential qualifications. It was only when it became apparent that the party caucus was to be used to defeat this popular desire and to coerce a nomination which is conspicuously lacking in the very essentials which were demanded, that we determined to absent ourselves from it. \* \* \* \*

"*Second.* Having declined to enter the caucus, we adhere to our determination to defeat, if possible, its nominee, but only by the election of a citizen of unquestioned fidelity to the principles of the Republican party. In declaring our independency from the caucus domination we do not forget our allegiance to the party whose chosen representatives we are. The only result of our policy is the transfer of the contest from the caucus to the joint convention of the two houses. There will be afforded an opportunity for the expression of individual preferences and honorable rivalry for an honorable distinction. If the choice shall fall upon one not of approved loyalty and merit, the fault will not be ours."

After a long contest both of the leading candidates withdrew, and quickly the Regulars substituted General James A. Beaver, the Independent Congressman, Thomas M. Bayne. On these names the dead-lock remained unbroken. Without material change the balloting continued till February 17th, when both Republican factions agreed to appoint conference committees of twelve each, with a view to selecting by a three-fourths vote a compromise candidate. The following were the respective committees: For the Independents: Senators Davis, Bradford; Lee, Venango; Stewart, Franklin; Lawrence, Washington; Representatives Wolfe, Union; Silverthorne, Erie; Mapes, Venango; McKee, Philadelphia; Slack, Allegheny; Stubs, Chester; Niles, Tioga; and Derickson, Crawford. For the Regulars: Senators Greer, Butler; Herr, Dauphin; Smith, Philadelphia; Keefer, Schuylkill; Cooper, Delaware; Representatives Pollock, Philadelphia; Moore, Allegheny; Marshall, Huntingdon; Hill, Indiana; Eshleman, Lancaster; Thomson, Armstrong; and Billingsley, Washington.

The joint convention held daily sessions and balloted without result until February

22d, when John I. Mitchell, of Tioga, Congressman from the 16th district, was unanimously agreed upon as a compromise candidate. He was nominated by a full Republican caucus on the morning of February 23d, and elected on the first ballot in joint convention on that day, the vote standing: Mitchell, 150; Wallace, 92; MacVeagh, 1; Brewster, 1.

The spirit of this contest continued until fall. Senator Davies, a friend of Mr. Grow, was a prominent candidate for the Republican nomination for State Treasurer. He was beaten by General Silas M. Baily, and Davies and his friends cordially made Baily's nomination unanimous. Charles S. Wolfe, himself the winter before a candidate for United States Senator, was dissatisfied. He suddenly raised the Independent flag, in a telegram to the *Philadelphia Press*, and as he announced was "the nominee of a convention of one" for State Treasurer. After a canvass of remarkable energy on the part of Mr. Wolfe, General Baily was elected, without suffering materially from the division. Mr. Wolfe obtained nearly 50,000 votes, but as almost half of them were Democratic, the result was, as stated, not seriously affected.

The Independents in Pennsylvania, however, were subdivided into two wings, known as the Continental and the Wolfe men—the former having met since the election last fall, (State Senator John Stewart, chairman) and proclaimed themselves willing and determined to abide all Republican nominations fairly made, and to advocate "reform within the party lines." These gentlemen supported Gen. Baily and largely contributed to his success, and as a rule they regard with disfavor equal to that of the Regulars, what is known as the Wolfe movement. These divisions have not extended to other States, nor have they yet assumed the shape of third parties unless Mr. Wolfe's individual canvass can be thus classed. Up to this writing (March 10, 1882,) neither wing has taken issue with President Arthur or his appointments, though there were some temporary indications of this when Attorney General MacVeagh, of Pennsylvania, persisted in having his resignation accepted. President Arthur refused to accept, on the ground that he desired MacVeagh's services in the prosecution of the Star Route cases, and Mr. MacVeagh withdrew for personal and other reasons not yet fully explained. In this game of political fence the position of the President was greatly strengthened.

Singularly enough, in the only two States where factious divisions have been recently manifested in the Republican ranks, they effected almost if not quite as seriously the Democratic party. There can be but one deduction drawn from this,

to wit:—That a number in both of the great parties, were for the time at least, weary of their allegiance. It is possible that nothing short of some great issue will restore the old partisan unity, and partisan unity in a Republic, where there are but two great parties, is not to be deplored if relieved of other than mere political differences. The existence of but two great parties, comparatively free from factions, denotes government health; where divisions are numerous and manifest increasing growth and stubbornness, there is grave danger to Republican institutions. We need not, however, philosophize when Mexico and the South American Republics are so near.

#### The Caucus.

Both the "Independents" of Pennsylvania and the "Half-Breeds" of New York at first proclaimed their opposition to the caucus system of nominating candidates for U. S. Senators, and the newspapers in their interest wrote as warmly for a time against "King Caucus" as did the dissatisfied Democratic journals in the days of De Witt Clinton. The situation, however, was totally different, and mere declamation could not long withstand the inevitable. In Pennsylvania almost nightly "conferences" were held by the Independents, as indeed they were in New York, though in both States a show of hostility was kept up to nominating in party caucus men who were to be elected by representative, more plainly legislative votes. It was at first claimed that in the Legislature each man ought to act for himself or his constituents, but very shortly it was found that the caucuses of the separate wings were as binding upon the respective wings as they could have been upon the whole. Dead-locks were interminable as long as this condition of affairs obtained, and hostility to the caucus system was before very long quietly discouraged and finally flatly abandoned, for each struggle was ended by the ratification of a general caucus, and none of them could have been ended without it. The several attempts to find other means to reach a result, only led the participants farther away from the true principle, under republican forms at least, of the right of the majority to rule. In Pennsylvania, when Mr. Oliver withdrew, fifty of his friends assembled and informally named General Beaver, and by this action sought to bind the original 95 friends of Oliver. Their conduct was excused by the plea that they represented a majority of their faction. It failed to bind all of the original number, though some of the Independents were won. The Independents, rather the original 44, bound themselves in writing not to change their course of action unless



there was secured the previous concurrence of two-thirds, and this principle was extended to the 56 who supported Mr. Bayne. Then when the joint committee of 24 was agreed upon, it was bound by a rule requiring three-fourths to recommend a candidate. All of these were plain departures from a great principle, and the deeper the contest became, the greater the departure. True, these were but voluntary forms, but they were indefensible, and are only referred to now to show the danger of mad assaults upon great principles when personal and factious aims are at stake. Opposition to the early Congressional caucus was plainly right, since one department of the Government was by voluntary agencies actually controlling another, while the law gave legal forms which could be more properly initiated through voluntary action. The writer believes, and past contests all confirm the view that the voluntary action can only be safely employed by the power by the law with the right of selection. Thus the people elect township, county and State officers, and it is their right and duty by the best attainable voluntary action to indicate their choice. This is done through the caucus or convention, the latter not differing from the former save in extent and possibly breadth of representation. The same rule applies to all offices elective by the people. It cannot properly apply to appointive offices, and while the attempt to apply it to the election of U. S. Senators shows a strong desire on the part, frequently of the more public-spirited citizens, to exercise a greater share in the selection of these officers than the law directly gives them, yet their representatives can very properly be called upon to act as they would act if they had direct power in the premises, and such action leads them into a party caucus, where the will of the majority of their respective parties can be fairly ascertained, and when ascertained respected. The State Legislatures appoint U. S. Senators, and the Representatives and Senators of the States are bound to consider in their selection the good of the entire State. If this comports with the wish of their respective districts, very well; if it does not, their duty is not less plain. Probably the time will never come when the people will elect United States Senators; to do that is to radically change the Federal system, and to practically destroy one of the most important branches of the Government; yet he is not a careful observer who does not note a growing disposition on the part of the people, and largely the people of certain localities, and imaginary political sub-divisions, to control these selections. The same is true of Presidential nominations, where masses of people deny the right of State Conventions to instruct their delegates-at-large. In

many States the people composing either of the great parties now select their own representative delegates to National Conventions, and where their selections are not respected, grave party danger is sure to follow. There is nothing wrong in this, since it points to, and is but paving the way for a more popular selection of Presidents and Vice Presidents—to an eventual selection of Presidential electors probably by Congressional districts. Yet those to be selected at large must through practical voluntary forms be nominated in that way, and the partisan State Convention is the best method yet devised for this work, and its instructions should be as binding as those of the people upon their representatives. In this government of ours there is voluntary and legal work delegated to the people directly; there is legal work delegated to appointing powers, and an intelligent discrimination should ever be exercised between the two. “Render unto Cæsar those things which are Cæsar’s,” unless there be a plain desire, backed by a good reason, to promote popular reforms as enduring as the practices and principles which they are intended to support.

Fredrick W. Whitridge, in an able review of the caucus system published \* in Lator’s *Encyclopædia of Political Science*, says:

“A caucus, in the political vocabulary of the United States, is primarily a private meeting of voters holding similar views, held prior to an election for the purpose of furthering such views at the election. With the development of parties, and the rule of majorities, the caucus or some equivalent has become an indispensable adjunct to party government, and it may now be defined as a meeting of the majority of the electors belonging to the same party in any political or legislative body held preliminary to a meeting thereof, for the purpose of selecting candidates to be voted for, or for the purpose of determining the course of the party at the meeting of the whole body. The candidates of each party are universally selected by caucus, either directly or indirectly through delegates to conventions chosen in caucuses. In legislative bodies the course of each party is often predetermined with certainty in caucus, and often discussion between parties has been, in consequence, in some degree superseded. The caucus system is, in short, the basis of a complete electoral system which has grown up within each party, side by side with that which is alone contemplated by the laws. This condition has in recent years attracted much attention, and has been bitterly announced as an evil. It was, however, early foreseen. John Adams, in 1814, wrote in the “Tenth

\* By Rand & McNally, Chicago, Ill., 1882.

Letter on Government:" "They have invented a balance to all balance in their caucuses. We have congressional caucuses, state caucuses, county caucuses, city caucuses, district caucuses, town caucuses, parish caucuses, and Sunday caucuses at church doors, and in these aristocratical caucuses *elections have been decided.*" The caucus is a necessary consequence of majority rule. If the majority is to define the policy of a party, there must be some method within each party of ascertaining the mind of the majority, and settling the party programme, before it meets the opposing party at the polls. The Carlton and Reform clubs discharge for the Tories and Liberals many of the functions of a congressional caucus. Meetings of the members of the parties in the *reichstag*, the *corps legislatif* and the chamber of deputies are not unusual, although they have generally merely been for consultation, and neither in England, France, Germany or Italy, has any such authority been conceded to the wish of the majority of a party as we have rested in the decision of a caucus. What has been called a caucus has been established by the Liberals of Birmingham, England, as to which, see a paper by W. Fraser Rae, in the "International Review" for August, 1880. The origin of the term caucus is obscure. It has been derived from the Algonquin word *Kaw-kaw-wus*—to consult, to speak—but the more probable derivation makes it a corruption of caulkers. In the early politics of Boston, and particularly during the early difficulties between the townsmen and the British troops, the seafaring men and those employed about the ship yards were prominent among the town-people, and there were numerous gatherings which may have very easily come to be called by way of reproach a meeting of caulkers, after the least influential class who attended them, or from the caulking house or caulk house in which they were held. What was at first a derisive description, came to be an appellation, and the gatherings of so-called caulkers became a caucus. John Pickering, in a vocabulary of words and phrases peculiar to the United States (Boston, 1816), gives this derivation of the word, and says several gentlemen mentioned to him that they had heard this derivation. Gordon, writing in 1774, says: "More than fifty years ago Mr. Samuel Adams' father and twenty others, one or two from the north end of the town where all the ship business is carried on, used to meet, make a caucus and lay their plan for introducing certain persons into places of trust and power. When they had settled it they separated, and each used their particular influence within his own circle. He and his friends would furnish

themselves with ballots, including the names of the parties fixed upon, which they distributed on the days of election. By acting in concert, together with a careful and extensive distribution of ballots, they generally carried their elections to their own mind. In like manner it was that Mr. Samuel Adams first became a representative for Boston." (*History of the American Revolution*, vol. i., p. 365.) February, 1763, Adams writes in his diary: "This day I learned that the caucus club meets at certain times in the garret of Tom Dawes, the adjutant of the Boston regiment. He has a large house and he has a movable partition in his garret which he takes down and the whole club meets in his room. There they smoke tobacco until they cannot see one end of the room from another. There they drink flip, I suppose, and there they choose a moderator who puts questions to the vote regularly; and selectmen, assessors, collectors, wardens, fire wards and representatives are regularly chosen in the town. Uncle Fairfield, Story, Ruddock, Adams, Cooper, and a *rudis indigestaque moles* of others, are members. They send committees to wait on the merchants' club, and to propose in the choice of men and measures. Captain Cunningham says, they have often solicited him to go to the caucuses; they have assured him their benefit in his business, etc." (*Adams' Works*, vol. ii., p. 144.) Under the title caucus should be considered the congressional nominating caucus; the caucuses of legislative assemblies; primary elections, still known outside the larger cities as caucuses; the evils which have been attributed to the latter, and the remedies which have been proposed. These will accordingly be mentioned in the order given.

"The democratic system is the result of the reorganization of the various anti-Tammany democratic factions, brought about, in 1881, by a practically self-appointed committee of 100. Under this system primary elections are to be held annually in each of 678 election districts, at which all democratic electors resident in the respective districts may participate, provided they were registered at the last general election. The persons voting at any primary shall be members of the election district association for the ensuing year, which is to be organized in January of each year. The associations may admit democratic residents in their respective districts, who are not members, to membership, and they have general supervision of the interests of the party within their districts. Primaries are held on not less than four days' public notice, through the newspapers, of the time and place, and at the appointed time the meeting is called to order by the chairman of the election district as-

sociation, provided twenty persons be present; if that number shall not be present, the meeting may be called to order with a less number, at the end of fifteen minutes. The first business of the meeting is to select a chairman, and all elections of delegates or committeemen shall take place in open meeting. Each person, as he offers to vote, states his name and residence, which may be compared with the registration list at the last election, and each person shall state for whom he votes, or he may hand to the judges an open ballot, having designated thereon the persons for whom he votes, and for what positions. Nominations are all made by conventions of delegates from the districts within which the candidate to be chosen is to be voted for. There is an assembly district committee in each assembly district, composed of one delegate for each 100 votes or fraction thereof, from each election district within the assembly district. There is also a county committee composed of delegates from each of the assembly district committees. The function of these committees is generally to look after the interests of the parties within their respective spheres. This system is too new for its workings to be as yet fairly criticised. It may prove a really popular system, or it may prove only an inchoate form of the other systems. At present it can only be said that the first primaries under it were participated in by 27,000 electors.

“The evils of the caucus and primary election systems lie in the stringent obligation which is attached to the will of a formal majority; in the fact that the process of ascertaining what the will of the majority is, has been surrounded with so many restrictions that the actual majority of votes are disfranchised, and take no part in that process, so that the formal majority is in consequence no longer the majority in fact, although it continues to demand recognition of its decisions as such.

“The separation between the organization and the party, between those who nominate and those who elect, is the sum of the evils of the too highly organized caucus system. It has its roots in the notion that the majority is right, because it is the majority, which is the popular view thus expressed by Hammond: ‘I think that when political friends consent to go into caucus for the nomination of officers, every member of such caucus is bound in honor to support and carry into effect its determination. If you suspect that determination will be so preposterous that you cannot in conscience support it, then you ought on no account to become one of its members. To try your chance in a caucus, and then, because your wishes are not gratified, to attempt to defeat the result of the deliberation of your friends, strikes me as a palpable violation of honor and good faith.

You caucus for no other possible purpose than under the implied argument that the opinion and wishes of the minority shall be yielded to the opinions of the majority, and the sole object of caucusing is to ascertain what is the will of the majority. I repeat that unless you intend to carry into effect the wishes of the majority, however contrary to your own, you have no business at a caucus.’ (*Political History of New York*, vol. i., p. 192).—In accordance with this theory, the will of the majority becomes obligatory as soon as it is made known, and one cannot assist at a caucus in order to ascertain the will of the majority, without thereby being bound to follow it; and the theory is so deeply rooted that, under the caucus and primary election system, it has been extended to cases in which the majorities are such only in form.

“The remedies as well as the evils of the caucus and nominating system have been made the subject of general discussion in connection with civil service reform. It is claimed that that reform, by giving to public officers the same tenure of their positions which is enjoyed by the employes of a corporation or a private business house, or during the continuance of efficiency or good behaviour, would abolish or greatly diminish the evils of the caucus system by depriving public officers of the illegitimate incentive to maintain it under which they now act. Other more speculative remedies have been suggested. It is proposed, on the one hand, to very greatly diminish the number of elective officers, and, in order to do away with the pre-determination of elections, to restrict the political action of the people in their own persons to districts so small that they can meet together and act as one body, and that in all other affairs than those of these small districts the people should act by delegates. The theory here seems to be to get rid of the necessity for election and nominating machinery. (See ‘*A True Republic*,’ by Albert Strickney, New York, 1879; and a series of articles in *Scribner’s Monthly* for 1881, by the same writer). On the other hand, it is proposed to greatly increase the number of elections, by taking the whole primary system under the protection of the law.\* This plan proposes: 1. The direct nomination of candidates by the members of the respective political parties in place of nominations by delegates in conventions. 2. To apply the election laws to primary elections. 3. To provide that both political parties shall participate in the same primary election instead of having a different caucus for each party. 4. To provide for a final election to be held between two candidates, each representative of a party

\* This was partially done by the Legislature of Pennsylvania in 1881.

who have been selected by means of the primary election. This plan would undoubtedly do away with the evils of the present caucus system, but it contains no guarantee that a new caucus system would not be erected for the purpose of influencing 'the primary election' in the same manner in which the present primary system now influences the final election. (See however '*The Elective Franchise in the United States*,' New York, 1880, by D. C. McClellan.)—The effective remedy for the evils of the caucus system will probably be found in the sanction of primary elections by law. \* \* \* Bills for this purpose were introduced by the Hon. Erastus Brooks in the New York Legislature in 1881, which provided substantially for the system proposed by Mr. McClellan, but they were left unacted upon, and no legislative attempt to regulate primaries, except by providing for their being called, and for their procedure, has been made elsewhere. In Ohio what is known as the Baber law provides that where any voluntary political association orders a primary, it must be by a majority vote of the central or controlling committee of such party or association; that the call must be published for at least five days in the newspapers, and state the time and place of the meeting, the authority by which it was called, and the name of the person who is to represent that authority at each poll. The law also provides for challenging voters, for punishment of illegal voting, and for the bribery or intervention of electors or judges. (*Rev. Stat. Ohio*, secs. 2916–2921.) A similar law in Missouri is made applicable to counties only of over 100,000 inhabitants, but by this law it is made optional with the voluntary political association whether it will or not hold its primaries under the law, and if it does, it is provided that the county shall incur no expense in the conduct of such elections. (*Laws of Missouri*, 1815, p. 54.) A similar law also exists in California. (*Laws of California*, 1865–1866, p. 438.) These laws comprise all the existing legislation on the subject, except what is known as the Landis Bill of 1881, which requires primary officers to take an oath, and which punishes fraud."

#### Assassination of President Garfield.

At 9 o'clock on the morning of Saturday, July 2d, 1881, President Garfield, accompanied by Secretary Blaine, left the Executive Mansion to take a special train from the Baltimore and Potomac depot for New England, where he intended to visit the college from which he had graduated. Arriving at the depot, he was walking arm-in-arm through the main waiting-room, when Charles J. Guiteau, a persistent applicant for an office, who had some

time previously entered through the main door, advanced to the centre of the room, and having reached within a few feet of his victim, fired two shots, one of which took fatal effect. The bullet was of forty-four calibre, and striking the President about four inches to the right of the spinal column, struck the tenth and badly shattered the eleventh rib. The President sank to the floor, and was conveyed to a room where temporary conveniences were attainable, and a couch was improvised. Dr. Bliss made an unsuccessful effort to find the ball. The shock to the President's system was very severe, and at first apprehensions were felt that death would ensue speedily. Two hours after the shooting, the physicians decided to remove him to the Executive Mansion. An army ambulance was procured, and the removal effected. Soon after, vomiting set in, and the patient exhibited a dangerous degree of prostration, which threatened to end speedily in dissolution. This hopeless condition of affairs continued until past midnight, when more favorable symptoms were exhibited. Dr. Bliss was on this Sunday morning designated to take charge of the case, and he called Surgeon-General Barnes, Assistant Surgeon-General Woodward, and Dr. Reyburn as consulting physician. To satisfy the demand of the country, Drs. Agnew, of Philadelphia, and Hamilton, of New York, were also summoned by telegraph, and arrived on a special train over the Pennsylvania Railroad, Sunday afternoon. For several days immediately succeeding the shooting, the patient suffered great inconvenience and pain in the lower limbs. This created an apprehension that the spinal nerves had been injured, and death was momentarily expected. On the night of July 4th a favorable turn was observed, and the morning of the 5th brought with it a vague but undefined hope that a favorable issue might ensue. Under this comforting conviction, Drs. Agnew and Hamilton, after consultation with the resident medical attendants, returned to their homes; first having published to the country an indorsement of the treatment inaugurated. During July 5th and 6th the patient continued to improve, the pulse and respiration showing a marked approach to the condition of healthfulness, the former being reported on the morning of the 6th at 98, and in the evening it only increased to 104. On the 7th Dr. Bliss became very confident of ultimate triumph over the malady. In previous bulletins meagre hope was given, and the chances for recovery estimated at one in a hundred.

From July 7th to the 16th there was a slight but uninterrupted improvement, and the country began to entertain a confident hope that the patient would recover.

Hope and fear alternated from day to day, amid the most painful excitement. On the 8th of August Drs. Agnew and Hamilton had to perform their second operation to allow a free flow of pus from the wound. This resulted in an important discovery. It was ascertained that the track of the bullet had turned from its downward deflection to a forward course. The operation lasted an hour, and ether was administered, the effect of which was very unfortunate. Nausea succeeded, and vomiting followed every effort to administer nourishment for some time. However, he soon rallied, and the operation was pronounced successful, and, on the following day, the President, for the first time, wrote his name. On the 10th he signed an important extradition paper, and on the 11th wrote a letter of hopefulness to his aged mother. On the 12th Dr. Hamilton expressed the opinion that the further attendance of himself and Dr. Agnew was unnecessary. The stomach continued weak, however, and on the 15th nausea returned, and the most menacing physical prostration followed the frequent vomiting, and the evening bulletin announced that "the President's condition, on the whole, is less satisfactory."

Next a new complication forced itself upon the attention of the physicians. This was described as "inflammation of the right parotid gland." On August 24th it was decided to make an incision below and forward of the right ear, in order to prevent suppuration. Though this operation was pronounced satisfactory, the patient gradually sank, until August 25th, when all hope seemed to have left those in attendance.

Two days of a dreary watch ensued; on the 27th an improvement inspired new hope. This continued throughout the week, but failed to build up the system. Then it was determined to remove the patient to a more favorable atmosphere. On the 6th of September this design was executed, he having been conveyed in a car arranged for the purpose to Long Branch, where, in a cottage at Elberon, it was hoped vigor would return. At first, indications justified the most sanguine expectations. On the 9th, however, fever returned, and a cough came to harass the wasted sufferer. It was attended with purulent expectoration, and became so troublesome as to entitle it to be regarded as the leading feature of the case. The surgeons attributed it to the septic condition of the blood. The trouble increased until Saturday, September 10th, when it was thought the end was reached. He rallied, however, and improved rapidly, during the succeeding few days, and on Tuesday, the 13th, was lifted from the bed and placed in a chair at the window. The

improvement was not enduring, however, and on Saturday, September 17th, the rigor returned. During the nights and days succeeding, until the final moment, hope rose and fell alternately, and though the patient's spirits fluctuated to justify this change of feeling, the improvement failed to bring with it the strength necessary to meet the strain.

President Garfield died at 10.35 on the night of Sept. 19th, 1881, and our nation mourned, as it had only done once before, when Abraham Lincoln also fell by the hand of an assassin. The assassin Guiteau was tried and convicted, the jury rejecting his plea of insanity.

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#### President Arthur.

Vice-President Arthur, during the long illness of the President, and at the time of his death, deported himself so well that he won the good opinion of nearly all classes of the people, and happily for weeks and months all factious or partisan spirit was hushed by the nation's great calamity. At midnight on the 19th of September the Cabinet telegraphed him from Long Branch to take the oath of office, and this he very properly did before a local judge. The Government cannot wisely be left without a head for a single day. He was soon afterwards again sworn in at Washington, with the usual ceremonies, and took occasion to make a speech which improved the growing better feeling. The new President requested the Cabinet to hold on until Congress met, and it would have remained intact had Secretary Windom not found it necessary to resume his place in the Senate. The vacancy was offered to ex-Governor Morgan, of New York, who was actually nominated and confirmed before he made up his mind to decline it. Judge Folger now fills the place. The several changes since made will be found in the Tabulated History, Book VII.

It has thus far been the effort of President Arthur to allay whatever of factious bitterness remains in the Republican party. In his own State of New York the terms "Half-Breed" and "Stalwart" are passing into comparative disuse, as are the terms "Regulars" and "Independents" in Pennsylvania.

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#### "Boss Rule."

The complaint of "Boss Rule" in these States—by which is meant the control of certain leaders—still obtains to some extent. Wayne MacVeagh was the author of this very telling political epithet, and he used it with rare force in his street speeches at Chicago when opposing the nomination of Grant. It was still further cultivated

by Rufus E. Shapley, Esq., of Philadelphia, the author of "Solid for Mulhooly," a most admirable political satire, which had an immense sale. Its many hits were freely quoted by the Reformers of Philadelphia, who organized under the Committee of One Hundred, a body of merchants who first banded themselves together to promote reforms in the municipal government. This organization, aided by the Democrats, defeated Mayor Wm. S. Stokley for his third term, electing Mr. King, theretofore a very popular Democratic councilman. In return for this support, the Democrats accepted John Hunter, Committee's nominee for Tax Receiver, and the combination succeeded. In the fall of 1881 it failed on the city ticket, but in the spring of 1882 secured material successes in the election of Councilmen, who were nominees of both parties, but aided by the endorsement of the Committee of One Hundred. A similar combination failed as between Brown (Rep.) and Eisenbrown (Dem.) for Magistrate. On this part of the ticket the entire city voted, and the regular Republicans won by about 500 majority.

The following is the declaration of principles of the Citizens' Republican Association of Philadelphia, which, under the banner of Mr. Wolfe, extended its organization to several counties:

I. We adhere to the platform of the National Convention of the Republican party, adopted at Chicago, June 2d, 1880, and we proclaim our unswerving allegiance to the great principles upon which that party was founded, to wit: national supremacy, universal liberty, and governmental probity.

II. The Republican party, during its glorious career, having virtually established its principles of national supremacy and universal liberty as the law of the land, we shall, while keeping a vigilant watch over the maintenance of those principles, regard the third one, viz.: governmental probity, as the living issue to be struggled for in the future; and as the pure administration of government is essential to the permanence of Republican institutions, we consider this issue as in no way inferior in importance to any other.

III. The only practical method of restoring purity to administration is through the adoption of a system of civil service, under which public officials shall not be the tools of any man or of any clique, subject to dismissal at their behest, or to assessment in their service; nor appointment to office be "patronage" at the disposal of any man to consolidate his power within the party.

IV. It is the abuse of this appointing power which has led to the formation of the "machine," and the subjection of the

party to "bosses." Our chosen leader, the late President Garfield, fell a martyr in his contest with the "bosses." We take up the struggle where he left it, and we hereby declare that we will own no allegiance to any "boss," nor be subservient to any "machine;" but that we will do our utmost to liberate the party from the "boss" domination under which it has fallen.

V. Recognizing that political parties are simply instrumentalities for the enforcement of certain recognized principles, we shall endeavor to promote the principles of the Republican party by means of that party, disenthralled and released from the domination of its "bosses." But should we fail in this, we shall have no hesitation in seeking to advance the principles of the party through movements and organizations outside of the party lines.

The idea of the Committee of One Hundred is to war against "boss rule" in municipal affairs. James McManes has long enjoyed the leadership of the Republican party in Philadelphia, and the reform element has directed its force against his power as a leader, though he joined at Chicago in the MacVeagh war against the form of "boss rule," which was then directed against Grant, Conkling, Logan and Cameron. This episode has really little, if anything, to do with Federal politics, but the facts are briefly recited with a view to explain to the reader the leading force which supported Mr. Wolfe in his independent race in Pennsylvania. Summed up, it is simply one of those local wars against leadership which precede and follow factions.

The factious battles in the Republican party, as we have stated, seem to have spent their force. The assassination of President Garfield gave them a most serious check, for men were then compelled to look back and acknowledge that his plain purpose was to check divisions and heal wounds. Only haste and anger assailed, and doubtless as quickly regretted the assault. President Arthur, with commendable reticence and discretion, is believed to be seeking the same end. He has made few changes, and these reluctantly. His nomination of ex-Senator Conkling to a seat in the Supreme Bench, which, though declined, is generally accepted as an assurance to New Yorkers that the leader hated by one side and loved by the other, should be removed from partisan politics peculiar to his own State, but removed with the dignity and honor becoming his high abilities. It has ever been the policy of wise administrations, as with wise generals, to care for the wounded, and Conkling was surely and sorely wounded in his battle against the confirmation of Robertson and his attempted re-election to the Senate. He accepted the situation with

quiet composure, and saw his friend Arthur unite the ranks which his resignation had sundered. After this there remained little if any cause for further quarrel, and while in writing history it is dangerous to attempt a prophecy, the writer believes that President Arthur will succeed in keeping his party, if not fully united, at least as compact as the opposing Democratic forces.

#### The Readjusters.

This party was founded in 1878 by Gen'l William Mahone, a noted Brigadier in the rebel army. He is of Scotch-Irish descent, a man of very small stature but most remarkable energy, and acquired wealth in the construction and development of Southern railroads. He sounded the first note of revolt against what he styled the Bourbon rule of Virginia, and being classed as a Democrat, rapidly divided that party on the question of the Virginia debt. His enemies charge that he sought the repudiation of this debt, but in return he not only denied the charge, but said the Bourbons were actually repudiating it by making no provision for its payment, either in appropriations or the levying of taxes needed for the purpose. Doubtless his views on this question have undergone some modification, and that earlier in the struggle the uglier criticisms were partially correct. Certain it is that he and his friends now advocate full payment less the proportion equitably assigned to West Virginia, which separated from the parent State during the war, and in her constitution evaded her responsibility by declaring that the State should never contract a debt except one created to resist invasion or in a war for the government. This fact shows how keenly alive the West Virginians were to a claim which could very justly be pressed in the event of Virginia being restored to the Union, and this claim Gen'l Mahone has persistently pressed, and latterly urged a funding of the debt of his State at a 3 per cent. rate, on the ground that the State is unable to pay more and that this is in accord with proper rates of interest on the bonds of State governments—a view not altogether fair or sound, since it leaves the creditors powerless to do otherwise than accept. The regular or Bourbon Democrats proclaimed in favor of full payment, and in this respect differed from their party associates as to ante-war debts in most other Southern States.

Gen. Mahone rapidly organized his revolt, and as the Republican party was then in a hopeless minority in Virginia, publicly invited an alliance by the passage of a platform which advocated free schools for the blacks and a full enforcement of the

National laws touching their civil rights. The Législature was won, and on the 16th of December, 1880, Gen'l Mahone was elected to the U. S. Senate to succeed Senator Withers, whose term expired March 4, 1881.

In the Presidential campaign of 1880, the Readjusters supported Gen'l Hancock, but on a separate electoral ticket, while the Republicans supported Garfield on an electoral ticket of their own selection. This division was pursuant to an understanding, and at the time thought advisable by Mahone, who, if his electors won, could go for Hancock or not, as circumstances might suggest; while if he failed the Republicans might profit by the separation. There was, however, a third horn to this dilemma, for the regular Democratic electors were chosen, but the political complexion of the Legislature was not changed. Prior to the Presidential nominations Mahone's Readjuster Convention had signified their willingness to support Gen'l Grant if he should be nominated at Chicago, and this fact was widely quoted by his friends in their advocacy of Grant's nomination, and in descanting upon his ability to carry Southern States.

The Readjuster movement at first had no other than local designs, but about the time of its organization there was a great desire on the part of the leading Republicans to break the "Solid South," and every possible expedient to that end was suggested. It was solid for the Democratic party, and standing thus could with the aid of New York, Indiana and New Jersey (them all Democratic States) assure the election of a Democratic President.

One of the favorite objects of President Hayes was to break the "Solid South." He first obtained it by conciliatory speeches, which were so conciliatory in fact that they angered radical Republicans, and there were thus threatened division in unexpected quarters. He next tried it through Gen'l Key, whom he made Postmaster General in the hope that he could resurrect and reorganize the old Whig elements of the South. Key was to attend to Southern postal patronage with this end in view, while Mr. Tener, his able First Assistant, was to distribute Northern or Republican patronage. So far as dividing the South was concerned, the scheme was a flat failure.

The next and most quiet and effectual effort was made by Gen'l Simon Cameron, Ex-Senator from Pennsylvania. He started on a brief Southern tour, ostensibly for health and enjoyment, but really to meet Gen'l Mahone, his leading Readjuster friends, and the leading Republicans. Conferences were held, and the union of the two forces was made to embrace National objects. This was in the Fall of 1879.

Not long thereafter Gen'l Mahone consulted with Senator J. Don. Cameron, who was of course familiar with his father's movements, and he actively devised and carried out schemes to aid the new combination by which the "Solid South" was to be broken. In the great State campaign of 1881, when the Bourbon and anti-Bourbon candidates for Governor, were stumping the State, Gen'l Mahone found that a large portion of his colored friends were handicapped by their inability to pay the taxes imposed upon them by the laws of Virginia, and this threatened defeat. He sought aid from the National administration. President Garfield favored the combination, as did Secretary Windom, but Secretary Blaine withheld his support for several months, finally, however, acceding to the wishes of the President and most of the Cabinet. Administration influences caused the abandonment of a straight-out Republican movement organized by Congressman Jorgensen and others, and a movement which at one time threatened a disastrous division was overcome. The tax question remained, and this was first met by Senator J. Don. Cameron, who while summering at Manhattan Island, was really daily engaged in New York City raising funds for Mahone, with which to pay their taxes. Still, this aid was insufficient, and in the heat of the battle the revenue officers throughout the United States, were asked to contribute. Many of them did so, and on the eve of election all taxes were paid and the result was the election of William E. Cameron (Readjuster) as Governor by about 20,000 majority, with other State officers divided between the old Readjusters and Republicans. The combination also carried the Legislature.

In that great struggle the Readjusters became known as the anti-Bourbon movement, and efforts are now being made to extend it to other Southern States. It has taken root in South Carolina, Georgia, Tennessee, Arkansas, Mississippi, and more recently in Kentucky, where the Union War Democrats in State Convention as late as March 1, 1882, separated from the Bourbon wing of the party. For a better idea of these two elements in the South, the reader is referred to the recent speeches of Hill and Mahone in the memorable Senate scene directly after the latter took the oath of office, and cast his vote with the Republicans. These speeches will be found in Book III of this volume.

#### Suppressing Mormonism.

Polygamy, justly denounced as "the true relic of barbarism" while slavery existed, has ever since the settlement of the

Mormons in Utah, been one of the vexed questions in American politics. Laws passed for its suppression have proved, thus far, unavailing; troops could not crush it out, or did not at a time when battles were fought and won; United States Courts were powerless where juries could not be found to convict. Latterly a new and promising effort has been made for its suppression. This was begun in the Senate in the session of 1882. On the 16th of February a vote was taken by sections on Senator Edmunds' bill, which like the law of 1862 is penal in its provisions, but directly aimed against the crime of polygamy.

President Arthur signed the Edmunds anti-polygamy bill on the 23d of March, 1882.

Delegate Cannon of Utah, was on the floor of the Senate electioneering against the bill, and he plead with some success, for several Democratic Senators made speeches against it. The Republicans were unanimously for the bill, and the Democrats were not solidly against it, though the general tenor of the debate on this side was against it.

Senator Vest (Democrat) of Missouri, said that never in the darkest days of the rule of the Tudors and Stuarts had any measure been advocated which came so near a bill of attainder as this one. It was monstrous to contend that the people of the United States were at the mercy of Congress without any appeal. If this bill passed it would establish a precedent that would come home to plague us for all time to come. The pressure against polygamy to-day might exist to-morrow against any church, institution or class in this broad land, and when the crested waves of prejudice and passion mounted high they would be told that the Congress of the United States had trampled upon the Constitution. In conclusion, he said: "I am prepared for the abuse and calumny that will follow any man who dares to criticise any bill against polygamy, and yet, if my official life had to terminate to-morrow, I would not give my vote for the unconstitutional principles contained in this bill." Other speeches were made by Messrs. Morgan, Brown, Jones, of Florida, Saulsbury, Call, Pendleton, Sherman, and Lamar, and the debate was closed by Mr. Edmunds in an eloquent fifteen-minutes' speech, in which he carefully reviewed and controverted the objections urged against the bill of the committee.

He showed great anxiety to have the measure disposed of at once and met a request from the Democratic side for a postponement till other features should be embodied in the bills with the remark that this was the policy that had hitherto proven a hindrance to legislation on this subject



and that he was tired of it. In the bill as amended the following section provoked more opposition than any other, although the Senators refrained from making any particular mention of it: "That if any male person in a Territory or other place over which the United States have exclusive jurisdiction hereafter cohabits with more than one woman he shall be deemed guilty of a misdemeanor, and on conviction thereof he shall be punished by a fine of not more than \$300 or by imprisonment for not more than six months, or by both said punishments in the discretion of the court." The bill passed viva voce vote after a re-arrangement of its sections, one of the changes being that not more than three of the commissioners shall be members of the same party. The fact that the yeas and nays were not called, shows that there is no general desire on either side to make the bill a partisan measure.

The Edmunds Bill passed the House March 14, 1882, without material amendment, the Republican majority, refusing to allow the time asked by the Democrats for discussion. The vote was 193 for to only 45 against, all of the negative votes being Democratic save one, that of Jones, Greenbacker from Texas.

The only question was whether the bill, as passed by the Senate, would accomplish that object, and whether certain provisions of this bill did not provide a remedy which was worse than the disease. Many Democrats thought that the precedent of interfering with the right of suffrage at the polls, when the voter had not been tried and convicted of any crime, was so dangerous that they could not bring themselves to vote for the measure. Among these democrats were Belmont and Hewitt, of New York, and a number of others equally prominent. But they all professed their readiness to vote for any measure which would affect the abolition of polygamy without impairing the fundamental rights of citizens in other parts of the country.

#### THE TEXT OF THE BILL.

*Be it enacted, &c.,* That section 5,352 of the Revised Statutes of the United States be, and the same is hereby amended so as to read as follows, namely:

"Every person who has a husband or wife living who, in a Territory or other place over which the United States have exclusive jurisdiction, hereafter marries another, whether married or single, and any man who hereafter simultaneously, or on the same day, marries more than one woman, in a Territory or other place over which the United States has exclusive jurisdiction, is guilty of polygamy, and shall be punished by a fine of not more than \$500 and by imprisonment for a term of not

more than five years; but this section shall not extend to any person by reason of any former marriage whose husband or wife by such marriage shall have been absent for five successive years, and is not known to such person to be living, and is believed by such person to be dead, nor to any person by reason of any former marriage which shall have been dissolved by a valid decree of a competent court, nor to any person by reason of any former marriage which shall have been pronounced void by a valid decree of a competent court, on the ground of nullity of the marriage contract."

SEC. 2. That the foregoing provisions shall not affect the prosecution or punishment of any offence already committed against the section amended by the first section of this act.

SEC. 3. That if any male person, in a Territory or other place over which the United States have exclusive jurisdiction, hereafter cohabits with more than one woman, he shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than \$300, or by imprisonment for not more than six months, or by both said punishments in the discretion of the court.

SEC. 4. That counts for any or all of the offences named in sections 1 and 3 of this act may be joined in the same information or indictment.

SEC. 5. That in any prosecution for bigamy, polygamy or unlawful cohabitation under any statute of the United States, it shall be sufficient cause of challenge to any person drawn or summoned as a juror or talesman, first, that he is or has been living in the practice of bigamy, polygamy, or unlawful cohabitation with more than one woman, or that he is or has been guilty of an offence punishable by either of the foregoing sections or by section 5352 of the Revised Statutes of the United States or the act of July 1, 1862, entitled "An act to punish and prevent the practice of polygamy in the Territories of the United States and other places, and disapproving and annulling certain acts of the Legislative Assembly of the Territory of Utah;" or, second, that he believes it right for a man to have more than one living and undivorced wife at the same time, or to live in the practice of cohabiting with more than one woman, and any person appearing or offered as a juror or talesman and challenged on either of the foregoing grounds may be questioned on his oath as to the existence of any such cause of challenge, and other evidence may be introduced bearing upon the question raised by such challenge, and this question shall be tried by the court. But as to the first ground of challenge before mentioned the person challenged shall be bound to answer if he

shall say upon his oath that he declines on the ground that his answer may tend to criminate himself, and if he shall answer to said first ground his answer shall not be given in evidence in any criminal prosecution against him for any offense named in sections 1 or 3 of this act, but if he declines to answer on any ground he shall be rejected as incompetent.

SEC. 6. That the President is hereby authorized to grant amnesty to such classes of offenders guilty before the passage of this act of bigamy, polygamy, or unlawful cohabitation before the passage of this act, on such conditions and under such limitations as he shall think proper; but no such amnesty shall have effect unless the conditions thereof shall be complied with.

SEC. 7. That the issue of bigamous or polygamous marriages known as Mormon marriages, in cases in which such marriages have been solemnized according to the ceremonies of the Mormon sect, in any Territory of the United States, and such issue shall have been born before the 1st day of January, A. D. 1883, are hereby legitimated.

SEC. 8. That no polygamist, bigamist, or any person cohabiting with more than one woman, and no woman cohabiting with any of the persons described as aforesaid in this section, in any Territory or other place over which the United States have exclusive jurisdiction, shall be entitled to vote at any election held in any such Territory or other place, or be eligible for election or appointment to or be entitled to hold any office or place of public trust, honor or emolument in, under, or for such Territory or place, or under the United States.

SEC. 9. That all the registration and election offices of every description in the Territory of Utah are hereby declared vacant, and each and every duty relating to the registration of voters, the conduct of elections, the receiving or rejection of votes, and the canvassing and returning of the same, and the issuing of certificates or other evidence of election in said Territory, shall, until other provision be made by the Legislative Assembly of said Territory as is hereinafter by this section provided, be performed under the existing laws of the United States and of said Territory by proper persons, who shall be appointed to execute such offices and perform such duties by a board of five persons, to be appointed by the President, by and with the advice and consent of the Senate, and not more than three of whom shall be members of one political party, and a majority of whom shall constitute a quorum. The members of said board so appointed by the President shall each receive a salary at the rate of \$3,000 per annum, and shall continue in office until the Legislative Assembly of said Territory shall make pro-

vision for filling said offices as herein authorized. The secretary of the Territory shall be the secretary of said board, and keep a journal of its proceedings, and attest the action of said board under this section. The canvass and return of all the votes at elections in said Territory for members of the Legislative Assembly thereof shall also be returned to said board, which shall canvass all such returns and issue certificates of election to those persons who, being eligible for such election, shall appear to have been lawfully elected, which certificate shall be the only evidence of the right of such persons to sit in such Assembly: *Provided*, That said board of five persons shall not exclude any person otherwise eligible to vote from the polls on account of any opinion such person may entertain on the subject of bigamy or polygamy, nor shall they refuse to count any such vote on account of the opinion of the person casting it on the subject of bigamy or polygamy; but each house of such Assembly, after its organization, shall have power to decide upon the elections and qualifications of its members. And at or after the first meeting of said Legislative Assembly whose members shall have been elected and returned according to the provisions of this act, said Legislative Assembly may make such laws, conformable to the organic act of said Territory and not inconsistent with other laws of the United States, as it shall deem proper concerning the filling of the offices in said Territory declared vacant by this act.

John R. McBride writing in the February number (1882) of *The International Review*, gives an interesting and correct view of the obstacles which the Mormons have erected against the enforcement of United States laws in the Territory. It requires acquaintance with these facts to fully comprehend the difficulties in the way of what seems to most minds a very plain and easy task. Mr. McBride says: Their first care on arriving in Utah was to erect a "free and Independent State," called the "State of Deseret." It included in its nominal limits, not only all of Utah as it now is, but one-half of California, all of Nevada, part of Colorado, and a large portion of four other Territories now organized. Brigham Young was elected Governor, and its departments, legislative and judicial, were fully organized and put into operation. Its legislative acts were styled "ordinances," and when Congress, disregarding the State organization, instituted a Territorial Government for Utah, the legislative body chosen by the Mormons adopted the ordinances of the "State of Deseret." Many of these are yet on the statute book of Utah. They show conclusively the domination of the ecclesiastical idea, and how utterly insignificant in

comparison was the power of the civil authority. They incorporated the Mormon Church into a body politic and corporate, and by the third section of the act gave it supreme authority over its members in everything temporal and spiritual, and assigned as a reason for so doing that it was because the powers confirmed were in "support of morality and virtue, and were founded on the revelations of the Lord." Under this power to make laws and punish and forgive offenses, to hear and determine between brethren, the civil law was superseded. The decrees of the courts of this church, certified under seal, have been examined by the writer, and he found them exercising a jurisdiction without limit except that of appeal to the President of the church. That the assassinations of apostates, the massacres of the Morrisites at Morris Fort and of the Arkansas emigrants at Mountain Meadows, were all in pursuance of church decrees, more or less formal, no one acquainted with the system doubts. This act of incorporation was passed February 8, 1851, and is found in the latest compilation of Utah statutes. It is proper also to observe that, for many years after the erection of the Territorial Government by Congress, the "State of Deseret" organization was maintained by the Mormons, and collision was only prevented because Brigham was Governor of both, and found it unnecessary for his purpose to antagonize either. His church organization made both a shadow, while *that* was the substance of all authority. One of the earliest of their legislative acts was to organize a Surveyor General's Department,<sup>1</sup> and title to land was declared to be in the persons who held a certificate from that office.<sup>2</sup> Having instituted their own system of government and taken possession of the land, and assumed to distribute that in a system of their own, the next step was to vest certain leading men with the control of the timbers and waters of the country. By a series of acts granting lands, waters and timber to individuals, the twelve apostles became the practical proprietors of the better and more desirable portions of the country. By an ordinance dated October 4, 1851, there was granted to Brigham Young the "sole control of City Creek and Cañon for the sum of five hundred dollars." By an ordinance dated January 9, 1850, the "waters of North Mill Creek and the waters of the Cañon next north" were granted to Heber C. Kimball. On the same day was granted to George A. Smith the "sole control of the cañons and timber of the east side of the 'West Mountains.'" On the 18th of January, 1851, the North Cottonwood Cañon was granted exclusively to Williard Richards. On the 15th of Janu-

ary, 1851, the waters of the "main channel" of Mill Creek were donated to Brigham Young. On the 9th of December, 1850, there was granted to Ezra T. Benson the exclusive control of the waters of Twin Springs and Rock Springs, in Tooele Valley; and on the 14th of January, 1851, to the same person was granted the control of all the cañons of the "West Mountain" and the timber therein. By the ordinance of September 14, 1850, a "general conference of the Church of Latter Day Saints" was authorized to elect thirteen men to become a corporation, to be called the Emigration Company; and to this company, elected exclusively by the church, was secured and appropriated the two islands in Salt Lake known as Antelope and Stansberry Islands, to be under the exclusive control of President Brigham Young. These examples are given to show that the right of the United States to the lands of Utah met no recognition by these people. They appropriated them, not only in a way to make the people slaves, but indicated their claim of sovereignty as superior to any. Young, Smith, Benson and Kimball were apostles. Richards was Brigham Young's counselor. By an act of December 28, 1855, there was granted to the "University of the State of Deseret" a tract of land amounting to about five hundred acres, inside the city limits of Salt Lake City, without any reservation to the occupants whatever; and everywhere was the authority of the United States over the country and its soil and people utterly ignored.

Not satisfied with making the grants referred to, the Legislative Assembly entered upon a system of municipal incorporations, by which the fertile lands of the Territory were withdrawn from the operation of the preëmptive laws of Congress; and thus while *they* occupied these without title, non-Mormons were unable to make settlement on them, and they were thus engrossed to Mormon use. From a report made by the Commissioner of the General Land Office to the United States Senate,<sup>1</sup> it appears that the municipal corporations covered over 400,000 acres of the public lands, and over 600 square miles of territory. These lands<sup>2</sup> are not subject to either the Homestead or Preëmption laws, and thus the non-Mormon settler was prevented from attempting, except in rare instances, to secure any lands in Utah. The spirit which prompted this course is well illustrated by an instance which was the subject of an investigation in the Land Department, and the proofs are found in the document just referred to. George Q. Cannon, the late Mormon delegate in Congress, was called to exercise his

<sup>1</sup> Act of March 2, 1850.

<sup>2</sup> Act of January 19, 1866.

<sup>1</sup> Senate doc. 181, 46th Congress.

<sup>2</sup> Sec. 2, 258, Rev. Stat. U.S.

duties as an apostle to the Tooele "Stake" at the city of Grantville. In a discourse on Sunday, the 20th day of July, 1875, Mr. Cannon said:<sup>1</sup> "God has given us (meaning the Mormon people) this land, and, if any outsider shall come in to take land which we claim, a piece *six feet by two* is all they are entitled to, and that will last them to all eternity."

By measures and threats like these have the Mormons unlawfully controlled the agricultural lands of the Territory and excluded therefrom the dissenting settler. The attempt of the United States to establish a Surveyor-General's office in Utah in 1855, and to survey the lands in view of disposing of them according to law, was met by such opposition that Mr. Burr, the Surveyor-General, was compelled to fly for life. The monuments of surveys made by his order were destroyed, and the records were supposed to have met a like fate, but were afterwards restored by Brigham Young to the Government. The report of his experience by Mr. Burr was instrumental in causing troops to be sent in 1857 to assert the authority of the Government. When this army, consisting of regular troops, was on the way to Utah, Brigham Young, as Governor, issued a proclamation, dated September 15, 1857, declaring martial law and ordering the people of the Territory to hold themselves in readiness to march to repel the invaders, and on the 29th of September following addressed the commander of United States forces an order forbidding him to enter the Territory, and directing him to retire from it by the same route he had come. Further evidence of the Mormon claim that they were independent is perhaps unnecessary. The treasonable character of the local organization is manifest. It is this organization that controls, not only the people who belong to it, but the 30,000 non-Mormons who now reside in Utah.

Every member of the territorial Legislature is a Mormon. Every county officer is a Mormon. Every territorial officer is a Mormon, except such as are appointive. The schools provided by law and supported by taxation are Mormon. The teachers are Mormon, and the sectarian catechism affirming the revelations of Joseph Smith is regularly taught therein. The municipal corporations are under the control of Mormons. In the hands of this bigoted class all the material interests of the Territory are left, subject only to such checks as a Federal Governor and a Federal judiciary can impose. From beyond the sea they import some thousands of ignorant converts annually, and, while the non-Mormons are increasing, they are overwhelmed by the muddy tide of fanaticism shipped in upon

them. The suffrage has been bestowed upon all classes by a statute so general that the ballot box is filled with a mass of votes which repels the free citizen from the exercise of that right. If a Gentile is chosen to the Legislature (two or three such instances have occurred), he is not admitted to the seat, although the act of Congress (June 23, 1874) requires the Territory to pay all the expenses of the enforcement of the laws of the Territory, and of the care of persons convicted of offenses against the laws of the Territory. Provision is made for jurors' fees in criminal cases only, and none is made for the care of criminals.<sup>1</sup> While Congress pays the legislative expenses, amounting to \$20,000 per session, the Legislature defiantly refuses to comply with the laws which its members are sworn to support. And the same body, though failing to protect the marriage bond by any law whatever requiring any solemnities for entering it, provided a divorce act which practically allowed marriages to be annulled at will.<sup>2</sup> Neither seduction, adultery nor incest find penalty or recognition in its legal code. The purity of home is destroyed by the beastly practice of plural marriage, and the brows of innocent children are branded with the stain of bastardy to gratify the lust which cares naught for its victims. Twenty-eight of the thirty-six members of the present Legislature of Utah are reported as having from two to seven wives each. While the Government of the United States is paying these men their mileage and *per diem* as law-makers in Utah, those guilty of the same offense outside of Utah are leading the lives of felons in convict cells. For eight years a Mormon delegate has sat in the capitol at Washington having four living wives in his harem in Utah, and at the same time, under the shadow of that capitol, lingers in a felon's prison a man who had been guilty of marrying a woman while another wife was still living.

For thirty years have the Mormons been trusted to correct these evils and put themselves in harmony with the balance of civilized mankind. This they have refused to do. Planting themselves in the heart of the continent, they have persistently defied the laws of the land, the laws of modern society, and the teachings of a common humanity. They degrade woman to the office of a breeding animal, and, after depriving her of all property rights in her husband's estate,<sup>3</sup> all control of her children,<sup>4</sup> they, with ostentation, bestow upon her the ballot in a way that makes it a nullity if contested, and compels her to use it to perpetuate her own degradation if she avails herself of it.

<sup>1</sup> According to the affidavits of Samuel Howard and others, page 14.

<sup>1</sup> See Report of Attorney-General United States, 1860-81.

<sup>2</sup> Act of March 6, 1862.

<sup>3</sup> Act of February 16, 1872.

<sup>4</sup> Secs. 1 and 2, act of February 3, 1852.

No power has been given to the Mormon Hierarchy that has not been abused. The right of representation in the legislative councils has been violated in the apportionment of members so as to disfranchise the non-Mormon class.<sup>1</sup> The system of revenue and taxation was for twenty-five years a system of confiscation and extortion.<sup>2</sup> The courts were so organized and controlled that they were but the organs of the church oppressions and ministers of its vengeance.<sup>3</sup> The legal profession was abolished by a statute that prohibited a lawyer from recovering on any contract for service, and allowed every person to appear as an attorney in any court.<sup>4</sup> The attorney was compelled to present "all the facts in the case," whether for or against his client, and a refusal to disclose the confidential communications of the latter subjected the attorney to fine and imprisonment.<sup>5</sup> No law book except the statutes of Utah and of the United States, "when applicable," was permitted to be read in any court by an attorney, and the citation of a decision of the Supreme Court of the United States, or even a quotation from the Bible, in the trial of any cause, subjected a lawyer to fine and imprisonment.<sup>6</sup>

The practitioners of medicine were equally assailed by legislation. The use of the most important remedies known to modern medical science, including all anæsthetics, was prohibited except under conditions which made their use impossible, "and if death followed" the administration of these remedies, the person administering them was declared guilty of manslaughter or murder.<sup>7</sup> The Legislative Assembly is but an organized conspiracy against the national law, and an obstacle in the way of the advancement of its own people. For sixteen years it refused to lay its enactments before Congress, and they were only obtained by a joint resolution demanding them. Once in armed rebellion against the authority of the nation, the Mormons have always secretly struggled for, as they have openly prophesied, its entire overthrow. Standing thus in the pathway of the material growth and development of the Territory, a disgrace to the balance of the country, with no redeeming virtue to plead for further indulgence, this travesty of a local government demands radical and speedy reform.

#### The South American Question.

If it was not shrewdly surmised before it is now known that had President Garfield

lived he intended to make his administration brilliant at home and abroad—a view confirmed by the policy conceived by Secretary Blaine and sanctioned, it must be presumed, by President Garfield. This policy looked to closer commercial and political relations with all of the Republics on this Hemisphere, as developed in the following quotations from a correspondence, the publication of which lacks completeness because of delays in transmitting all of it to Congress.

Ex-Secretary Blaine on the 3d of January sent the following letter to President Arthur:

"The suggestion of a congress of all the American nations to assemble in the city of Washington for the purpose of agreeing on such a basis of arbitration for international troubles as would remove all possibility of war in the Western hemisphere was warmly approved by your predecessor. The assassination of July 2 prevented his issuing the invitations to the American States. After your accession to the Presidency I acquainted you with the project and submitted to you a draft for such an invitation. You received the suggestion with the most appreciative consideration, and after carefully examining the form of the invitation directed that it be sent. It was accordingly dispatched in November to the independent governments of America North and South, including all, from the Empire of Brazil to the smallest republic. In a communication addressed by the present Secretary of State on January 9, to Mr. Trescot and recently sent to the Senate I was greatly surprised to find a proposition looking to the annulment of these invitations, and I was still more surprised when I read the reasons assigned. If I correctly apprehend the meaning of his words it is that we might offend some European powers if we should hold in the United States a congress of the "selected nationalities" of America.

"This is certainly a new position for the United States to assume, and one which I earnestly beg you will not permit this government to occupy. The European powers assemble in congress whenever an object seems to them of sufficient importance to justify it. I have never heard of their consulting the government of the United States in regard to the propriety of their so assembling, nor have I ever known of their inviting an American representative to be present. Nor would there, in my judgment, be any good reason for their so doing. Two Presidents of the United States in the year 1881 adjudged it to be expedient that the American powers should meet in congress for the sole purpose of agreeing upon some basis for arbitration of differences that may arise between them and for the prevention, as far as possible,

<sup>1</sup> See act of January 17, 1862.

<sup>2</sup> Act of January 7, 1854, sec. 14.

<sup>3</sup> Acts of Jan 21, 1853, and of January, 1855, sec. 29.

<sup>4</sup> Act of February 18, 1852.

<sup>5</sup> Act of February 18, 1852.

<sup>6</sup> Act of January 14, 1854.

<sup>7</sup> Sec. 106, Act March 6, 1852.

of war in the future. If that movement is now to be arrested for fear that it may give offense in Europe, the voluntary humiliation of this government could not be more complete, unless we should press the European governments for the privilege of holding the congress. I cannot conceive how the United States could be placed in a less enviable position than would be secured by sending in November a cordial invitation to all the American governments to meet in Washington for the sole purpose of concerting measures of peace and in January recalling the invitation for fear that it might create "jealousy and ill will" on the part of monarchical governments in Europe. It would be difficult to devise a more effective mode for making enemies of the American Government and it would certainly not add to our prestige in the European world. Nor can I see, Mr. President, how European governments should feel "jealousy and ill will" towards the United States because of an effort on our own part to assure lasting peace between the nations of America, unless, indeed, it be to the interest of European power that American nations should at intervals fall into war and bring reproach on republican government. But from that very circumstance I see an additional and powerful motive for the American Governments to be at peace among themselves.

"The United States is indeed at peace with all the world, as Mr. Frelinghuysen well says, but there are and have been serious troubles between other American nations. Peru, Chili and Bolivia have been for more than two years engaged in a desperate conflict. It was the fortunate intervention of the United States last spring that averted war between Chili and the Argentine Republic. Guatemala is at this moment asking the United States to interpose its good offices with Mexico to keep off war. These important facts were all communicated in your late message to Congress. It is the existence or the menace of these wars that influenced President Garfield, and as I supposed influenced yourself, to desire a friendly conference of all the nations of America to devise methods of permanent peace and consequent prosperity for all. Shall the United States now turn back, hold aloof and refuse to exert its great moral power for the advantage of its weaker neighbors?"

If you have not formally and finally recalled the invitations to the Peace Congress, Mr. President, I beg you to consider well the effect of so doing. The invitation was not mine. It was yours. I performed only the part of the Secretary—to advise and to draft. You spoke in the name of the United States to each of the independent nations of America. To revoke that

invitation for any cause would be embarrassing; to revoke it for the avowed fear of "jealousy and ill will" on the part of European powers would appeal as little to American pride as to American hospitality. Those you have invited may decline, and having now cause to doubt their welcome will, perhaps, do so. This would break up the congress, but it would not touch our dignity.

"Beyond the philanthropic and Christian ends to be obtained by an American conference devoted to peace and good-will among men, we might well hope for material advantages, as the result of a better understanding and closer friendship with the nation of America. At present the condition of trade between the United States and its American neighbors is unsatisfactory to us, and even deplorable. According to the official statistics of our own Treasury Department, the balance against us in that trade last year was \$120,000,000—a sum greater than the yearly product of all the gold and silver mines in the United States. This vast balance was paid by us in foreign exchange, and a very large proportion of it went to England, where shipments of cotton, provisions and breadstuffs supplied the money. If anything should change or check the balance in our favor in European trade our commercial exchanges with Spanish America would drain us of our reserve of gold at a rate exceeding \$100,000,000 per annum, and would probably precipitate a suspension of specie payment in this country. Such a result at home might be worse than a little jealousy and ill-will abroad. I do not say, Mr. President, that the holding of a peace congress will necessarily change the currents of trade, but it will bring us into kindly relations with all the American nations; it will promote the reign of peace and law and order; it will increase production and consumption and will stimulate the demand for articles which American manufacturers can furnish with profit. It will at all events be a friendly and auspicious beginning in the direction of American influence and American trade in a large field which we have hitherto greatly neglected and which has been practically monopolized by our commercial rivals in Europe.

As Mr. Frelinghuysen's dispatch, foreshadowing the abandonment of the peace congress, has been made public, I deem it a matter of propriety and justice to give this letter to the press. JAS. G. BLAINE.

The above well presents the Blaine view of the proposition to have a Congress of the Republics of America at Washington, and under the patronage of this government, with a view to settle all

difficulties by arbitration, to promote trade, and it is presumed to form alliances ready to suit a new and advanced application of the Monroe doctrine.

The following is the letter proposing a conference of North and South American Republics sent to the U. S. Ministers in Central and South America:

SIR: The attitude of the United States with respect to the question of general peace on the American Continent is well known through its persistent efforts for years past to avert the evils of warfare, or, these efforts failing, to bring positive conflicts to an end through pacific counsels or the advocacy of impartial arbitration. This attitude has been consistently maintained, and always with such fairness as to leave no room for imputing to our Government any motive except the humane and disinterested one of saving the kindred States of the American Continent from the burdens of war. The position of the United States, as the leading power of the new world, might well give to its Government a claim to authoritative utterance for the purpose of quieting discord among its neighbors, with all of whom the most friendly relations exist. Nevertheless the good offices of this Government are not, and have not at any time, been tendered with a show of dictation or compulsion, but only as exhibiting the solicitous good will of a common friend.

#### THE CENTRAL AND SOUTH AMERICAN STATES.

For some years past a growing disposition has been manifested by certain States of Central and South America to refer disputes affecting grave questions of international relationship and boundaries to arbitration rather than to the sword. It has been on several occasions a source of profound satisfaction to the Government of the United States to see that this country is in a large measure looked to by all the American powers as their friend and mediator. The just and impartial counsel of the President in such cases, has never been withheld, and his efforts have been rewarded by the prevention of sanguinary strife or angry contentions between peoples whom we regard as brethren. The existence of this growing tendency convinces the President that the time is ripe for a proposal that shall enlist the good will and active co-operation of all the States of the Western Hemisphere both North and South, in the interest of humanity and for the common weal of nations.

He conceives that none of the Governments of America can be less alive than our own to the dangers and horrors of a state of war, and especially of war between kinsmen. He is sure that none of the

chiefs of Government on the Continent can be less sensitive than he is to the sacred duty of making every endeavor to do away with the chances of fratricidal strife, and he looks with hopeful confidence to such active assistance from them as will serve to show the broadness of our common humanity, the strength of the ties which bind us all together as a great and harmonious system of American Commonwealths.

#### A GENERAL CONGRESS PROPOSED.

Impressed by these views, the President extends to all the independent countries of North and South America an earnest invitation to participate in a general Congress, to be held in the city of Washington, on the 22d of November, 1882, for the purpose of considering and discussing the methods of preventing war between the nations of America. He desires that the attention of the Congress shall be strictly confined to this one great object; and its sole aim shall be to seek a way of permanently averting the horrors of a cruel and bloody contest between countries oftenest of one blood and speech, or the even worse calamity of internal commotion and civil strife; that it shall regard the burdensome and far-reaching consequences of such a struggle, the legacies of exhausted finances, of oppressive debt, of onerous taxation, of ruined cities, of paralyzed industries, of devastated fields, of ruthless conscriptions, of the slaughter of men, of the grief of the widow and orphan, of embittered resentments that long survive those who provoked them and heavily afflict the innocent generations that come after.

#### THE MISSION OF THE CONGRESS.

The President is especially desirous to have it understood that in putting forth this invitation the United States does not assume the position of counseling or attempting, through the voice of the Congress, to counsel any determinate solution of existing questions which may now divide any of the countries. Such questions cannot properly come before the Congress. Its mission is higher. It is to provide for the interests of all in the future, not to settle the individual differences of the present. For this reason especially the President has indicated a day for the assembling of the Congress so far in the future as to leave good ground for the hope that by the time named the present situation on the South Pacific coast will be happily terminated, and that those engaged in the contest may take peaceable part in the discussion and solution of the general question affecting in an equal degree the well-being of all.

It seems also desirable to disclaim in ad-

vance any purpose on the part of the United States to prejudice the issues to be presented to the Congress. It is far from the intent of this Government to appear before the Congress as in any sense the protector of its neighbors or the predestined and necessary arbitrator of their disputes. The United States will enter into the deliberations of the Congress on the same footing as other powers represented, and with the loyal determination to approach any proposed solution, not merely in its own interest, or with a view to asserting its own power, but as a single member among many co-ordinate and co-equal States. So far as the influence of this Government may be potential, it will be exerted in the direction of conciliating whatever conflicting interests of blood, or government, or historical tradition that may necessarily come together in response to a call embracing such vast and diverse elements.

#### INSTRUCTIONS TO THE MINISTERS.

You will present these views to the Minister of Foreign Affairs of Costa Rica, enlarging, if need be, in such terms as will readily occur to you upon the great mission which it is within the power of the proposed Congress to accomplish in the interest of humanity, and the firm purpose of the United States of America to maintain a position of the most absolute and impartial friendship toward all. You will, therefore, in the name of the President of the United States, tender to his Excellency, the President of ———, a formal invitation to send two commissioners to the Congress, provided with such powers and instructions on behalf of their Government as will enable them to consider the questions brought before that body within the limit of submission contemplated by this invitation.

The United States, as well as the other powers, will in like manner be represented by two commissioners, so that equality and impartiality will be amply secured in the proceedings of the Congress.

In delivering this invitation through the Minister of Foreign Affairs, you will read this despatch to him and leave with him a copy, intimating that an answer is desired by this Government as promptly as the just consideration of so important a proposition will permit.

I am, sir, your obedient servant,  
JAMES G. BLAINE.

#### Minister Logan's Reply.

The following is an abstract of the reply of Minister Logan to the above.

"From a full review of the situation, as heretofore detailed to you, I am not clear as to being able to obtain the genuine co-

operation of all the States of Central America in the proposed congress.—Each, I have no doubt, will ultimately agree to send the specified number of commissioners and assume, outwardly, an appearance of sincere co-operation, but, as you will perceive from your knowledge of the posture of affairs, all hope of effecting a union of these States except upon a basis the leaders will never permit—that of a free choice of the whole people—will be at an end. The obligation to keep the peace, imposed by the congress, will bind the United States as well as all others, and thus prevent any efforts to bring about the desired union other than those based upon a simple tender of good offices—this means until the years shall bring about a radical change—must be as inefficient in the future as in the past. The situation, as it appears to me, is a difficult one. As a means of restraining the aggressive tendency of Mexico in the direction of Central America, the congress would be attended by the happiest results, should a full agreement be reached. But as the Central American States are now in a chaotic condition, politically considered, with their future status wholly undefined, and as a final settlement can only be reached, as it now appears, through the operation of military forces, the hope of a Federal union in Central America would be crushed, at least in the immediate present. Wiser heads than my own may devise a method to harmonize these difficulties when the congress is actually in session, but it must be constantly remembered that so far as the Central American commissioners are concerned they will represent the interests and positive mandates of their respective government chiefs in the strictest and most absolute sense. While all will probably send commissioners, through motives of expediency, they may possibly be instructed to secretly defeat the ends of the convention. I make these suggestions that you may have the whole field under view.

"I may mention in this connection that I have received information that up to the tenth of the present month only two members of the proposed convention at Panama had arrived and that it was considered as having failed."

Contemporaneous with these movements or suggestions was another on the part of Mr. Blaine to secure from England a modification or abrogation of the Clayton-Bulwer treaty, with the object of giving to the United States, rather to the Republics of North and South America, full supervision of the Isthmus and Panama Canal when constructed. This branch of the correspondence was sent to the Senate on the 17th of February. Lord Granville, in his despatch of January 7th to Minister West in reference to the Clayton-Bulwer



Treaty controversy, denies any analogy between the cases of the Panama and Suez Canals. He cordially concurs in Mr. Blaine's statement in regard to the unexampled development of the Pacific Coast, but denies that it was unexpected.

He says the declaration of President Monroe anterior to the treaty show that he and his Cabinet had a clear prevision of the great future of that region. The development of the interests of the British possessions also continued, though possibly less rapidly. The Government are of the opinion that the canal, as a water way between the two great oceans and Europe and Eastern Asia, is a work which concerns not only the American Continent, but the whole civilized world. With all deference to the considerations which prompted Mr. Blaine he cannot believe that his proposals will be even beneficial in themselves. He can conceive a no more melancholy spectacle than competition between nations in the construction of fortifications to command the canal. He cannot believe that any South American States would like to admit a foreign power to erect fortifications on its territory, when the claim to do so is accompanied by the declaration that the canal is to be regarded as a part of the American coast line. It is difficult to believe, he says, that the territory between it and the United States could retain its present independence. Lord Granville believes that an invitation to all the maritime states to participate in an agreement based on the stipulations of the Convention of 1850, would make the Convention adequate for the purposes for which it was designed. Her Majesty's Government would gladly see the United States take the initiative towards such a convention, and will be prepared to endorse and support such action in any way, provided it does not conflict with the Clayton-Bulwer treaty.

Lord Granville, in a subsequent despatch, draws attention to the fact that Mr. Blaine, in using the argument that the treaty has been a source of continual difficulties, omits to state that the questions in dispute which related to points occupied by the British in Central America were removed in 1860 by the voluntary action of Great Britain in certain treaties concluded with Honduras and Nicaragua, the settlement being recognized as perfectly satisfactory by President Buchanan. Lord Granville says, further, that during this controversy America disclaimed any desire to have the exclusive control of the canal.

The Earl contends that in cases where the details of an international agreement have given rise to difficulties and discussions to such an extent as to cause the contracting parties at one time to contemplate its abrogation or modification as one of several possible alternatives, and where

it has yet been found preferable to arrive at a solution as to those details rather than to sacrifice the general bases of the engagement, it must surely be allowed that such a fact, far from being an argument against that engagement, is an argument distinctly in its favor. It is equally plain that either of the contracting parties which had abandoned its own contention for the purpose of preserving the agreement in its entirety would have reason to complain if the differences which had been settled by its concessions were afterwards urged as a reason for essentially modifying those other provisions which it had made this sacrifice to maintain. In order to strengthen these arguments, the Earl reviews the correspondence, quotes the historical points made by Mr. Blaine and in many instances introduces additional data as contradicting the inferences drawn by Mr. Blaine and supporting his own position.

The point on which Mr. Blaine laid particular stress in his despatch to Earl Granville, is the objection made by the government of the United States to any concerted action of the European powers for the purpose of guarantying the neutrality of the Isthmus canal or determining the conditions of its use.

#### CHILI AND PERU.

The entire question is complicated by the war between Chili and Peru, the latter owning immense guano deposits in which American citizens have become financially interested. These sought the friendly intervention of our government to prevent Chili, the conquering Republic, from appropriating these deposits as part of her war indemnity. The Landreau, an original French claim, is said to represent \$125,000,000, and the holders were prior to and during the war pressing it upon Calderon, the Peruvian President, for settlement; the Cochet claim, another of the same class, represented \$1,000,000,000. Doubtless these claims are speculative and largely fraudulent, and shrewd agents are interested in their collection and preservation. A still more preposterous and speculative movement was fathered by one Shipherd, who opened a correspondence with Minister Hurlburt, and with other parties for the establishment of the Credit Industriel, which was to pay the \$20,000,000 money indemnity demanded of Peru by Chili, and to be reimbursed by the Peruvian nitrates and guano deposits.

#### THE SCANDAL.

All of these things surround the question with scandals which probably fail to truthfully reach any prominent officer of our government, but which have nevertheless attracted the attention of Congress to

such an extent that the following action has been already taken:

On February 24th Mr. Bayard offered in the Senate a resolution reciting that whereas publication has been widely made by the public press of certain alleged public commercial contracts between certain companies and copartnerships of individuals relative to the exports of guano and nitrates from Peru, in which the mediation by the Government of the United States between the Governments of Peru, Bolivia and Chili is declared to be a condition for the effectuation and continuance of the said contracts; therefore be it resolved, that the Committee on Foreign Relations be instructed to inquire whether any promise or stipulation by which the intervention by the United States in the controversies existing between Chili and Peru or Chili and Bolivia has been expressly or impliedly given by any person or persons officially connected with the Government of the United States, or whether the influence of the Government of the United States has been in any way exerted, promised or intimated in connection with, or in relation to the said contracts by any one officially connected with the Government of the United States, and whether any one officially connected with the Government of the United States is interested, directly or indirectly, with any such alleged contracts in which the mediation as aforesaid of the United States is recited to be a condition, and that the said committee have power to send for persons and paper and make report of their proceedings in the premises to the Senate at the earliest possible day.

Mr. Edmunds said he had drafted a resolution covering all the branches of "that most unfortunate affair" to which reference was now made, and in view of the ill policy of any action which would commit the Senate to inquiries about declaring foreign matters in advance of a careful investigation by a committee, he now made the suggestion that he would have made as to his own resolution, if he had offered it, namely, that the subject be referred to the Committee on Foreign Relations. He intimated that the proposition prepared by himself would be considered by the committee as a suggestion bearing upon the pending resolution.

Mr. Bayard acquiesced in the reference with the remark that anything that tended to bring the matter more fully before the country was satisfactory to him.

The resolution accordingly went to the Committee on Foreign Relations.

In the House Mr. Kasson, of Iowa, offered a resolution reciting that whereas, it is alleged, in connection with the Chili Peruvian correspondence recently and officially published on the call of the two Houses of Congress, that one or more

Ministers Plenipotentiary of the United States were either personally interested or improperly connected with a business transaction in which the intervention of this Government was requested or expected and whereas, it is alleged that certain papers in relation to the same subject have been improperly lost or removed from the files of the State Department, that therefore the Committee on Foreign Affairs be instructed to inquire into said allegations and ascertain the facts relating thereto, and report the same with such recommendations as they may deem proper, and they shall have power to send for persons and papers. The resolution was adopted.

#### THE CLAIMS.

The inner history of what is known as the Peruvian Company reads more like a tale from the Arabian Nights than a plain statement of facts. The following is gleaned from the prospectus of the company, of which only a limited number of copies was printed. According to a note on the cover of these "they are for the strictly private use of the gentlemen into whose hands they are immediately placed."

The prospects of the corporation are based entirely upon the claims of Cochet and Landreau, two French chemists, residents of Peru. In the year 1833, the Peruvian government, by published decree, promised to every discoverer of valuable deposits upon the public domain a premium of one-third of the discovery as an incentive to the development of great natural resources vaguely known to exist. In the beginning of 1830, Alexandre Cochet, who was a man of superior information, occupied himself in the laborious work of manufacturing nitrate of soda in a small *oficina* in Peru, and being possessed with quick intelligence and a careful observer he soon came to understand that the valuable properties contained in the guano—an article only known to native cultivators of the soil—would be eminently useful as a restorative to the exhausted lands of the old continent. With this idea he made himself completely master of the mode of application adopted by the Indians and small farmers in the province where he resided, and after a careful investigation of the chemical effects produced on the land by the proper application of the regenerating agent, he proceeded in the year 1840 to the capital (Lima) in order to interest some of his friends in this new enterprise. Not without great persuasion and much hesitation, he induced his countryman, Mr. Achilles Allier, to take up the hazardous speculation and join with him in his discovery. He succeeded, however, and toward the end of the same year the firm of Quiroz & Allier obtained a concession for six years from the government of Peru for the ex-

portation of all the guano existing in the afterwards famous islands of Chinchi for the sum of sixty thousand dollars. In consequence of the refusal of that firm to admit Cochet, the discoverer, to a participation in the profits growing out of this contract a series of lawsuits resulted and a paper war ensued in which Cochet was baffled. In vain he called the attention of the government to the nature and value of this discovery; he was told that he was a "visionary." In vain he demonstrated that the nation possessed hundreds of millions of dollars in the grand deposits: this only confirmed the opinion of the Council of State that he was a madman. In vain he attempted to prove that one cargo of guano was equal to fourteen cargoes of grain; the Council of State coolly told him that guano was an article known to the Spaniards, and of no value: that Commissioner Humbolt had referred to it, and that they could not accept his theory respecting its superior properties, its value and its probable use in foreign agriculture at a period when no new discovery could be made relative to an article so long and of so evident small value.

At length a new light began to dawn on the lethargic understanding of the officials in power, and as rumors continued to arrive from Europe confirming the asseverations of Cochet, and announcing the sale of guano at from \$90 to \$120 per ton, a degree of haste was suddenly evinced to secure once more to the public treasury this new and unexpected source of wealth; and at one blow the contract with Quiroz & Allier, which had previously been extended, was reduced to one year. Their claims were cancelled by the payment of ten thousand tons of guano which Congress decreed them. There still remained to be settled the just and acknowledged indebtedness for benefits conferred on the country by Cochet, benefits which could not be denied as wealth and prosperity rolled in on the government and on the people. But few, if any, troubled themselves about the question to whom they were indebted for so much good fortune, nor had time to pay particular attention to Cochet's claims. Finally, however, Congress was led to declare Cochet the true discoverer of the value, uses and application of guano for European agriculture, and a grant of 5,000 tons was made in his favor September 30th, 1849, but was never paid him. After passing a period of years in hopeless expectancy—from 1840 to 1851—his impoverished circumstances made it necessary for him to endeavor to procure, through the influence of his own government, that measure of support in favor of his claims which would insure him a competency in his old age.

He resolved upon returning to France, after having spent the best part of his life

in the service of a country whose cities had risen from desolation to splendor under the sole magic of his touch—a touch that had in it for Peru all the fabled power of the long-sought "philosopher's stone." In 1853 Cochet returned to France, but he was then already exhausted by enthusiastic explorations in a deadly climate and never rallied. He lingered in poverty for eleven painful years and died in Paris in an almshouse in 1864, entitled to an estate worth \$500,000,000—the richest man in the history of the world—and was buried by the city in the Potters' Field; his wonderful history well illustrating that truth is stranger than fiction.

#### THE LANDREAU CLAIM.

About the year 1844 Jean Theophile Landreau, also a French citizen, in partnership with his brother, John C. Landreau, a naturalized American citizen, upon the faith of the promised premium of 33½ per cent. entered upon a series of extended systematic and scientific explorations with a view to ascertaining whether the deposits of guano particularly pointed out by Cochet constituted the entire guano deposit of Peru, and with money furnished by his partner, John, Theophile prosecuted his searches with remarkable energy and with great success for twelve years, identifying beds not before known to the value of not less than \$400,000,000. Well aware, however, of the manner in which his fellow-countryman had been neglected by an unprincipled people, he had the discretion to keep his own counsel and to extort from the Peruvian authorities an absolute agreement in advance before he revealed his treasure. This agreement was, indeed, for a royalty of less than one-sixth the amount promised, but the most solemn assurances were given that the lessened amount would be promptly and cheerfully paid, its total would give the brothers each a large fortune, and payments were to begin at once. The solemn agreement having been concluded and duly certified, the precious deposits having been pointed out and taken possession of by the profligate government, the brothers were at first put off with plausible pretexts of delay, and when these grew monotonous the government calmly issued a decree recognizing the discoveries, accepting the treasure, and annulling the contract, with a suggestion that a more suitable agreement might be arranged in the future.

It will be seen that these two men, Cochet and Landreau, have been acknowledged by the Peruvian government as claimants. No attempt has ever been made to deny the indebtedness. The very decree of repudiation reaffirmed the obligation, and all the courts refused to pronounce against the plaintiffs. Both of these claims came into the possession of Mr. Peter W. Hevenor, of Philadelphia. Cochet left one

son whom Mr. Hevenor found in poverty in Lima and advanced money to push his father's claim of \$500,000,000 against the government. After \$50,000 were spent young Cochet's backer was surprised to learn of the Landreaus and their claim. Not wishing to antagonize them, he advanced them money, and in a short time owned nearly all the fifteen interests in the Landreau claim of \$125,000,000.

To the Peruvian Company Mr. Hevenor has transferred his titles, and on the basis of these that corporation maintains that eventually it will realize not less than \$1,200,000,000, computed as follows:

The amount of guano already taken out of the Cochet Islands—including the Chinchas—will be shown by the Peruvian Custom House records, and will aggregate, it is said, not far from \$1,200,000,000 worth. The discoverer's one-third of this would be \$400,000,000, and interest upon this amount at six per cent.—say for an equalized average of twenty years—would be \$480,000,000 more. The amount remaining in these islands is not positively known, and is probably not more than \$200,000,000 worth; and in the Landreau deposits say \$300,000,000 more. The Chilean plenipotentiary recently announced that his government are about opening very rich deposits on the Lobos Islands—which are included in this group. It is probably within safe limits, says the Peruvian Company's prospectus, to say that, including interest to accrue before the claim can be fully liquidated, its owners will realize no less than \$1,200,000,000.

#### THE COUNTRIES INVOLVED.

In South America there are ten independent governments; and the three Guianas which are dependencies on European powers. Of the independent governments Brazil is an empire, having an area of 3,609,160 square miles and 11,058,000 inhabitants. The other nine are republics. In giving area and population we use the most complete statistics at our command, but they are not strictly reliable, nor as late as we could have wished. The area and the population of the republics are: Venezuela, 426,712 square miles and 2,200,000 inhabitants; United States of Colombia, 475,000 square miles and 2,900,000 inhabitants; Peru, 580,000 square miles and 2,500,000 inhabitants; Ecuador, 208,000 square miles and 1,300,000 inhabitants; Bolivia, 842,730 square miles and 1,987,352 inhabitants; Chili, 200,000 square miles and 2,084,960 inhabitants; Argentine Republic, 1,323,560 square miles and 1,887,000 inhabitants; Paraguay, 73,000 square miles and 1,337,439 inhabitants; Uruguay, 66,716 square miles and 240,000 inhabitants, or a total in the nine republics of 3,789,220 square miles and 16,436,751 inhabitants. The aggregate area of the nine

republics exceeds that of Brazil 180,060 square miles, and the total population exceeds that of Brazil 5,069,552. Brazil, being an empire, is not comprehended in the Blaine proposal—she rather stands as a strong barrier against it. Mexico and Guatamala are included, but are on this continent, and their character and resources better understood by our people. In the South American countries generally the Spanish language is spoken. The educated classes are of nearly pure Spanish extraction. The laboring classes are of mixed Spanish and aboriginal blood, or of pure aboriginal ancestry. The characteristics of the Continent are emphatically Spanish. The area and population we have already given. The territory is nearly equally divided between the republics and the empire, the former having a greater area of only 180,060 square miles; but the nine republics have an aggregate population of 5,059,522 more than Brazil. The United States has an area of 3,634,797 square miles, including Alaska; but excluding Alaska, it has 3,056,797 square miles. The area of Brazil is greater than that of the United States, excluding Alaska, by 552,363 square miles, and the aggregate area of the nine republics is greater by 732,423 square miles. This comparison of the area of the nine republics and of Brazil with that of this nation gives a definite idea of their magnitude. Geographically, these republics occupy the northern, western and southern portions of South America, and are contiguous. The aggregate exports and imports of South America, according to the last available data, were \$529,300,000; those of Brazil, \$168,930,000; of the nine republics, \$360,360,000.

These resolutions will bring out voluminous correspondence, but we have given the reader sufficient to reach a fair understanding of the subject. Whatever of scandal may be connected with it, like the Star Route cases, it should await official investigation and condemnation. Last of all should history condemn any one in advance of official inquiry. None of the governments invited to the Congress had accepted formally, and in view of obstacles thrown in the way by the present administration, it is not probable they will.

Accepting the proposition of Mr. Blaine as stated in his letter to President Arthur, as conveying his true desire and meaning, it is due to the truth to say that it comprehends more than the Monroe doctrine, the text of which is given in President Monroe's own words in this volume. While he contended against foreign intervention with the Republics on this Hemisphere, he never asserted the right of our government to participate in or seek the control either of the internal, commercial or foreign policy of any of the Republics of America, by ar-

bitration or otherwise. So that Mr. Blaine is the author of an advance upon the Monroe doctrine, and what seems at this time a radical advance. What it may be when the United States seeks to "spread itself" by an aggressive foreign policy, and by aggrandizement of new avenues of trade, possibly new acquisitions of territory, is another question. It is a policy brilliant beyond any examples in our history, and a new departure from the teachings of Washington, who advised absolute non-intervention in foreign affairs. The new doctrine might thrive and acquire great popularity under an administration friendly to it; but President Arthur has already intimated his hostility, and it is now beyond enforcement during his administration. The views of Congress also seem to be adverse as far as the debates have gone into the question, though it has some warm friends who may revive it under more favorable auspices.

#### The Star Route Scandal.

Directly after Mr. James assumed the position of Postmaster-General in the Cabinet of President Garfield, he discovered a great amount of extravagance and probably fraud in the conduct of the mail service known as the Star Routes, authorized by act of Congress to further extend the mail facilities and promote the more rapid carriage of the mails. These routes proved to be very popular in the West and South-west, and the growing demand for mail facilities in these sections would even in a legitimate way, if not closely watched, lead to unusual cost and extravagance; but it is alleged that a ring was formed headed by General Brady, one of the Assistant Postmaster-Generals under General Key, by which routes were established with the sole view of defrauding the Government—that false bonds were given and enormous and fraudulent sums paid for little or no service. This scandal was at its height at the time of the assassination of President Garfield, at which time Postmaster-General James, Attorney-General MacVeagh and other officials were rapidly preparing for the prosecution of all charged with the fraud. Upon the succession of President Arthur he openly insisted upon the fullest prosecution, and declined to receive the resignation of Mr. MacVeagh from the Cabinet because of a stated fear that the prosecution would suffer by his withdrawal. Mr. MacVeagh, however, withdrew from the Cabinet, believing that the new President should not by any circumstance be prevented from the official association of friends of his own selection; and at this writing Attorney-General Brewster is pushing the prosecutions.

On the 24th of March, 1882, the Grand

Jury sitting at Washington presented indictments for conspiracy in connection with the Star Route mail service against the following named persons: Thomas J. Brady, J. W. Dorsey, Henry M. Vail, John W. Dorsey, John R. Miner, John M. Peck, M. C. Rerdell, J. L. Sanderson, Wm. H. Turner. Also against Alvin O. Buck, Wm. S. Barringer and Albert E. Boone, and against Kate M. Armstrong for perjury. The indictment against Brady, Dorsey and others, which is very voluminous, recites the existence, on March 10, 1879, of the Post Office Department, Postmaster-General and three assistants, and a Sixth Auditor's office and Contract office and division.

"To the latter was subject," the indictment continues, "the arrangement of the mail service of the United States and the letting out of the same on contract." It then describes the duties of the inspecting division. On March 10, 1879, the grand jurors represent, Thomas J. Brady was the lawful Second Assistant Postmaster-General engaged in the performance of the duties of that office. William H. Turner was a clerk in the Second Assistant Postmaster-General's office, and attended to the business of the contract division relating to the mail service over several post routes in California, Colorado, Oregon, Nebraska, and the Territories. On the 16th of March, 1879, the indictment represents Thomas J. Brady as having made eight contracts with John W. Dorsey to carry the mails from July 1, 1878, to June 30, 1882, from Vermillion, in Dakota Territory, to Sioux Falls and back, on a fourteen hour time schedule, for \$398 each year; on route from White River to Rawlins, Colorado, once a week of 108 hours' time, for \$1,700 a year; on route from Garland, Colorado, to Parrott City, once a week, on a schedule of 168 hours' time, for \$2,745; on route from Ouray, Colorado, to Los Pinos, once a week, in 12 hours' time, for \$348; on route from Silverton, Colorado, to Parrott City, twice a week, on 36 hours' time, for \$1,488; on route from Mineral Park, in Arizona Territory, to Pioche and back, once a week, in 84 hours' time, \$2,982; on route from Tres Almos to Clifton and back, once a week, of 84 hours' time, for \$1,568.

It further sets forth that the Second Assistant Postmaster-General entered into five contracts with John R. Miner on June 13, 1878, on routes in Dakota Territory and Colorado, and on March 15, 1879, with John M. Peck, over eight post routes. In the space of sixty days after the making of these contracts they were in full force. On March 10, 1879, John W. Dorsey, John R. Miner, and John M. Peck, with Stephen W. Dorsey and Henry M. Vaile, M. C. Rerdell and J. L. Sanderson, mutually interested in these contracts and money, to be paid by the United States to the three

parties above named, did unlawfully and maliciously combine and conspire to fraudulently write, sign, and cause to be written and signed, a large number of fraudulent letters and communications and false and fraudulent petitions and applications to the Postmaster-General for additional service and increase of expenditure on the routes, which were purported to be signed by the people and inhabitants in the neighborhood of the routes, which were filed with the papers in the office of the Second Assistant Postmaster-General. Further that these parties swore falsely in describing the number of men and animals required to perform the mail service over the routes and States as greater than was necessary.

These false oaths were placed on file in the Second Assistant Postmaster-General's office; and by means of Wm. H. Turner falsely making and writing and endorsing these papers, with brief and untrue statements as to their contents, and by Turner preparing fraudulent written orders for allowances to be made to these contractors and signed by Thomas J. Brady fraudulently, and for the benefit and gain of all the parties named in this bill, the service was increased over these routes; and that Brady knew it was not lawfully needed and required. That he caused the order for increasing to be certified to and filed in the Sixth Auditor's office for fraudulent additional compensation. That Mr. Brady gave orders to extend the service so as to include other and different stations than those mentioned in the contract, that he and others might have the benefits and profits of it: that he refused to impose fines on these contractors for failures and delinquencies, but allowed them additional pay for the service over these routes. During the continuance of these contracts the parties acquired unto themselves several large and excessive sums of money, the property of the United States, fraudulently and unlawfully ordered to be paid them by Mr. Brady.

These are certainly formidable indictments. Others are pending against persons in Philadelphia and other cities, who are charged with complicity in these Star Route frauds, in giving straw bonds, &c. The Star Route service still continues, the Post Office Department under the law having sent out several thousand notifications this year to contractors, informing them of the official acceptance of their proposals, and some of these contractors are the same named above as under indictment. This well exemplifies the maxim of the law relative to innocence until guilt be shown.

#### The Coming States.

Bills are pending before Congress for the admission of Dakota, Wyoming, New

Mexico and Washington Territories. The Bill for the admission of Dakota divides the old Territory, and provides that the new State shall consist of the territory included within the following boundaries: Commencing at a point on the west line of the State of Minnesota where the forty-sixth degree of north latitude intersects the same; thence south along the west boundary lines of the States of Minnesota and Iowa to the point of intersection with the northern boundary line of the State of Nebraska; thence westwardly along the northern boundary line of the State of Nebraska to the twenty-seventh meridian of longitude west from Washington; thence north along the said twenty-seventh degree of longitude to the forty-sixth degree of north latitude; to the place of beginning. The bill provides for a convention of one hundred and twenty delegates, to be chosen by the legal voters, who shall adopt the United States Constitution and then proceed to form a State Constitution and government. Until the next census the State shall be entitled to one representative, who, with the Governor and other officials, shall be elected upon a day named by the Constitutional Convention. The report sets apart lands for school purposes, and gives the State five per centum of the proceeds of all sales of public lands within its limits subsequent to its admission as a State, excluding all mineral lands from being thus set apart for school purposes. It provides that portion of the the Territory not included in the proposed new State shall continue as a Territory under the name of the Territory of North Dakota.

The proposition to divide comes from Senator McMillan, and if Congress sustains the division, the portion admitted would contain 100,000 inhabitants, the entire estimated population being 175,000—a number in excess of twenty of the present States when admitted, exclusive of the original thirteen; while the division, which shows 100,000 inhabitants, is still in excess of sixteen States when admitted.

Nevada, with less than 65,000 population, was admitted before the close Presidential election of 1876, and it may be said that her majority of 1,075, in a total poll of 19,691 votes, decided the Presidential result in favor of Hayes, and these votes counteracted the plurality of nearly 300,000 received by Mr. Tilden elsewhere. This fact well illustrates the power of States, as States, and however small, in controlling the affairs of the country. It also accounts for the jealousy with which closely balanced political parties watch the incoming States.

Population is but one of the considerations entering into the question of admitting territories, State sovereignty does not rest upon population, as in the make-up of the U. S. Senate neither population,

size, nor resources are taken into account. Rhode Island, the smallest of all the States, and New York, the great Empire State, with over 5,000,000 of inhabitants, stand upon an equality in the conservative branch of the Government. It is in the House of Representatives that the population is considered. Such is the jealousy of the larger States of their representation in the U. S. Senate, that few new ones would be admitted without long and continuous knocking if it were not for partisan interests, and yet where a fair number of people demand State Government there is no just cause for denial. Yet all questions of population, natural division, area and resources should be given their proper weight.

The area of the combined territories—Utah, Washington, New Mexico, Dakota, Arizona, Montana, Idaho, Wyoming and Indian is about 900,000 square miles. We exclude Alaska, which has not been surveyed.

Indian Territory and Utah are for some years to come excluded from admission—the one being reserved to the occupancy of the Indians, while the other is by her peculiar institution of polygamy, generally thrown out of all calculation. And yet it may be found that polygamy can best be made amenable to the laws by the compulsory admission of Utah as a State—an idea entertained by not a few who have given consideration to the question. Alaska may also be counted out for many years to come. There are but 30,000 inhabitants, few of these permanent, and Congress is now considering a petition for the establishment of a territorial government there.

Next to Dakota, New Mexico justly claims admission. The lands comprised within its original area were acquired from Mexico, at the conclusion of the war with that country, by the treaty of Guadalupe Hidalgo in 1848, and by act of September 9, 1850, a Territorial government was organized. By treaty of December 30, 1853, the region south of the Gila river—the Gadsden purchase, so called—was ceded by Mexico, and by act of August 4, 1854, added to the Territory, which at that time included within its limits the present Territory of Arizona. Its prayer for admission was brought to the serious attention of Congress in 1874. The bill was presented in an able speech by Mr. Elkins, then delegate from the Territory, and had the warm support of many members. A bill to admit was also introduced in the Senate, and passed that body February 25, 1875, by a vote of thirty-two to eleven, two of the present members of that body, Messrs. Ingalls and Windom, being among its supporters. The matter of admission came up for final action in the House at the same session, just prior to adjournment,

and a motion to suspend the rules, in order to put it upon its final passage, was lost by a vote of one hundred and fifty-four to eighty-seven, and the earnest efforts to secure the admission of New Mexico were thus defeated. A bill for its admission is now again before Congress, and it is a matter of interest to note the representations as to the condition of the Territory then made, and the facts as they now exist. It has, according to the census of 1880, a population of 119,565. It had in 1870 a population of 91,874. It was claimed by the more moderate advocates of the bill that its population then numbered 135,000 (15,435 more than at present), while others placed it as high as 145,000. Of this population, 45,000 were said to be of American and European descent. It was stated by Senator Hoar, one of the opponents of the bill, that, out of an illiterate population of 52,220, by far the larger part were native inhabitants of Mexican or Spanish origin, who could not speak the English language. This statement seems to be in large degree confirmed by the census of 1880, which shows a total native white population of 108,721, of whom, as nearly as can be ascertained, upward of 80 per cent. are not only illiterates of Mexican and Spanish extraction, but as in 1870, speaking a foreign language. The vote for Mr. Elkins, Territorial Delegate in 1875, was reported as being about 17,000. The total vote in 1878 was 18,806, and in 1880, 20,397, showing a comparatively insignificant increase from 1875 to 1880.

The Territory of Washington was constituted out of Oregon, and organized as a Territory by act of March 2, 1853. Its population by the census of 1880 was 75,116, an increase from 23,955 in 1870. Of this total, 59,313 are of native and 15,803 of foreign nativity. Its total white population in the census year was 67,119; Chinese, 3,186; Indian, 4,105; colored, 326, and its total present population is probably not far from 95,000. Its yield of precious metals in 1880, and for the entire period since its development, while showing resources full of promise, has been much less than that of any other of the organized Territories. Its total vote for Territorial Delegate in 1880, while exceeding that of the Territories of Arizona, Idaho, and Wyoming, was but 15,823.

The Territory of Arizona, organized out of a portion of New Mexico, and provided with a territorial government in 1863, contains about 5,000,000 acres less than the Territory of New Mexico, or an acreage exceeded by that of only five States and Territories. Its total population in 1870 was 9,658, and in 1880, 40,440, 351,60 of whom were whites. Of its total population in the census year, 24,391 were of native and 16,049 of foreign birth, the number of

Indians, Chinese, and colored being 5,000.

Idaho was originally a part of Oregon, from which it was separated and provided with a territorial government by the act of March 3, 1863. It embraces in its area a little more than 55,000,000 acres, and had in 1880 a total population of 32,610, being an increase from 14,999 in 1870. Of this population, 22,636 are of native and 9,974 of foreign birth; 29,013 of the total inhabitants are white, 3,379 Chinese and 218 Indians and colored.

The Territory of Montana, organized by act of May 26, 1864, contains an acreage larger than that of any other Territory save Dakota. While it seems to be inferior in cereal producing capacity, in its area of valuable grazing lands it equals, if it does not excel, Idaho. The chief prosperity of the Territory, and that which promises for it a future of growing importance, lies in its extraordinary mineral wealth, the productions of its mines in the year 1880 having been nearly twice that of any other Territory, with a corresponding excess in its total production, which had reached, on June 30, 1880, the enormous total of over \$53,000,000. Its mining industries represent in the aggregate very large invested capital, and the increasing products, with the development of new mines, are attracting constant additions to its population, which in 1880 showed an increase, as compared with 1870, of over 90 per cent. For particulars see census tables in tabulated history.

Wyoming was constituted out of the Territory of Dakota, and provided with territorial government July 25, 1868. Lying between Colorado and Montana, and adjoining Dakota and Nebraska on the east, it partakes of the natural characteristics of these States and Territories, having a fair portion of land suitable for cultivation, a large area suitable for grazing purposes, and a wealth in mineral resources whose development, although of recent beginning, has already resulted in an encouraging yield in precious metals. It is the fifth in area.

Henry Randall Waite, in an able article in the March number of the *International Review* (1882,) closes with these interesting paragraphs:

"It will be thus seen that eleven States organized from Territories, when authorized to form State governments, and the same number when admitted to the Union, had free populations of less than 60,000, and that of the slave States included in this number, seven in all, not one had the required number of free inhabitants, either when authorized to take the first steps toward admission or when finally admitted; and that both of these steps were taken by two of the latter States with a total popu-

lation, free and slave, below the required number. Why so many States have been authorized to form State governments, and have been subsequently admitted to the Union with populations so far below the requirements of the ordinance of 1787, and the accepted rules for subsequent action may be briefly explained as follows: 1st, by the ground for the use of a wide discretion afforded in the provisions of the ordinance of 1787, for the admission of States, when deemed expedient, before their population should equal the required number; and 2d, by the equally wide discretion given by the Constitution in the words, 'New States may be admitted by Congress into this Union,' the only provision of the Constitution bearing specifically upon this subject. Efforts have been made at various times to secure the strict enforcement of the original rules, with the modification resulting from the increase in the population of the Union, which provided that the number of free inhabitants in a Territory seeking admission should equal the number established as the basis of representation in the apportionment of Representatives in Congress, as determined by the preceding census. How little success the efforts made in this direction have met, may be seen by a comparison of the number of inhabitants forming the basis of representation, as established by the different censuses, and the free population of the Territories admitted at corresponding periods.

"At this late date, it is hardly to be expected that rules so long disregarded will be made applicable to the admission of the States to be organized from the existing Territories. There is, nevertheless, a growing disposition on the part of Congress to look with disfavor upon the formation of States whose population, and the development of whose resources, render the expediency of their admission questionable; and an increasing doubt as to the propriety of so dividing the existing Territories as to multiply to an unnecessary extent the number of States, with the attendant increase in the number of Representatives in the National Legislature.

"To recapitulate the facts as to the present condition of the Territories with reference to their admission as States, it may be said that only Dakota, Utah, New Mexico and Washington are in possession of the necessary population according to the rule requiring 60,000; that only the three first named conform to the rule demanding a population equal to the present basis of representation; that only Dakota, Utah and Washington give evidence of that intelligence on the part of their inhabitants which is essential to the proper exercise, under favorable conditions, of the extended rights of citizenship, and of that



progress in the development of their resources which makes self-government essential, safe, or in any way desirable; and that only Dakota can be said, unquestionably, to possess all of the requirements which, by the dictates of a sound policy, should be demanded of a Territory at this time seeking admission to the Union.

"Whatever the response to the Territorial messengers now waiting at the doors of Congress, a few years, at most, will bring an answer to their prayers. The stars of a dozen proud and prosperous States will soon be added to those already blazoned upon the blue field of the Union, and the term Territory, save as applied to the frozen regions of Alaska, will disappear from the map of the United States."

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#### The Chinese Question.

Since 1877 the agitation of the prohibition of Chinese immigration in California and other States and Territories on the Pacific slope has been very great. This led to many scenes of violence and in some instances bloodshed, when one Dennis Kearney led the Workingmen's party in San Francisco. On this issue an agitator and preacher named Kallach was elected Mayor. The issue was carried to the Legislature, and in the vote on a constitutional amendment it was found that not only the labor but nearly all classes in California were opposed to the Chinese. The constitutional amendment did not meet the sanction of the higher courts. A bill was introduced into Congress restricting Chinese immigrants to fifteen on each vessel. This passed both branches, but was vetoed by President Hayes on the ground that it was in violation of the spirit of treaty stipulations. At the sessions of 1881-82 a new and more radical measure was introduced. This prohibits immigration to Chinese or Coolie laborers for twenty years. The discussion in the U. S. Senate began on the 28th of February, 1882, in a speech of unusual strength by Senator John F. Miller, the author of the Bill. From this we freely quote, not alone to show the later views entertained by the people of the Pacific slope, but to give from the lips of one who knows the leading facts in the history of the agitation.

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#### Abstracts from the Text of Senator Miller's Speech.

*On his Bill to Prohibit Chinese Immigration.*

In the Senate, Feb. 28th, 1882, Mr. Miller said:

"This measure is not a surprise to the Senate, nor a new revelation to the country. It has been before Congress more than once, if not in the precise form

in which it is now presented, in substance the same, and it has passed the ordeal of analytical debate and received the affirmative vote of both Houses. Except for the Executive veto it would have been long ago the law of the land. It is again presented, not only under circumstances as imperative in their demands for its enactment, but with every objection of the veto removed and every argument made against its approval swept away. It is an interesting fact in the history of this measure, that the action which has cleared its way of the impediments which were made the reasons for the veto, was inaugurated and consummated with splendid persistence and energy by the same administration whose executive interposed the veto against it. Without stopping to inquire into the motive of the Hayes administration in this proceeding, whether its action was in obedience to a conviction that the measure was in itself right and expedient, or to a public sentiment, so strong and universal as to demand the utmost vigor in the diplomacy necessary for the removal of all impediments to its progress, it must be apparent that the result of this diplomatic action has been to add a new phase to the question in respect of the adoption of the measure itself.

"In order to fully appreciate this fact it may be proper to indulge in historical reminiscence for a moment. For many years complaints had been made against the introduction into the United States of the peculiar people who come from China, and the Congress, after careful consideration of the subject, so far appreciated the evil complained of as to pass a bill to interdict it.

"The Executive Department had, prior to that action, with diplomatic finesse, approached the imperial throne of China, with intent, as was said, to ascertain whether such an interdiction of coolie importation, or immigration so called, into the United States would be regarded as a breach of friendly relations with China, and had been informed by the diplomat, to whom the delicate task had been committed, that such interdiction would not be favorably regarded by the Chinese Government. Hence, when Congress, with surprising audacity, passed the bill of interdiction the Executive, believing in the truth of the information given him, thought it prudent and expedient to veto the bill, but immediately, in pursuance of authority granted by Congress, he appointed three commissioners to negotiate a treaty by which the consent of China should be given to the interdiction proposed by Congress. These commissioners appeared before the Government of China upon this special mission, and presented the request of the Government of the United States

affirmatively, positively, and authoritatively made, and after the usual diplomatic ceremonies, representations, misrepresentations, avowals, and concealments, the treaty was made, the concession granted, and the interdiction agreed upon. This treaty was presented here and ratified by the Senate, with what unanimity Senators know, and which the rules of the Senate forbid me to describe.

“The new phase of this question, which we may as well consider in the outset, suggests the spectacle which this nation should present if Congress were to vote this or a similar measure down. A great nation cannot afford inconsistency in action, nor betray a vacillating, staggering, inconstant policy in its intercourse with other nations. No really great people will present themselves before the world through their government as a nation irresolute, fickle, feeble, or petulant; one day eagerly demanding of its neighbor an agreement or concession, which on the next it nervously repudiates or casts aside. Can we make a solemn request of China, through the pomp of an extraordinary embassy and the ceremony of diplomatic negotiation, and with prudent dispatch exchange ratifications of the treaty granting our request, and within less than half a year after such exchange is made cast aside the concession and, with childish irresolution, ignore the whole proceeding? Can we afford to make such a confession of American imbecility to any oriental power? The adoption of this or some such measure becomes necessary, it seems to me, to the intelligent and consistent execution of a policy adopted by this Government under the sanction of a treaty with another great nation.

“If the Executive department, the Senate, and the House of Representatives have all understood and appreciated their own action in respect of this measure; if in the negotiation and ratification of the new treaty with China, the Executive and the Senate did not act without thought, in blind, inconsiderate recklessness—and we know they did not—if the Congress of the United States in the passage of the fifteen passenger bill had the faintest conception of what it was doing—and we know it had—then the policy of this Government in respect of so-called Chinese immigration has been authoritatively settled.

“This proposition is submitted with the greater confidence because the action I have described was in obedience to, and in harmony with, a public sentiment which seems to have permeated the whole country. For the evidence of the existence of such a sentiment, it is only necessary to produce the declarations upon this subject of the two great historical parties of the country, deliberately made by their national conventions of 1880. One of these

(the Democratic convention) declared that there shall be—

“‘No more Chinese immigration except for travel, education, and foreign commerce, and therein carefully guarded.’

“The other (the Republican) convention declared that—

“‘Since the authority to regulate immigration and intercourse between the United States and foreign nations rests with Congress, or with the United States and its treaty-making power, the Republican party, regarding the unrestricted immigration of the Chinese as an evil of great magnitude, invokes the exercise of these powers to restrain and limit the immigration by the enactment of such just, humane, and reasonable provisions as will produce that result.’

“These are the declarations of the two great political parties, in whose ranks are enrolled nearly all the voters of the United States; and whoever voted at the last Presidential election voted for the adoption of the principles and policy expressed by those declarations, whether he voted with the one or the other of the two great parties. Both candidates for the Presidency were pledged to the adoption and execution of the policy of restriction thus declared by their respective parties, and the candidate who was successful at the polls, in his letter of acceptance, not only gave expression to the sentiment of his party and the country, but with a clearness and conciseness which distinguished all his utterances upon great public questions, gave the reasons for that public sentiment.” He said :

“‘The recent movement of the Chinese to our Pacific Coast partakes but little of the qualities of an immigration, either in its purposes or results. It is too much like an importation to be welcomed without restriction; too much like an invasion to be looked upon without solicitude. We cannot consent to allow any form of servile labor to be introduced among us under the guise of immigration.’

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“In this connection it is proper also to consider the probable effect of a failure or refusal of Congress to pass this bill, upon the introduction of Chinese coolies into the United States in the future. An adverse vote upon such a measure, is an invitation to the Chinese to come, It would be interpreted to mean that the Government of the United States had reversed its policy, and is now in favor of the unrestricted importation of Chinese; that it looks with favor upon the Chinese invasion now in progress. It is a fact well known that the hostility to the influx of Chinese upon the Pacific coast displayed by the people of California has operated as a restriction, and has discouraged the importation of

Chinese to such a degree that it is probable that there are not a tenth part the number of Chinese in the country there would have been had this determined hostility never been shown. Despite the inhospitality, not to say resistance, of the California people to the Chinese, sometimes while waiting for the action of the General Government difficult to restrain within the bounds of peaceable assertion, they have poured through the Golden Gate in constantly increased numbers during the past year, the total number of arrivals at San Francisco alone during 1881 being 18,561. Nearly two months have elapsed since the 1st of January, and there have arrived, as the newspapers show, about four thousand more.

"The defeat of this measure now is a shout of welcome across the Pacific Ocean to a myriad host of these strange people to come and occupy the land, and it is a rebuke to the American citizens, who have so long stood guard upon the western shore of this continent, and who, seeing the danger, have with a fortitude and forbearance most admirable, raised and maintained the only barrier against a stealthy, strategic, but peaceful invasion as destructive in its results and more potent for evil, than an invasion by an army with banners. An adverse vote now, is to commission under the broad seal of the United States, all the speculators in human labor, all the importers of human muscle, all the traffickers in human flesh, to ply their infamous trade without impediment under the protection of the American flag, and empty the teeming, seething slave pens of China upon the soil of California! I forbear further speculation upon the results likely to flow from such a vote, for it presents pictures to the mind which one would not willingly contemplate.

"These considerations which I have presented ought to be, it seems to me, decisive of the action of the Senate upon this measure; and I should regard the argument as closed did I not know, that there still remain those who do not consider the question as settled, and who insist upon further inquiry into the reasons for a policy of restriction, as applied to the Chinese. I am not one of those who would place the consideration of consistency or mere appearances above consideration of right or justice; but since no change has taken place in our relations with China, nor in our domestic concerns which renders a reversal of the action of the government proper or necessary, I insist that if the measure of restriction was right and good policy when Congress passed the fifteenth passenger bill, and when the late treaty with China was negotiated and ratified, it is right and expedient now.

"This measure had its origin in Cali-

fornia. It has been pressed with great vigor by the Representatives of the Pacific coast in Congress, for many years. It has not been urged with wild vehement declamation by thoughtless men, at the behest of an ignorant unthinking, prejudiced constituency. It has been supported by incontrovertible fact and passionless reasoning and enforced by the logic of events. Behind these Representatives was an intelligent, conscientious public sentiment—universal in a constituency as honest, generous, intelligent, courageous, and humane as any in the Republic.

"It had been said that the advocates of Chinese restriction were to be found only among the vicious, unlettered foreign element of California society. To show the fact in respect of this contention, the Legislature of California in 1878 provided for a vote of the people upon the question of Chinese immigration (so called) to be had at the general election of 1879. The vote was legally taken, without excitement, and the response was general. When the ballots were counted, there were found to be 883 votes for Chinese immigration and 154,638 against it. A similar vote was taken in Nevada and resulted as follows: 183 votes for Chinese immigration and 17,259 votes against. It has been said that a count of noses is an ineffectual and illusory method of settling great questions, but this vote of these two States settled the contention intended to be settled; and demonstrated that the people of all others in the United States who know most of the Chinese evil, and who are most competent to judge of the necessity for restriction are practically unanimous in the support of this measure.

"It is to be supposed that this vote of California was the effect of an hysterical spasm, which had suddenly seized the minds of 154,000 voters, representing the sentiment of 800,000 people. For nearly thirty years this people had witnessed the effect of coolie importation. For more than a quarter of a century these voters had met face to face, considered, weighed, and discussed the great question upon which they were at last called upon, in the most solemn and deliberate manner, to express an opinion. I do not cite this extraordinary vote as a conclusive argument in favor of Chinese restriction; but I present it as an important fact suggestive of argument. It may be that the people who have been brought face to face with the Chinese invasion are all wrong, and that those who have seen nothing of it, who have but heard something of it, are more competent (being disinterested) to judge of its possible, probable, and actual effects, than those who have had twenty or thirty years of actual continuous experience and contact with the Chinese colony in America;

and it may be that the Chinese question is to be settled upon considerations other than those practical common sense reasons and principles which form the basis of political science.

"It has sometimes happened in dealing with great questions of governmental policy that sentiment, or a sort of emotional inspiration, has seized the minds of those engaged in the solution of great problems, by which they have been lifted up into the ethereal heights of moral abstraction. I trust that while we attempt the path of inquiry in this instance we shall keep our feet firmly upon the earth. This question relates to this planet and the temporal government of some of its inhabitants; it is of the earth earthly; it involves principles of economic, social, and political science, rather than a question of morals; it is a question of national policy, and should be subjected to philosophical analysis. Moreover, the question is of to-day. The conditions of the world of mankind at the present moment are those with which we have to deal. If mankind existed now in one grand co-operative society, in one universal union, under one system of laws, in a vast homogeneous brotherhood, serenely beatified, innocent of all selfish aims and unholy desires, with one visible temporal ruler, whose judgments should be justice and whose sway should be eternal, then there would be no propriety in this measure.

"But the millennium has not yet begun, and man exists now, as he has existed always—in the economy of Providence—in societies called nations, separated by the peculiarities if not the antipathies of race. In truth the history of mankind is for the most part descriptive of racial conflicts and the struggles between nations for existence. By a perfectly natural process these nations have evolved distinct civilizations, as diverse in their characteristics as the races of men from which they have sprung. These may be properly grouped into two grand divisions, the civilization of the East and the civilization of the West. These two great and diverse civilizations have finally met on the American shore of the Pacific Ocean.

"During the late depression in business affairs, which existed for three or four years in California, while thousands of white men and women were walking the streets, begging and pleading for an opportunity to give their honest labor for any wages, the great steamers made their regular arrivals from China, and discharged at the wharves of San Francisco their accustomed cargoes of Chinese who were conveyed through the city to the distributing dens of the Six Companies, and within three or four days after arrival every Chinaman was in his place at work, and

the white people unemployed still went about the streets. This continued until the white laboring men rose in their desperation and threatened the existence of the Chinese colony when the influx was temporarily checked; but now since business has revived, and the pressure is removed, the Chinese come in vastly increased numbers, the excess of arrivals over departures averaging about one thousand per month at San Francisco alone. The importers of Chinese had no difficulty in securing openings for their cargoes now, and when transportation from California to the Eastern States is cheapened, as it soon will be, they will extend their operations into the Middle and Eastern States, unless prevented by law, for wherever there is a white man or woman at work for wages, whether at the shoe bench, in the factory, or on the farm, there is an opening for a Chinaman. No matter how low the wages may be, the Chinaman can afford to work for still lower wages, and if the competition is free, he will take the white man's place.

"At this point we are met by the query from a certain class of political economists, 'What of it? Suppose the Chinese work for lower wages than white men, is it not advantageous to the country to employ them?' The first answer to such question is, that by this process white men are supplanted by Chinese. It is a substitution of Chinese and their civilization for white men and Anglo-Saxon civilization. This involves considerations higher than mere economic theories. If the Chinese are as desirable as citizens, if they are in all the essential elements of manhood the peers or the superiors of the Caucasian; if they will protect American interests, foster American institutions, and become the patriotic defenders of republican government; if their civilization does not antagonize ours nor contaminate it; if they are free, independent men, fit for liberty and self-government as European immigrants generally are, then we may begin argument upon the question whether it is better or worse, wise or unwise, to permit white men, American citizens, or men of kindred races to be supplanted and the Chinese to be substituted in their places. Until all this and more can be shown the advocates of Chinese importation or immigration have no base upon which to even begin to build argument.

"The statistics of the manufacture of cigars in San Francisco are still more suggestive. This business was formerly carried on exclusively by white people, many hundreds finding steady and lucrative employment in that trade. I have here the certified statement from the office of the collector of internal revenue at San Francisco, showing the number of white people

and Chinese, relatively, employed on the 1st of November last in the manufacture of cigars. The statement is as follows:

Number of white men employed.....	493
Number of white women employed.	170
—————	
Total whites.....	663
Number of Chinese employed.....	5 182

“The facts of this statement were carefully ascertained by three deputy collectors. The San Francisco Assembly of Trades certify that there are 8,265 Chinese employed in laundries. It is a well-known fact that white women who formerly did this work have been quite driven out of that employment. The same authority certifies that the number of Chinese now employed in the manufacture of clothing in San Francisco, is 7,510, and the number of whites so employed is 1,000. In many industries the Chinese have entirely supplanted the white laborers, and thousands of our white people have quit California and sought immunity from this grinding competition in other and better-favored regions.”

\* \* \* \* \*

“If you would ‘secure the blessings of liberty to ourselves and our posterity,’ there must be some place reserved in which, and upon which, posterity can exist. What will the blessings of liberty be worth to posterity if you give up the country to the Chinese? If China is to be the breeding-ground for peopling this country, what chance of American posterity? We of this age hold this land in trust for our race and kindred. We hold republican government and free institutions in trust for American posterity. That trust ought not to be betrayed. If the Chinese should invade the Pacific coast with arms in their hands, what a magnificent spectacle of martial resistance would be presented to a startled world! The mere intimation of an attempt to make conquest of our western shore by force would rouse the nation to a frenzy of enthusiasm in its defense. For years a peaceful, sly, strategic conquest has been in progress, and American statesmanship has been almost silent, until the people have demanded action.

“The land which is being overrun by the oriental invader is the fairest portion of our heritage. It is the land of the vine and the fig tree; the home of the orange, the olive, and the pomegranate. Its winter is a perpetual spring, and its summer is a golden harvest. There the northern pine peacefully sways against the southern palm; the tender azalea and the hardy rose mingle their sweet perfume, and the tropic vine encircles the sturdy oak. Its valleys are rich and glorious with luscious fruits and waving grain, and its lofty

Mountains like giants stand,  
To sentinel the enchanted land.

“I would see its fertile plains, its sequestered vales, its vine-clad hills, its deep blue canons, its furrowed mountain-sides, dotted all over with American homes—the homes of a free, happy people, resonant with the sweet voices of flaxen-haired children, and ringing with the joyous laughter of maiden fair—

Soft as her clime, and sunny as her skies—

like the homes of New England; yet brighter and better far shall be the homes which are to be builded in that wonderland by the sunset sea, the homes of a race from which shall spring

The flower of men,  
To serve as model for the mighty world,  
And be the fair beginning of a time.”

**Reply of Senator Geo. F. Hoar.**

Senator Hoar, of Massachusetts, replied to Senator Miller, and presented the supposed view of the Eastern States in a masterly manner. The speech covered twenty-eight pamphlet pages, and was referred to by the newspaper as an effort equal to some of the best by Charles Sumner. We make liberal extracts from the text, as follows:

“Mr. PRESIDENT: A hundred years ago the American people founded a nation upon the moral law. They overthrew by force the authority of their sovereign, and separated themselves from the country which had planted them, alleging as their justification to mankind certain propositions which they held to be self-evident.

“They declared—and that declaration is the one foremost action of human history—that all men equally derive from their Creator the right to the pursuit of happiness; that equality in the right to that pursuit is the fundamental rule of the divine justice in its application to mankind; that its security is the end for which governments are formed, and its destruction good cause why governments should be overthrown. For a hundred years this principle has been held in honor. Under its beneficent operation we have grown almost twenty-fold. Thirteen States have become thirty-eight; three million have become fifty million; wealth and comfort and education and art have flourished in still larger proportion. Every twenty years there is added to the valuation of this country a wealth enough to buy the whole German Empire, with its buildings and its ships and its invested property. This has been the magnet that has drawn immigration hither. The human stream, hemmed in by banks invisible but impassable, does not turn toward Mexico, which can feed and clothe a world, or South America, which can feed and clothe a hun-

dred worlds, but seeks only that belt of States where it finds this law in operation. The marvels of comfort and happiness it has wrought for us scarcely surpass what it has done for other countries. The immigrant sends back the message to those he has left behind. There is scarcely a nation in Europe west of Russia which has not felt the force of our example and whose institutions are not more or less slowly approximating to our own.

“Every new State as it takes its place in the great family binds this declaration as a frontlet upon its forehead. Twenty-four of the States, including California herself, declare it in the very opening sentence of their constitutions. The insertion of the phrase ‘the pursuit of happiness,’ in the enumeration of the natural rights for securing which government is ordained, and the denial of which constitutes just cause for its overthrow, was intended as an explicit affirmation that the right of every human being who obeys the equal laws to go everywhere on the surface of the earth that his welfare may require is beyond the rightful control of government. It is a birthright derived immediately from him who ‘made of one blood all nations of men for to dwell on all the face of the earth, and hath determined the times before appointed and the bounds of their habitation.’ He made, so our fathers held, of one blood all the nations of men. He gave them the whole face of the earth whereon to dwell. He reserved for himself by his agents heat and cold, and climate, and soil, and water, and land to determine the bounds of their habitation. It has long been the fashion in some quarters, when honor, justice, good faith, human rights are appealed to, and especially when the truths declared in the opening sentences of the Declaration of Independence are invoked as guides in legislation to stigmatize those who make the appeal as sentimentalists, incapable of dealing with practical affairs. It would be easy to demonstrate the falsehood of this notion. The men who erected the structure of this Government were good, practical builders and knew well the quality of the corner-stone when they laid it. When they put forth for the consideration of their contemporaries and of posterity the declaration which they thought a decent respect for the opinions of mankind required of them, they weighed carefully the fundamental proposition on which their immortal argument rested. Lord Chatham’s famous sentence will bear repeating again :

When your lordships look at the papers transmitted to us from America, when you consider their decency, firmness, and wisdom, you cannot but respect their cause and wish to make it your own. For myself I must declare and avow that in all

my reading and observation—and it has been my favorite study, I have read Thucydides, and have studied and admired the master states of the world—that for solidity of reasoning, force of sagacity, and wisdom of conclusion, under such a complication of difficult circumstances, no nation or body of men can stand in preference to the general Congress assembled at Philadelphia.

The doctrine that the pursuit of happiness is an inalienable right with which men are endowed by their Creator, asserted by as religious a people as ever lived at the most religious period of their history, propounded by as wise, practical, and far-sighted statesmen as ever lived as the vindication for the most momentous public act of their generation, was intended to commit the American people in the most solemn manner to the assertion that the right to change their homes at their pleasure is a natural right of all men. The doctrine that free institutions are a monopoly of the favored races, the doctrine that oppressed people may sever their old allegiance at will, but have no right to find a new one, that the bird may fly but may never light, is of quite recent origin.

California herself owing her place in our Union to the first victory of freedom in the great contest with African slavery, is pledged to repudiate this modern heresy, not only by her baptismal vows, but by her share in the enactment of the statute of 1868. Her constitution read thus until she took Dennis Kearney for her law-giver :

We, the people of California, grateful to Almighty God for our freedom, in order to secure its blessings, do establish this constitution.

#### DECLARATION OF RIGHTS.

SECTION 1. All men are by nature free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing, and defending property, and pursuing and obtaining safety and happiness.

\* \* \* \* \*

SEC. 17. Foreigners who are or who may hereafter become bona fide residents of this State, shall enjoy the same rights in respect to the possession, enjoyment, and inheritance of property, as native born citizens.

In the Revised Statutes, section 1999, Congress in the most solemn manner declare that the right of expatriation is beyond the lawful control of government :

SEC. 1999. Whereas the right of expatriation is a natural and inherent right of all people, indispensable to the enjoyment of the rights of life, liberty, and the pursuit of happiness; and

Whereas in the recognition of this principle this Government has freely received emigrants from all nations, and invested them with the rights of citizenship.

This is a re-enactment, in part, of the statute of 1868, of which Mr. Conness, then a California Senator, of Irish birth, was, if not the author, the chief advocate.

The California Senator called up the bill day after day. The bill originally provided that the President might order the arrest and detention in custody of "any subject or citizen of such foreign government" as should arrest and detain any naturalized citizen of the United States under the claim that he still remained subject to his allegiance to his native sovereign. This gave rise to debate.

But there was no controversy about the part of the bill which I have read. The preamble is as follows:

Whereas the right of expatriation is a natural and inherent right of all people, indispensable to the enjoyment of the rights of life, liberty, and the pursuit of happiness, for the protection of which the Government of the United States was established; and whereas in the recognition of this principle this Government has freely received emigrants from all nations and vested them with the rights of citizenship, &c.

Mr. Howard declares that—

The absolute right of expatriation is the great leading American principle.

Mr. Morton says:

That a man's right to withdraw from his native country and make his home in another, and thus cut himself off from all connection with his native country, is a part of his natural liberty, and without that his liberty is defective. We claim that the right to liberty is a natural, inherent, God-given right, and his liberty is imperfect unless it carries with it the right of expatriation.

The bill containing the preamble above recited passed the Senate by a vote of 39 to 5.

The United States of America and the Emperor of China cordially recognize the inherent and inalienable right of man to change his home and allegiance, and also the mutual advantage of the free migration and emigration of their citizens and subjects respectively from the one country to the other for purposes of curiosity, of trade, or as permanent residents.

"The bill which passed Congress two years ago and was vetoed by President Hayes, the treaty of 1881, and the bill now before the Senate, have the same origin and are parts of the same measure. Two years ago it was proposed to exclude Chinese laborers from our borders, in express disregard of our solemn treaty obligations. This measure was arrested by President

Hayes. The treaty of 1881 extorted from unwilling China her consent that we might regulate, limit, or suspend the coming of Chinese laborers into this country—a consent of which it is proposed by this bill to take advantage. This is entitled "A bill to enforce treaty stipulations with China."

"It seems necessary in discussing the statute briefly to review the history of the treaty. First let me say that the title of this bill is deceptive. There is no stipulation of the treaty which the bill enforces. The bill where it is not inconsistent with the compact only avails itself of a privilege which that concedes. China only relaxed the Burlingame treaty so far as to permit us to 'regulate, limit, or suspend the coming or residence' of Chinese laborers, 'but not absolutely to prohibit it.' The treaty expressly declares 'such limitation or suspension shall be reasonable.' But here is proposed a statute which for twenty years, under the severest penalties, absolutely inhibits the coming of Chinese laborers to this country. The treaty pledges us not absolutely to prohibit it. The bill is intended absolutely to prohibit it.

"The second article of the treaty is this:

"Chinese subjects, whether proceeding to the United States as traders, students, or merchants, or from curiosity, together with their body and household servants, and Chinese laborers, who are now in the United States, shall be allowed to go and come of their own free will and accord, and shall be accorded all the rights, privileges, immunities, and exemptions which are accorded to the citizens and subjects of the most favored nations.

"Yet it is difficult to believe that the complex and cumbrous passport system provided in the last twelve sections of the bill was not intended as an evasion of this agreement. Upon what other nation, favored or not, is such a burden imposed? This is the execution of a promise that they may come and go 'of their own free will.'

"What has happened within thirteen years that the great Republic should strike its flag? What change has come over us that we should eat the bravest and the truest words we ever spoke? From 1858 to 1880 there was added to the population of the country 42,000 Chinese.

"I give a table from the census of 1880 showing the Chinese population of each State:

*Statement showing the Chinese population in each State and Territory, according to the United States censuses of 1870 and of 1880.*

Alabama.....	_____	_____	4
Alaska.....	_____	_____	
Arizona.....	_____	20	1,630

Arkansas.....	98	134	1874.....	13,857
California.....	49,310	75,025	1875.....	16,498
Colorado.....	7	610	1876.....	22,943
Connecticut.....	2	124	1877.....	10,640
Dakota.....	—	238	1878.....	9,014
Delaware.....	—	1		
District of Columbia.....	3	13	Total.....	108,339
Florida.....	—	18		
Georgia.....	1	17	And from China for the year ended	
Idaho.....	4,274	3,378	June 30—	
Illinois.....	1	210	1879.....	9,604
Indiana.....	—	33	1880.....	5,802
Iowa.....	3	47		
Kansas.....	—	19	Total.....	15,406
Kentucky.....	1	10		
Louisiana.....	71	481	Grand Total.....	123,745
Maine.....	1	9		
Maryland.....	2	5		
Massachusetts.....	97	237		
Michigan.....	2	27		
Minnesota.....	—	53		
Mississippi.....	16	52		
Missouri.....	3	94		
Montana.....	1,949	1,764		
Nebraska.....	—	18		
Nevada.....	3,152	5,420		
New Hampshire.....	—	14		
New Jersey.....	15	176		
New Mexico.....	—	55		
New York.....	29	924		
North Carolina.....	—	—		
Ohio.....	1	114		
Oregon.....	3,330	9,513		
Pennsylvania.....	14	160		
Rhode Island.....	—	27		
South Carolina.....	1	9		
Tennessee.....	—	26		
Texas.....	25	141		
Utah.....	445	501		
Vermont.....	—	—		
Virginia.....	4	6		
Washington.....	234	3,182		
West Virginia.....	—	14		
Wisconsin.....	—	16		
Wyoming.....	143	914		
Total.....	63,254	105,463		

“By the census of 1880 the number of Chinese in this country was 105,000—one five-hundredth part of the whole population. The Chinese are the most easily governed race in the world. Yet every Chinaman in America has four hundred and ninety-nine Americans to control him.

The immigration was also constantly decreasing for the last half of the decade. The Bureau of Statistics gives the numbers as follows, (for the first eight years the figures are those of the entire Asiatic immigration:)

The number of immigrants from Asia, as reported by the United States Bureau of Statistics is as follows, namely:

1871.....	7,236
1872.....	7,825
1873.....	20,326

“See also, Mr. President, how this class of immigrants, diminishing in itself, diminishes still more in its proportion to the rapidly increasing numbers who come from other lands. Against 22,943 Asiatic immigrants in 1876, there are but 5,802 in 1880. In 1878 there were 9,014 from Asia, in a total of 153,207, or one in seventeen of the entire immigration; and this includes all persons who entered the port of San Francisco to go to any South American country. In 1879 there were 9,604 from China in a total of 250,565, or one in twenty-six. In 1880 there were 5,802 from China in a total immigration of 593,359, or one in one hundred and two. The whole Chinese population, then, when the census of 1880 was taken, was but one in five hundred of our people. The whole Chinese immigration was but one in one hundred and two of the total immigration; while the total annual immigration quadrupled from 1878 to 1880, the Chinese was in 1880 little more than one-half what it was in 1878, and one-fourth what it was in 1876.

“The number of immigrants of all nations was 720,045 in 1881. Of these 20,711 were Chinese. There is no record in the Bureau of Statistics of the number who departed within the year. But a very high anti-Chinese authority places it above 10,000. Perhaps the expectation that the hostile legislation under the treaty would not affect persons who entered before it took effect stimulated somewhat their coming. But the addition to the Chinese population was less than one seventy-second of the whole immigration. All the Chinese in the country do not exceed the population of its sixteenth city. All the Chinese in California hardly surpass the number which is easily governed in Shanghai by a police of one hundred men. There are as many pure blooded Gypsies wandering about the country as there are Chinese in California. What an insult to American intelligence to ask leave of China to keep out her people, because this little handful of almond-eyed Asiatics threaten to destroy our boasted civiliza-



tion. We go boasting of our democracy, and our superiority, and our strength. The flag bears the stars of hope to all nations. A hundred thousand Chinese land in California and everything is changed. God has not made of one blood all the nations any longer. The self-evident truth becomes a self-evident lie. The golden rule does not apply to the natives of the continent where it was first uttered. The United States surrender to China, the Republic to the despot, America to Asia, Jesus to Joss.

“There is another most remarkable example of this prejudice of race which has happily almost died out here, which has come down from the dark ages and which survives with unabated ferocity in Eastern Europe. I mean the hatred of the Jew. The persecution of the Hebrew has never, so far as I know, taken the form of an affront to labor. In every other particular the reproaches which for ten centuries have been leveled at him are reproduced to do service against the Chinese. The Hebrew, so it was said, was not a Christian. He did not affiliate or assimilate into the nations where he dwelt. He was an unclean thing, a dog, to whom the crime of the crucifixion of his Saviour was never to be forgiven. The Chinese quarter of San Francisco had its type in every city of Europe. If the Jew ventured from his hiding-place he was stoned. His wealth made him the prey of the rapacity of the noble, and his poverty and weakness the victim of the rabble. Yet how has this Oriental conquered Christendom by the sublimity of his patience? The great poet of New England, who sits by every American fireside a beloved and perpetual guest, in that masterpiece of his art, the Jewish Cemetery at Newport, has described the degradation and the triumph of these persecuted children of God.

How came they here? What burst of Christian hate,  
What persecution, merciless and blind,  
Drove o'er the sea—that desert desolate—  
These Ishmaels and Hagars of mankind?  
They lived in narrow streets and lanes obscure,  
Ghetto and Judenstrass, in mirk and mire;  
Taught in the school of patience to endure  
The life of anguish and the death of fire.

\* \* \* \* \*

Anathema maranatha! was the cry  
That rang from town to town, from street to street;  
At every gate the accursed Mordecai  
Was mocked and jeered, and spurned by Christian feet.

Pride and humiliation hand in hand  
Walked with them through the world where'er they  
went;  
Trampled and beaten were they as the sand,  
And yet unshaken as the continent.

Forty years ago—  
Says Lord Beaconsfield, that great Jew  
who held England in the hollow of his  
hand, and who played on her aristocracy  
as on an organ, who made himself the  
master of an alien nation, its ruler, its

oracle, and through it, and in despite of it,  
for a time the master of Europe—

Forty years ago—not a longer period  
than the children of Israel were wandering  
in the desert—the two most dishonored  
races in Europe were the Attic and the He-  
brew. The world has probably by this  
discovered that it is impossible to destroy  
the Jews. The attempt to extirpate them  
has been made under the most favorable  
auspices and on the largest scale; the most  
considerable means that man could com-  
mand have been pertinaciously applied to  
this object for the longest period of re-  
corded time. Egyptian Pharaohs, Assyrian  
kings, Roman emperors, Scandinavian  
crusaders, Gothic princes, and holy inqui-  
sitors, have alike devoted their energies to  
the fulfillment of this common purpose.  
Expatriation, exile, captivity, confiscation,  
torture on the most ingenious and massa-  
cre on the most extensive scale, a curious  
system of degrading customs and debasing  
laws which would have broken the heart  
of any other people, have been tried, and  
in vain.

“Lord Beaconsfield admits that the Jews  
contribute more than their proportion to  
the aggregate of the vile; that the lowest  
class of Jews are obdurate, malignant,  
odious, and revolting. And yet this race  
of dogs, as it has been often termed in  
scorn, furnishes Europe to-day its masters  
in finance and oratory and statesmanship  
and art and music. Rachel, Mozart, Men-  
delssohn, Disraeli, Rothschild, Benjamin,  
Heine, are but samples of the intellectual  
power of a race which to-day controls the  
finance and the press of Europe.

“I do not controvert the evidence which  
is relied upon to show that there are great  
abuses, great dangers, great offenses, which  
have grown out of the coming of this peo-  
ple. Much of the evil I believe might be  
cured by State and municipal authority.  
Congress may rightfully be called upon to  
go to the limit of the just exercise of the  
powers of government in rendering its aid.

“We should have capable and vigilant  
consular officers in the Asiatic ports from  
which these immigrants come, without  
whose certificate they should not be re-  
ceived on board ship, and who should see  
to it that no person except those of good  
character and no person whose labor is not  
his own property be allowed to come over.  
Especially should the trade in human  
labor under all disguises be suppressed.  
Filthy habits of living must surely be with-  
in the control of municipal regulation.  
Every State may by legislation or by muni-  
cipal ordinance in its towns and cities pre-  
scribe the dimension of dwellings and limit  
the number who may occupy the same  
tenement.

“But it is urged—and this in my judg-  
ment is the greatest argument for the bill—

that the introduction of the labor of the Chinese reduces the wages of the American laborer. "We are ruined by Chinese cheap labor" is a cry not limited to the class to whose representative the brilliant humorist of California first ascribed it. I am not in favor of lowering any where the wages of any American labor, skilled or unskilled. On the contrary, I believe the maintenance and the increase of the purchasing power of the wages of the American working man should be the one principal object of our legislation. The share in the product of agriculture or manufacture which goes to labor should, and I believe will, steadily increase. For that, and for that only, exists our protective system. The acquisition of wealth, national or individual, is to be desired only for that. The statement of the accomplished Senator from California on this point meets my heartiest concurrence. I have no sympathy with any men, if such there be, who favor high protection and cheap labor.

"But I believe that the Chinese, to whom the terms of the California Senator attribute skill enough to displace the American in every field requiring intellectual vigor, will learn very soon to insist on his full share of the product of his work. But whether that be true or not, the wealth he creates will make better and not worse the condition of every higher class of labor. There may be trouble or failure in adjusting new relations. But sooner or later every new class of industrious and productive laborers elevates the class it displaces. The dread of an injury to our labor from the Chinese rests on the same fallacy that opposed the introduction of labor-saving machinery, and which opposed the coming of the Irishman and the German and the Swede. Within my memory in New England all the lower places in factories, all places of domestic service, were filled by the sons and daughters of American farmers. The Irishmen came over to take their places; but the American farmer's son and daughter did not suffer; they were only elevated to a higher plane. In the increased wealth of the community their share is much greater. The Irishman rose from the bog or the hovel of his native land to the comfort of a New England home, and placed his children in a New England school. The Yankee rises from the loom and the spinning-jenny to be the teacher, the skilled laborer in the machine shop, the inventor, the merchant, or the opulent landholder and farmer of the West.

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A letter from F. A. Bee, Chinese Consul, approving the management of the estate, accompanied the report of the referee:

"Mr. President, I will not detain the

Senate by reading the abundant testimony, of which this is but the sample, of the possession by the people of this race of the possibility of a development of every quality of intellect, art, character, which fits them for citizenship, for republicanism, for Christianity.

"Humanity, capable of infinite depths of degradation, is capable also of infinite heights of excellence. The Chinese, like all other races, has given us its examples of both. To rescue humanity from this degradation is, we are taught to believe, the great object of God's moral government on earth. It is not by injustice, exclusion, caste, but by reverence for the individual soul that we can aid in this consummation. It is not by Chinese policies that China is to be civilized. I believe that the immortal truths of the Declaration of Independence came from the same source with the Golden Rule and the Sermon on the Mount. We can trust Him who promulgated these laws to keep the country safe that obeys them. The laws of the universe have their own sanction. They will not fail. The power that causes the compass to point to the north, that dismisses the star on its pathway through the skies, promising that in a thousand years it shall return again true to its hour and keep His word, will vindicate His own moral law. As surely as the path on which our fathers entered a hundred years ago led to safety, to strength, to glory, so surely will the path on which we now propose to enter bring us to shame, to weakness, and to peril."

On the 3d of March the debate was renewed. Senator Farley protested that unless Chinese immigration is prohibited it will be impossible to protect the Chinese on the Pacific coast. The feeling against them now is such that restraint is difficult, as the people, forced out of employment by them, and irritated by their constantly increasing numbers, are not in a condition to submit to the deprivations they suffer by the presence of a Chinese population imported as slaves and absorbing to their own benefit the labor of the country. A remark of Mr. Farley about the Chinese led Mr. Hoar to ask if they were not the inventors of the printing press and of gunpowder. To this question Mr. Jones, of Nevada, made a brief speech, which was considered remarkable, principally because it was one of the very few speeches of any length that he has made since he became a Senator. Instead of agreeing with Mr. Hoar that the Chinese had invented the printing press and gunpowder, he said that information he had received led him to believe that the Chinese were not entitled to the credit of either of these inventions. On the contrary, they had stolen them from Aryans or Caucasians who wandered into the king-

dom. Mr. Hoar smiled incredulously and made a remark to the effect that he had never heard of those Aryans or Caucasians before.

Continuing his remarks, Mr. Farley expressed his belief that should the Mongolian population increase and the Chinese come in contact with the Africans, the contact would result in demoralization and bloodshed which the laws could not prevent. Pig-tailed Chinamen would take the place everywhere of the working girl unless Congress extended its protection to California and her white people, who had by their votes demanded a prohibition of Chinese immigration. Mr. Maxey, interpreting the Constitution in such a way as to bring out of it an argument against Chinese immigration, said he found nothing in it to justify the conclusion that the framers of it intended to bring into this country all nations and races. The only people the fathers had in view as citizens were those of the Caucasian race, and they contemplated naturalization only for such, for they had distinctly set forth that the heritage of freedom was to be for their posterity. Nobody would pretend to express the opinion that it was expected that the American people should become mixed up with all sorts of races and call the result "our posterity." While the American people had, in consequence of their Anglo-Saxon origin, been able to withstand the contact with the African, the Africans would never stand before the Chinese. Mr. Maxey opposed the Chinese because they do not come here to be citizens, because the lower classes of Chinese alone are immigrants, and because by contact they poison the minds of the less intelligent.

Mr. Saulsbury had something to say in favor of the bill, and Mr. Garland, who voted against the last bill because the treaty had not been modified, expressed his belief that the Government could exercise properly all the powers proposed to be bestowed by this bill. Some time was consumed by Mr. Ingalls in advocacy of an amendment offered by him, proposing to limit the suspension of immigration to 10 instead of 20 years. Mr. Miller and Mr. Bayard opposed the amendment, Mr. Bayard taking the ground that Congress ought not to disregard the substantially unanimous wish of the people of California, as expressed at the polls, for absolute prohibition. The debate was interrupted by a motion for an executive session, and the bill went over until Monday, to be taken up then as the unfinished business.

On March 6th a vote was ordered on Senator Ingalls' amendment. It was defeated on a tie vote—yeas 23, nays 23.

The vote in detail is as follows:

Yeas—Messrs. Aldrich, Allison, Blair, Brown, Cockrell, Conger, Davis of Illinois,

Dawes, Edmunds, Frye, Harris, Hoar, Ingalls, Jackson, Lapham, McDill, McMillan, Mitchell, Morrell, Saunders, Sewell, Sherman and Teller—23.

Nays—Messrs. Bayard, Beck, Call, Cameron of Wisconsin, Coke, Fair, Farley, Garland, George, Hale, Hampton, Hill of Colorado, Jonas, Jones of Nevada, McPherson, Marcy, Miller of California, Miller of New York, Morgan, Ransom, Slater, Vest and Walker—23.

Pairs were announced between Davis, of West Virginia, Saulsbury, Butler, Johnson, Kellogg, Jones, of Florida, and Grover, against the amendment, and Messrs. Windom, Ferry, Hawley, Platt, Pugh, Rollins and Van Wyck in the affirmative. Mr. Camden was also paired.

Mr. Edmunds, partially in reply to Mr. Hoar argued that the right to decide what constitutes the moral law was one inherent in the Government, and by analogy the right to regulate the character of the people who shall come into it belonged to a Government. This depended upon national polity and the fact as to most of the ancient republics that they did not possess homogeneity was the cause of their fall. As to the Swiss Republic, it was untrue that it was not homogeneous. The difference there was not one of race but of different varieties of the same race, all of which are analogous and consistent with each other. It would not be contended that it is an advantage to a republic that its citizens should be made of diverse races, with diverse views and diverse obligations as to what the common prosperity of all required. Therefore there was no foundation for the charge of a violation of moral and public law in our making a distinction as to the foreigners we admit. He challenged Mr. Hoar to produce an authority on national law which denied the right of one nation to declare what people of other nations should come among them. John Hancock and Samuel Adams, not unworthy citizens of Massachusetts, joined in asserting in the Declaration of Independence the right of the colonies to establish for themselves, not for other peoples, a Government of their own, not the Government of somebody else. The declaration asserted the family or consolidated right of a people within any Territory to determine the conditions upon which they would go on, and this included the matter of receiving the people from other shores into their family. This idea was followed in the Constitution by requiring naturalization. The Chinaman may be with us, but he is not of us. One of the conditions of his naturalization is that he must be friendly to the institutions and intrinsic polity of our Government. Upon the theory of the Massachusetts Senators, that there is a universal oneness of one human being with every

other human being on the globe, this traditional and fundamental principle was entirely ignored. Such a theory as applied to Government was contrary to all human experience, to all discussion, and to every step of the founders of our Government. He said that Mr. Sumner, the predecessor of Mr. Hoar, was the author of the law on the coolie traffic, which imposes fines and penalties more severe than those in this bill upon any master of an American vessel carrying a Chinaman who is a servant. The present bill followed that legislation. Mr. Edmunds added that he would vote against the bill if the twenty-year clause was retained, but would maintain the soundness of principle he had enunciated.

Mr. Hoar argued in reply that the right of expatriation carried with it the right to a home for the citizen in the country to which he comes, and that the bill violated not only this but the principles of the Fourteenth and Fifteenth Amendments which made citizenship the birthright of every one born on our soil, and prohibited an abridgement of the suffrage because of race, color, etc.

Mr. Ingalls moved an amendment postponing the time at which the act shall take effect until sixty days after information of its passage has been communicated to China.

After remarks by Messrs. Dawes, Teller and Bayard, at the suggestion of Mr. Brown Mr. Ingalls modified his amendment by providing that the act shall not go into effect until ninety days after its passage, and the amendment was adopted.

On motion of Mr. Bayard, amendments were adopted making the second section read as follows: "That any master of any vessel of whatever nationality, who shall knowingly on such vessel bring within the jurisdiction of the United States and permit to be landed any Chinese laborer," &c.

Mr. Hoar moved to amend by adding the following: "Provided, that this bill shall not apply to any skilled laborer who shall establish that he comes to this country without any contract beyond which his labor is the property of any person besides himself."

Mr. Farley suggested that all the Chinese would claim to be skilled laborers.

Mr. Hoar replied that it would test whether the bill struck at coolies or at skilled labor.

The amendment was rejected—Yeas, 17; nays, 27.

Mr. Call moved to strike out the section which forfeits the vessel for the offense of the master. Lost.

Mr. Hoar moved to amend by inserting: "Provided that any laborer who shall receive a certificate from the U. S. Consul at the port where he shall embark that he is an artisan coming to this country at his

own expense and of his own will, shall not be affected by this bill." Lost—yeas 19, nays 24.

On motion of Mr. Miller, of California, the provision directing the removal of any Chinese unlawfully found in a Customs Collection district by the Collector, was amended to direct that he shall be removed to the place from whence he came.

On motion of Mr. Brown an amendment was adopted providing that the mark of a Chinese immigrant, duly attested by a witness, may be taken as his signature upon the certificate of resignation or registration issued to him.

The question then recurred on the amendment offered by Mr. Farley that hereafter no State Court or United States Court shall admit Chinese to citizenship.

Mr. Hawley, of Conn., on the following day spoke against what he denounced as "a bill of iniquities."

On the 9th of March what proved a long and interesting debate was closed, the leading speech being made by Senator Jones (Rep.) of Nevada, in favor of the bill. After showing the disastrous effects of the influx of the Chinese upon the Pacific coast and answering some of the arguments of the opponents of restriction, Mr. Jones said that he had noticed that most of those favoring Chinese immigration were advocates of a high tariff to protect American labor. But, judging from indications, it is not the American laborer, but the lordly manufacturing capitalist who is to be protected as against the European capitalist, and who is to sell everything he has to sell in an American market, one in which other capitalists cannot compete with him, while he buys that which he has to buy—the labor of men—in the most open market. He demands for the latter free trade in its broadest sense, and would have not only free trade in bringing in laborers of our own race, but the Chinese, the most skilful and cunning laborers of the world. The laborer, however, is to buy from his capitalist master in a protective market, but that which he himself has to sell, his labor, and which he must sell every day (for he cannot wait, like the capitalist, for better times or travel here and there to dispose of it), he must sell in the openest market of the world. When the artisans of this country shall be made to understand that the market in which they sell the only thing they have to sell is an open one they will demand, as one of the conditions of their existence, that they shall have an open market in which to buy what they want. As the Senator from Massachusetts (Mr. Dawes) said he wanted the people to know that the bill was a blow struck at labor, Mr. Jones said he reiterated the assertion with the qualification that it was not a blow at our own, but at

underpaid pauper labor. That cheap labor produces national wealth is a fallacy, as shown by the home condition of the 350,000,000 of Chinamen.

"Was the bringing of the little brown man a sort of counter balance to the trades unions of this country? If he may be brought here, why may not the products of his toil come in? Now, when the laborer is allowed to get that share from his labor that civilization has decided he shall have, the little brown man is introduced. He (Mr. Jones) believed in protection, and had no prejudice against the capitalist, but he would have capital and labor equally protected. Enlarging upon the consideration that the intelligence or creative genius of a country in overcoming obstacles, not its material resources, constitutes its wealth, and that the low wages of the Chinese, while benefiting individual employers, would ultimately impoverish the country by removing the stimulant to create labor-saving machinery and like inventions. Mr. Jones spoke of what he called the dearth of intellectual activity in the South in every department but one, that of politics.

"This was because of the presence of a servile race there. The absence of Southern names in the Patent Office is an illustration. We would not welcome the Africans here. Their presence was not a blessing to us, but an impediment in our way. The relations of the white and colored races of the South were now no nearer adjustment than they were years ago. He would prophesy that the African race would never be permitted to dominate any State of the South. The experiment to that end had been a dismal failure, and a failure not because we have not tried to make it succeed, but because laws away above human laws have placed the one race superior to and far above the other. The votes of the ignorant class might preponderate, but intellect, not numbers, is the superior force in this world. We clothed the African in the Union blue and the belief that he was one day to be free was the candle-light in his soul, but it is one thing to aspire to be free and another thing to have the intelligence and sterling qualities of character that can maintain free government. Mr. Jones here expressed his belief that, if left alone to maintain a government, the negro would gradually retrograde and go back to the methods of his ancestors. This, he added, may be heresy, but I believe it to be the truth. If, when the first shipload of African slaves came to this country the belief had spread that they would be the cause of political agitation, a civil war, and the future had been foreseen, would they have been allowed to land?

How much of this country would now

be worth preserving if the North had been covered by Africans as is South Carolina to-day, in view of their non-assimilative character? The wisest policy would have been to exclude them at the outset. So we say of the Chinese to-day, he exclaimed, and for greater reason, because their skill makes them more formidable competitors than the negro. Subtle and adept in manipulation, the Chinaman can be put into almost any kind of a factory. His race is as obnoxious to us and as impossible for us to assimilate with as was the negro race. His race has outlived every other because it is homogeneous, and for that reason alone. It has imposed its religion and peculiarities upon its conquerors and still lived. If the immigration is not checked now, when it is within manageable limits, it will be too late to check it. What do we find in the condition of the Indian or the African to induce us to admit another race into our midst? It is because the Pacific coast favor our own civilization, not that of another race, that they discourage the coming of these people. They believe in the homogeneity of our race, and that upon this depends the progress of our institutions and everything on which we build our hopes.

Mr. MORRILL, (Rep.) of Vt., said he appreciated the necessity of restricting Chinese immigration, but desired that the bill should strictly conform to treaty requirements and be so perfected that questions arising under it might enable it to pass the ordeal of judicial scrutiny.

Mr. SHERMAN, (Rep.) of Ohio, referring to the passport system, said the bill adopted some of the most offensive features of European despotism. He was averse to hot haste in applying a policy foreign to the habits of our people, and regarded the measure as too sweeping in many of its provisions and as reversing our immigration policy.

After remarks by Messrs. Ingalls, Farley, Maxey, Brown and Teller, the amendment of Mr. Farley, which provides that hereafter no court shall admit Chinese to citizenship, was adopted—yeas 25, nays 22.

The following is the vote:

YEAS—Messrs. Bayard, Beck, Call, Cameron of Wisconsin, Cockrell, Coke, Fair, Farley, Garland, George, Gorman, Harris, Jackson, Jonas, Jones of Nevada, Maxey, Morgan, Pugh, Ransom, Slater, Telier, Vance, Vest, Voorhees and Walker—25.

NAYS—Messrs. Aldrich, Allison, Blair, Brown, Conger, Davis of Illinois, Dawes, Edmunds, Frye, Hale, Hill of Colorado, Hoar, Ingalls, Lapham, McDill, McMullan, Miller of New York, Mitchell, Morrill, Plumb, Saunders and Sawyer—22.

Mr. Grover's amendment construing the words "Chinese laborers," wherever used in the act, to mean both skilled and un-

skilled laborers and Chinese employed in mining prevailed by the same vote—yeas 25, nays 22.

Mr. BROWN, (Dem.) of Ga., moved to strike out the requirement for the production of passports by the permitted classes whenever demanded by the United States authorities. Carried on a *viva voce* vote, the Chair (Mr. Davis, of Illinois) creating no little merriment by announcing, "The nays are loud but there are not many of them."

#### MR. INGALLS' AMENDMENT.

Upon the bill being reported to the Senate from the Committee of the Whole Mr. INGALLS again moved to limit the suspension of the coming of Chinese laborers to ten years.

Mr. JONES, of Nevada, said this limit would hardly have the effect of allaying agitation on the subject as the discussion would be resumed in two or three years, and ten years, he feared, would not even be a long enough period to enable Congress intelligently to base upon it any future policy.

Mr. MILLER, of California, also urged that the shorter period would not measurably relieve the business interest of the Pacific slope, inasmuch as the white immigrants, who were so much desired, would not come there if they believed the Chinese were to be again admitted in ten years. Being interrupted by Mr. Hoar, he asserted that that Senator and other republican leaders, as also the last republican nominee for President, had heretofore given the people of the Pacific slope good reason to believe that they would secure to them the relief they sought by the bill.

Mr. HOAR, (Rep.) of Mass., briefly replied.

The amendment was lost—yeas 20, nays 21.

The vote is as follows :

YEAS—Messrs. Aldrich, Allison, Blair, Brown, Conger, Davis of Illinois, Dawes, Edmunds, Frye, Hale, Hoar, Ingalls, Lapham, McDill, McMillan, Mahone, Morrill, Plumb, Sawyer and Teller—20.

NAYS—Messrs. Bayard, Beck, Call, Cameron of Wisconsin, Coke, Fair, Farley, Garland, George, Gorman, Jackson, Jonas, Jones of Nevada, Miller of California, Miller of New York, Morgan, Ransom, Slater, Vance, Voorhees and Walker—21.

Messrs. Butler, Camden, McPherson, Johnston, Davis of West Virginia, Pendleton and Ransom were paired with Messrs. Hawley, Anthony, Sewell, Platt, Van Wyck, Windom and Sherman.

Messrs. Hampton, Pugh, Vest, Rollins and Jones of Florida were paired with absentees.

#### PASSAGE OF THE BILL.

The question recurred on the final passage of the bill, and Mr. EDMUNDS closed the debate. He would vote against the bill as it now stood, because he believed it to be an infraction of good faith as pledged by the last treaty; because he believed it injurious to the welfare of the people of the United States, and particularly the people on the Pacific coast, by preventing the development of our great trade with China.

The vote was then taken and the bill was passed—yeas 29, nays 15.

The following is the vote in detail :—

YEAS—Messrs. Bayard, Beck, Call, Cameron of Wisconsin, Cockrell, Coke, Fair, Farley, Garland, George, Gorman, Hale, Harris, Hill of Colorado, Jackson, Jonas, Jones of Nevada, Miller of California, Miller of New York, Morgan, Pugh, Ransom, Sawyer, Teller, Vance, Vest, Voorhees and Walker—29.

NAYS—Messrs. Aldrich, Allison, Blair, Brown, Conger, Davis of Illinois, Dawes, Edmunds, Frye, Hoar, Ingalls, Lapham, McDill, McMillan and Morrill—15.

Pairs were announced of Messrs. Camden, Davis of West Virginia, Grover, Hampton, Butler, McPherson, Johnston, Jones of Florida and Pendleton in favor of the bill, with Messrs. Anthony, Windom, Van Wyck, Mitchell, Hawley, Sewell, Platt, Rollins and Sherman against it.

Mr. FRYE, (Rep.) of Me., in casting his vote, stated that he was paired with Mr. Hill, of Georgia, on all political questions, but that he did not consider this a political question, and besides, had express permission from Senator Hill to vote upon it.

Mr. MITCHELL, (Rep.) of Pa., in announcing his pair with Mr. Hampton stated that had it not been for that fact he would vote against the bill, regarding it as un-American and inconsistent with the principles which had obtained in the government.

The title of the bill was amended so as to read, "An act to execute certain treaty stipulations relating to Chinese," though Mr. Hoar suggested that "execute" ought to be stricken out and "violate" inserted.

The Senate then, at twenty minutes to six, adjourned until to-morrow.

#### PROVISIONS OF THE BILL.

The Chinese Immigration bill as passed provides that from and after the expiration of ninety days after the passage of this act and until the expiration of twenty years after its passage the coming of Chinese laborers to the United States shall be suspended, and prescribes a penalty of imprisonment not exceeding one year and a fine of not more than \$500 against the master of any vessel who brings any Chinese laborer to this country during that

period. It further provides that the classes of Chinese excepted by the treaty from such prohibition—such as merchants, teachers, students, travelers, diplomatic agents and Chinese laborers who were in the United States on the 17th of November, 1880—shall be required, as a condition for their admission, to procure passports from the government of China personally identifying them and showing that they individually belong to one of the permitted classes, which passports must have been indorsed by the diplomatic representative of the United States in China or by the United States Consul at the port of departure. It also provides elaborate machinery for carrying out the purposes of the act, and additional sections prohibit the admission of Chinese to citizenship by any United States or State court and construes the words "Chinese laborers" to mean both skilled and unskilled laborers and Chinese employed in mining.

The sentiment in favor of the passage of this bill has certainly greatly increased since the control of the issue has passed to abler hands than those of Kearney and Kalloch, whose conduct intensified the opposition of the East to the measure, which in 1879 was denounced as "violating the conscience of the nation." Mr. Blaine's advocacy of the first bill limiting emigrants to fifteen on each vessel, at the time excited much criticism in the Eastern states, and was there a potent weapon against him in the nominating struggle for the Presidency in 1880; but on the other hand it is believed that it gave him strength in the Pacific States.

Chinese immigration and the attempt to restrict it presents a question of the gravest importance, and was treated as such in the Senate debate. The friends of the bill, under the leadership of Senators Miller and Jones, certainly stood in a better and stronger attitude than ever before.

The anti-Chinese bill passed the House just as it came from the Senate, after a somewhat extended debate, on the 23d of March, 1882. Yeas 167, nays 65, (party lines not being drawn) as follows:

Yeas—Messrs. Aikin, Aldrich, Armfield, Atkins, Bayne, Belford, Belmont, Berry, Bingham, Blackburn, Blanchard, Bliss, Blount, Brewer, Brumm, Buckner, Burrows, of Missouri; Butterworth, Cabell, Caldwell, Calkins, Campbell, Cannon, Casserley, Caswell, Chalmers, Chapman, Clark, Clements, Cobb, Converse, Cook, Cornell, Cox, of New York; Cox, of North Carolina; Covington, Cravens, Culbertson, Curtin, Darrell, Davidson; Davis, of Illinois; Davis, of Missouri; Demotte, Deuster, Dezendorf, Dibble, Dibrell, Dowd, Dugro, Ermentrout, Errett, Farwell, of Illinois; Finley, Flowers, Ford, Forney, Fulkerson, Garrison, Geddes, George, Gibson, Guen-

ther, Gunter, Hammond, of Georgia; Hardy, Harmer, Harris, of New Jersey; Haseltine, Hatch, Hazelton, Heilman, Herndon, Hewitt, of New York; Hill, Hiscock, Hoblitzell, Hoge, Hollman, Horr, Houk, House, Hubbell, Hubbs, Hutchins, Jones, of Texas; Jones, of Arkansas; Jorgenson, Kenna, King, Klotz, Knott, Ladd, Leedom, Lewis, Marsh, Martin, Matson, McClure, McCook, McKenzie, McKinley, McLane, McMillan, Miller, Mills, of Texas; Money, Morey, Moulton, Murch, Mutchler, O'Neill, Pacheco, Page, Paul, Payson, Pealse, Phelps, Phister, Pound, Randall, Reagan, Rice of Missouri, Richardson, Robertson, Robinson, Rosecrans, Scranton, Shallenberger, Sherwin, Simonton, Singleton, of Mississippi, Smith of Pennsylvania, Smith of Illinois, Smith of New York, Sparks, Spaulding, Spear, Springer, Stockslager, Strait, Talbott, Thomas, Thompson of Kentucky, Tillman, Townsend of Ohio, Townsend of Illinois, Tucker, Turner of Georgia, Turner of Kentucky, Updegraff, of Ohio, Upson, Valentine, Vance, Van Horn, Warner, Washburne, Webber, Welborn, Whitthorne, Williams of Alabama, Willis, Willetts, Wilson, Wise of Pennsylvania, Wise of Virginia, and W. A. Wood of New York—167.

The nays were Messrs. Anderson, Barr, Bragg, Briggs, Brown, Buck, Camp, Candler, Carpenter, Chase, Crapo, Cullen, Dawes, Deering, Dingley, Dunnell, Dwight, Farwell of Iowa, Grant, Hall, Hammond, of New York, Hardenburgh, Harris, of Massachusetts, Haskell, Hawk, Henderson, Hepburn, Hooker, Humphrey, Jacobs, Jones of New Jersey, Joyce, Kasson, Ketchum, Lord, McCoid, Morse, Norcross, Orth, Parker, Ramsey, Rice of Ohio, Rice of Massachusetts, Rich, Richardson of New York, Ritchie, Robinson of Massachusetts, Russel, Ryan, Shultz, Skinner, Scooner, Stone, Taylor, Thompson of Iowa, Tyler, Updegraff of Iowa, Urner, Wadsworth, Wait, Walker, Ward, Watson, White and Williams of Wisconsin—65.

In the House the debate was participated in by Messrs. Richardson, of South Carolina; Wise and Brumm, of Pennsylvania; Joyce, of Vermont; Dunnell, of Minnesota; Orth, of Indiana; Sherwin, of Illinois; Hazelton, of Wisconsin; Pacheco, of California, and Townsend, of Illinois, and others. An amendment offered by Mr. Butterworth, of Ohio, reducing the period of suspension to fifteen years, was rejected. Messrs. Robinson, of Massachusetts; Curtin, of Pennsylvania, and Cannon, of Illinois, spoke upon the bill, the two latter supporting it. The speech of Ex-Governor Curtin was strong and attracted much attention. Mr. Page closed the debate in favor of the measure. An amendment offered by Mr. Kasson, of Iowa, reducing the time of suspension to ten years, was re-

jected—yeas 100, nays 131—and the bill was passed exactly as it came from the Senate by a vote of 167 to 65. The House then adjourned.

#### Our Merchant Marine.

An important current issue is the increase of the Navy and the improvement of the Merchant Marine, and to these questions the National Administration has latterly given attention. The *New York Herald* has given much editorial ability and research to the advocacy of an immediate change for the better in these respects, and in its issue of March 10th, 1882, gave the proceedings of an important meeting of the members of the United States Naval Institute held at Annapolis the day before, on which occasion a prize essay on the subject—"Our Merchant Marine; the Cause of its Decline and the Means to be Taken for its Revival," was read. The subject was chosen nearly a year ago, because it was the belief of the members of the institute that a navy cannot exist without a merchant marine. The naval institute was organized in 1873 for the advancement of professional and scientific knowledge in the navy. It has on its roll 500 members, principally naval officers, and its proceedings are published quarterly. Rear Admiral C. R. P. Rodgers is president; Captain J. M. Ramsay, vice president; Lieutenant Commander C. M. Thomas, secretary; Lieutenant Murdock, corresponding secretary, and Paymaster R. W. Allen, treasurer. There were eleven competitors for the prize, which is of \$100, and a gold medal valued at \$50. The judges were Messrs. Hamilton Fish, A. A. Low and J. D. Jones. They awarded the prize to Lieutenant J. D. J. Kelley, U. S. N., whose motto was "Nil Clarius Æquore," and designated Master C. T. Calkins, U. S. N., whose motto was "Mais il faut cultiver notre jardin" as next in the order of merit, and further mentioned the essays of Lieutenant R. Wainwright, United States Navy, whose motto was "Causa latet, vis est notissima," and Lieutenant Commander J. E. Chadwick, United States Navy, whose motto was "Spes Meliora," as worthy of honorable mention, without being entirely agreed as to their comparative merits.

#### STRIKING PASSAGES FROM THE PRIZE ESSAY.

From Lieut. Kelley's prize essay many valuable facts can be gathered, and such of these as contain information of permanent value we quote:

"So far as commerce influences this country has a vital interest in the carrying trade, let theorists befog the cool air as they may. Every dollar paid for freight imported or exported in American vessels ac-

crues to American labor and capital, and the enterprise is as much a productive industry as the raising of wheat, the spinning of fibre or the smelting of ore. Had the acquired, the 'full' trade of 1860 been maintained without increase \$80,000,000 would have been added last year to the national wealth, and the loss from diverted shipbuilding would have swelled the sum to a total of \$100,000,000.

"Our surplus products must find foreign markets, and to retain them ships controlled by and employed in exclusively American interests are essential instrumentalities. Whatever tends to stimulate competition and to prevent combination benefits the producer, and as the prices abroad establish values here, the barter we obtain for the despised one-tenth of exports—\$665,000,000 in 1880—determines the profit or loss of the remainder in the home market. During the last fiscal year 11,500,000 gross tons of grain, oil, cotton, tobacco, precious metals, &c., were exported from the United States, and this exportation increases at the rate of 1,500,000 tons annually; 3,800,000 tons of goods are imported, or in all about 15,000,000 tons constitute the existing commerce of this country.

"If only one-half of the business of carrying our enormous wealth of surplus products could be secured for American ships, our tonnage would be instantly doubled, and we would have a greater fleet engaged in a foreign trade, legitimately our own, than Great Britain has to-day. The United States makes to the ocean carrying-trade its most valuable contribution, no other nation giving to commerce so many bulky tons of commodities to be transported those long voyages which in every age have been so eagerly coveted by marine peoples. Of the 17,000 ships which enter and clear at American ports every year, 4,600 seek a cargo empty and but 2,000 sail without obtaining it.

"Ships are profitable abroad and can be made profitable here, and in truth during the last thirty years no other branch of industry has made such progress as the carrying trade. To establish this there are four points of comparison—commerce, railways, shipping tonnage and carrying power of the world, limited to the years between 1850 and 1880:—

	1850.	1880.	Increase Per Cent.
Commerce of all nations.....	\$1,280,000,000	\$14,405,000,000	240
Railways (miles open)	44,400	222,100	398
Shipping tonnage.....	6,905,000	18,720,000	171
Carrying tonnage.....	8,464,000	34,280,060	304

"In 1850, therefore, for every \$5,000,000 of international commerce there were fifty-four miles of railway and a maritime carrying power of 9,900 tons; and in 1880 the respective ratios had risen to seventy-seven



miles and 12,000 tons; this has saved one-fourth freight and brought producer and consumers into such contact that we no longer hear "of the earth's products being wasted, of wheat rotting in La Mancha, wool being used to mend wads and sheep being burned for fuel in the Argentine Republic." England has mainly profited by this enormous development, the shipping of the United Kingdom earning \$300,000,000 yearly, and employing 200,000 seamen, whose industry is therefore equivalent to £300 per man, as compared with £190 for each of the factory operatives. The freight earned by all flags for sea-borne merchandise is \$500,000,000, or about 8 per cent. of the value transported. Hence the toll which all nations pay to England for the carrying trade is equal to 4 per cent. (nearly) of the exported values of the earth's products and manufactures; and pessimists who declare that ship owners are losing money or making small profits must be wrong, for the merchant marine is expanding every year.

"The maximum tonnage of this country at any time registered in the foreign trade was in 1861, and then amounted to 5,539,813 tons; Great Britain in the same year owning 5,895,369 tons, and all the other nations 5,800,767 tons. Between 1855 and 1860 over 1,300,000 American tons in excess of the country's needs were employed by foreigners in trades with which we had no legitimate connection save as carriers. In 1851 our registered steamships had grown from the 16,000 tons of 1848 to 63,920 tons—almost equal to the 65,920 tons of England, and in 1855 this had increased to 115,000 tons and reached a maximum, for in 1862 we had 1,000 tons less. In 1855 we built 388 vessels, in 1856 306 vessels and in 1880 26 vessels—all for the foreign trade. The total tonnage which entered our ports in 1856 from abroad amounted to 4,464,038, of which American built ships constituted 3,194,375 tons, and all others but 1,259,762 tons. In 1880 there entered from abroad 15,240,534 tons, of which 3,128,374 tons were American and 12,112,000 were foreign—that is, in a ratio of seventy-five to twenty-five, or actually 65,901 tons less than when we were twenty-four years younger as a nation. The grain fleet sailing last year from the port of New York numbered 2,897 vessels, of which 1,822 were sailing vessels carrying 59,822,033 bushels, and 1,075 were steamers laden with 42,426,533 bushels, and among all these there were but seventy-four American sailing vessels and not one American steamer.

"While this poison of decay has been eating into our vitals the possibilities of the country in nearly every other industry have reached a plane of development beyond the dreams of the most enthusiastic

theorizers. We have spread out in every direction and the promise of the future beggars imaginations attuned even to the key of our present and past development. We have a timber area of 560,000,000 acres, and across our Canadian border there are 900,000,000 more acres; in coal and iron production we are approaching the Old World.

	1842.	1879.
	<i>Tons.</i>	<i>Tons.</i>
Coal—		
Great Britain...	35,000,000	135,000,000
United States...	2,000,000	60,000,000
Iron—		
Great Britain...	2,250,000	6,300,000
United States...	564,000	2,742,000

During these thirty-seven years the relative increase has been in coal 300 to 2,900 per cent., in iron 200 to 400 per cent., and all in our favor. But this is not enough, for England, with a coal area less than either Pennsylvania or Kentucky, has coaling stations in every part of the world and our steamers cannot reach our California ports without the consent of the English producers. Even if electricity takes the place of steam it must be many years before the coal demand will cease, and to-day, of the 36,000,000 tons of coal required by the steamers of the world, three-fourths of it is obtained from Great Britain.

"It is unnecessary to wire-draw statistics, but it may, as a last word, be interesting to show, with all our development, the nationality and increase of tonnage entering our ports since 1856:—

<i>Country.</i>	<i>Increase.</i>	<i>Decrease.</i>
England.....	6,977,163	—
Germany.....	922,903	—
Norway and Sweden...	1,214,008	—
Italy.....	596,907	—
France.....	208,412	—
Spain.....	164,683	—
Austria.....	226,277	—
Belgium.....	204,872	—
Russia.....	104,009	—
United States.....	—	65,901

"This," writes Lindsay, "is surely not deeadenee, but defeat in a far nobler conflict than the wars for maritime supremacy between Rome and Carthage, consisting as it did in the struggle between the skill and industry of the people of two great nations."

We have thus quoted the facts gathered from a source which has been endorsed by the higher naval authorities. Some reader will probably ask, "What relation have these facts to American politics?" We answer that the remedies proposed constitute political questions on which the great parties are very apt to divide. They have thus divided in the past, and parties have turned "about face" on similar questions.

Just now the Democratic party inclines to "free ships" and hostility to subsidies—while the Republican party as a rule favors subsidies. Lieutenant Kelley summarized his proposed remedies in the two words: "free ships."

Mr. Blaine would solve the problem by bounties, for this purpose enacting a general law that should ignore individuals and enforce a policy. His scheme provides that any man or company of men who will build in an American yard, with American material, by American mechanics, a steamship of 3,000 tons and sail her from any port of the United States to any foreign port, he or they shall receive for a monthly line a mail allowance of \$25 per mile per annum for the sailing distance between the two ports; for a semi-monthly line \$45 per mile, and for a weekly line \$75 per mile. Should the steamer exceed three thousand tons, a small advance on these rates might be allowed; if less, a corresponding reduction, keeping three thousand as the average and standard. Other reformers propose a bounty to be given by the Government to the shipbuilder, so as to make the price of an American vessel the same as that of a foreign bought, equal, but presumably cheaper, ship.

Mr. Blaine represents the growing Republican view, but the actual party views can only be ascertained when bills covering the subject come up for consideration.

#### Current Politics.

We shall close this written history of the political parties of the United States by a brief statement of the present condition of affairs, as generally remarked by our own people, and by quoting the views of an interesting cotemporaneous English writer.

President Arthur's administration has had many difficulties to contend with. The President himself is the legal successor of a beloved man, cruelly assassinated, whose well-rounded character and high abilities had won the respect even of those who defamed him in the heat of controversy, while they excited the highest admiration of those who shared his political views and thoughts. Stricken down before he had time to formulate a policy, if it was ever his intention to do so, he yet showed a proper appreciation of his high responsibilities, and had from the start won the kindly attention of the country. Gifted with the power of saying just the right thing at the right moment, and saying it with all the grace and beauty of oratory, no President was better calculated to make friends as he moved along, than Garfield. The manifestations of factional feeling which immediately preceded his assassination, but which cannot for a moment be intelligently traced to

that cause, made the path of his successor far more difficult than if he had been called to the succession by the operation of natural causes. That he has met these difficulties with rare discretion, all admit, and at this writing partisan interest and dislike are content to "abide a' wee" before beginning an assault. He has sought no changes in the Cabinet, and thus through personal and political considerations seems for the time to have surrendered a Presidential prerogative freely admitted by all who understand the wisdom of permitting an executive officer to seek the advice of friends of his own selection. Mr. Blaine and Mr. MacVeagh, among the ablest of the late President's Cabinet, were among the most emphatic in insisting upon the earliest possible exercise of this prerogative—the latter upon its immediate exercise. Yet it has been withheld in several particulars, and the Arthur administration has sought to unite, wherever divided (and now divisions are rare), the party which called it into existence, while at the same time it has by careful management sought to check party strife at least for a time, and devoted its attention to the advancement of the material interests of the country. Appointments are fairly distributed among party friends, not divided as between factions; for such a division systematically made would disrupt any party. It would prove but an incentive to faction for the sake of a division of the spoils. No force of politics is or ought to be better understood in America than manufactured disagreements with the view to profitable compromises. Fitness, recognized ability, and adequate political service seem to constitute the reasons for Executive appointments at this time.

The Democratic party, better equipped in the National Legislature than it has been for years—with men like Hill, Bayard, Pendleton, Brown, Voorhees, Lamar and Garland in the Senate—Stephens, Randall, Hewitt, Cox, Johnson in the House—with Tilden, Thurman, Wallace and Hancock in the background—is led with rare ability, and has the advantage of escaping responsibilities incident to a majority party. It has been observed that this party is pursuing the traditional strategy of minorities in our Republic. It has partially refused a further test on the tariff issue, and is seeking a place in advance of the Republicans on refunding questions—both popular measures, as shown in all recent elections. It claims the virtue of sympathy with the Mormons by questioning the propriety of legal assaults upon the liberty of conscience, while not openly recording itself as a defender of the crime of polygamy. As a solid minority it has at least in the Senate yielded to the appeal of the States on the Pacific slope, and favored the abridg-

ment of Chinese immigration. On this question, however, the Western Republican Senators as a rule were equally active in support of the Miller Bill, so that whatever the result, the issue can no longer be a political one in the Pacific States. The respectable support which the measure has latterly received has cast out of the struggle the Kearneys and Kallochs, and if there be demagoguery on either side, it comes in better dress than ever before.

Doubtless the parties will contest their claims to public support on their respective histories yet a while longer. Party history has served partisan purposes an average of twenty years, when with that history recollections of wars are interwoven, and the last war having been the greatest in our history, the presumption is allowable that it will be freely quoted so long as sectional or other forms of distrust are observable any where. When these recollections fail, new issues will have to be sought or accepted. In the mere search for issues the minority ought always to be the most active; but their wise appropriation, after all, depends upon the wisdom and ability of leadership. It has ever been thus, and ever will be. This is about the only political prophecy the writer is willing to risk—and in risking this he but presents a view common to all Americans who claim to be “posted” in the politics of their country.

What politicians abroad think of our “situation” is well told, though not always accurately, by a distinguished writer in the January (1882) number of *The London Quarterly Review*. From this we quote some very attractive paragraphs, and at the same time escape the necessity of descriptions and predictions generally believed to be essential in rounding off a political volume, but which are always dangerous in treating of current affairs. Speaking of the conduct of both parties on the question of Civil Service Reform, the writer says:

“What have they done to overthrow the celebrated Jacksonian precept, ‘to the victors belongs the spoils?’ What, in fact, is it possible for them to do under the present system? The political laborer holds that he is worthy of his hire, and if nothing is given to him, nothing will he give in return. There are tens of thousands of offices at the bestowal of every administration, and the persons who have helped to bring that administration into power expect to receive them. ‘In Great Britain,’ once remarked the American paper which enjoys the largest circulation in the country, ‘the ruling classes have it all to themselves, and the poor man rarely or never gets a nibble at the public crib. Here we take our turn. We know that, if our political rivals have the opportunity

to-day, we shall have it to-morrow. This is the philosophy of the whole thing compressed into a nutshell.’ If President Arthur were to begin to-day to distribute offices to men who were most worthy to receive them, without reference to political services, his own party would rebel, and assuredly his path would not be strewn with roses. He was himself a victim of a gross injustice perpetrated under the name of reform. He filled the important post of Collector of the Port of New York, and filled it to the entire satisfaction of the mercantile community. President Hayes did not consider General Arthur sufficiently devoted to his interests, and he removed him in favor of a confirmed wire-puller and caucus-monger, and the administration papers had the address to represent this as the outcome of an honest effort to reform the Civil Service. No one really supposed that the New York Custom House was less a political engine than it had been before. The rule of General Arthur had been, in point of fact, singularly free from jobbery and corruption, and not a breath of suspicion was ever attached to his personal character. If he had been less faithful in the discharge of his difficult duties, he would have made fewer enemies. He discovered several gross cases of fraud upon the revenue, and brought the perpetrators to justice; but the culprits were not without influence in the press, and they contrived to make the worse appear the better cause. Their view was taken at second-hand by many of the English journals, and even recently the public here were gravely assured that General Arthur represented all that was base in American politics, and moreover that he was an enemy of England, for he had been elected by the Irish vote. The authors of these foolish calumnies did not perceive that, if their statements had been correct, General Garfield, whom they so much honored, must also have been elected by the Irish vote; for he came to power on the very same ‘ticket.’ In reality, the Irish vote may be able to accomplish many things in America, but we may safely predict that it will never elect a President. General Arthur had not been many weeks in power, before he was enabled to give a remarkable proof of the injustice that had been done to him in this particular respect. The salute of the English flag at Yorktown is one of the most graceful incidents recorded in American history, and the order originated solely with the President. A man with higher character or, it may be added, of greater accomplishments and fitness for his office, never sat in the Presidential chair. His first appointments are now admitted to be better than those which were made by his predecessor for the same posts. Senator Frelinghuysen, the new Secretary

of State, or Foreign Secretary, is a man of great ability, of most excellent judgment, and of the highest personal character. He stands far beyond the reach of all unworthy influences. Mr. Folger, the Secretary of the Treasury, possesses the confidence of the entire country, and the nomination of the new Attorney-General was received with universal satisfaction. All this little accords with the dark and forbidding descriptions of President Arthur which were placed before the public here on his accession to office. It is surely time that English writers became alive to the danger of accepting without question the distorted views which they find ready to their hands in the most bigoted or most malicious of American journals.

"Democrats and Republicans, then, alike profess to be in favor of a thorough reform in the Civil Service, and at the present moment there is no other very prominent question which could be used as a test for the admission of members into either party. The old issue, which no one could possibly mistake, is gone. How much the public really care for the new one, it would be a difficult point to decide. A Civil Service system, such as that which we have in England, would scarcely be suited to the "poor man," who, as the New York paper says, thinks he has a right occasionally to 'get a nibble at the public crib.' If a man has worked hard to bring his party into power, he is apt, in the United States, to think that he is entitled to some 'recognition,' and neither he nor his friends would be well pleased if they were told that, before anything could be done for him, it would be necessary to examine him in modern languages and mathematics. Moreover, a service such as that which exists in England requires to be worked with a system of pensions; and pensions, it is held in America, are opposed to the Republican idea.\* If it were not for this objection, it may be presumed that some provision would have been made for more than one of the ex-Presidents, whose circumstances placed them or their families much in need of it. President Monroe spent his last years in wretched circumstances, and died bankrupt. Mrs. Madison 'knew what it was to want bread.' A negro servant, who had once been a slave in the family, used furtively to give her 'small sums'—they must have been very small—out of his own pocket. Mr. Pierce was, we believe, not far removed from in-

\* Enormous sums are, however, given to soldiers who were wounded during the war, or who pretend that they were—for jobbery on an unheard of scale is practised in connection with these pensions. It is estimated that \$120,000,000 (24,000,000*l.*) will have to be paid during the present fiscal year, for arrears of pension, and the number of claimants is constantly increasing. [The writer evidently got these "facts" from sensational sources.]  
—*Am. Pol.*

digence; and it has been stated that after Andrew Johnson left the White House, he was reduced to the necessity of following his old trade. General Grant was much more fortunate; and we have recently seen that the American people have subscribed for Mrs. Garfield a sum nearly equal to £70,000. But a pension system for Civil Servants is not likely to be adopted. Permanence in office is another principle which has found no favor with the rank and file of either party in America, although it has sometimes been introduced into party platforms for the sake of producing a good effect. The plan of 'quick rotation' is far more attractive to the popular sense. Divide the spoils, and divide them often. It is true that the public indignation is sometimes aroused, when too eager and rapacious a spirit is exhibited: Such a feeling was displayed in 1873, in consequence of an Act passed by Congress increasing the pay of its own members and certain officers of the Government. Each member of Congress was to receive \$7,500 a year, or £1,500. The sum paid before that date, down to 1865, was \$5000 a year, or £1000, and 'mileage' free added—that is to say, members were entitled to be paid twenty cents a mile for traveling expenses to and from Washington. This Bill soon became known as the 'Salary Grab' Act, and popular feeling against it was so great that it was repealed in the following Session, and the former pay was restored. As a general rule, however, the 'spoils' system has not been heartily condemned by the nation; if it had been so condemned, it must have fallen long ago.

"President Arthur has been admonished by his English counsellors to take heed that he follows closely in the steps of his predecessor. General Garfield was not long enough in office to give any decided indications of the policy which he intended to pursue; but, so far as he had gone, impartial observers could detect very little difference between his course of conduct in regard to patronage and that of former Presidents. He simply preferred the friends of Mr. Blaine to the friends of Mr. Conkling; but Mr. Blaine is a politician of precisely the same class as Mr. Conkling—both are men intimately versed in all the intricacies of 'primaries,' the 'caucus,' and the general working of the 'machine.' They are precisely the kind of men which American politics, as at present practised and understood, are adapted to produce. Mr. Conkling, however, is of more imperious a disposition than Mr. Blaine; the first disappointment or contradiction turns him from a friend into an enemy. President Garfield removed the Collector of New York—the most lucrative and most coveted post in the entire Union—and in-

stead of nominating a friend of Mr. Conkling's for the vacancy, he nominated a friend of Mr. Blaine's. Now Mr. Conkling had done much to secure New York State for the Republicans, and thus gave them the victory; and he thought himself entitled to better treatment than he received. But was it in the spirit of true reform to remove the Collector, against whom no complaint had been made, merely for the purpose of creating a vacancy, and then of putting a friend of Mr. Blaine's into it—a friend, moreover, who had been largely instrumental in securing General Garfield's own nomination at Chicago? \* Is this all that is meant, when the Reform party talk of the great changes which they desire to see carried out? Again, the new President has been fairly warned by his advisers in this country, that he must abolish every abuse, new or old, connected with the distribution of patronage. If he is to execute this commission, not one term of office, nor three terms, will be sufficient for him. Over every appointment there will inevitably arise a dispute; if a totally untried man is chosen, he will be suspected as a wolf coming in sheep's clothing; if a well known partizan is nominated, he will be denounced as a mere tool of the leaders, and there will be another outcry against 'machine politics.' 'One party or other,' said an American journal not long ago, 'must begin the work of administering the Government on business principles,' and the writer admitted that the work would 'cost salt tears to many a politician.' The honor of making this beginning has not yet been sought for with remarkable eagerness by either party; but seems to be deemed necessary to promise that something shall be done, and the Democrats, being out of power, are naturally in the position to bid the highest. The reform will come, as we have intimated, when the people demand it; it cannot come before, for few, indeed, are the politicians in the United States who venture to trust themselves far in advance of public opinion. And even of that few, there are some who have found out, by hard experience, that there is little honor or profit to be gained by undertaking to act as pioneers.

"It is doubtless a step in advance, that both parties now admit the absolute necessity of devising measures to elevate the character of the public service, to check the progress of corruption, and to introduce a better class of men into the offices which are held under the Government. The necessity of great reforms in these respects has been avowed over and over again by most of the leading journals and influential men in the country. The most

radical of the Republicans, and the most conservative of the Democrats, are of one mind on this point. Mr. Wendell Phillips, an old abolitionist and Radical, once publicly declared that Republican government in cities had been a complete failure.\* An equally good Radical, the late Mr. Horace Greeley, made the following still more candid statement:—"There are probably at no time less than twenty thousand men in this city [New York] who would readily commit a safe murder for a hundred dollars, break open a house for twenty, and take a false oath for five. Most of these are of European birth, though we have also native miscreants who are ready for any crime that will pay." † Strong testimony against the working of the suffrage—and it must have been most unwilling testimony—was given in 1875 by a politician whose long familiarity with caucuses and 'wire-pulling' in every form renders him an undeniable authority. Let it be widely proclaimed,' he wrote, 'that the experience and teachings of a republican form of government prove nothing so alarmingly suggestive of and pregnant with danger as that cheap suffrage involves and entails cheap representation.' ‡ Another Republican, of high character, has stated that 'the methods of politics have now become so repulsive, the corruption so open, the intrigues and personal hostilities are so shameless, that it is very difficult to engage in them without a sense of humiliation.'" §

Passing to another question, and one worthy of the most intelligent discussion, but which has never yet taken the shape of a political demand or issue in this country, this English writer says:

"Although corruption has been suspected at one time or other in almost every Department of the Government, the Presidential office has hitherto been kept free from its stain. And yet, by an anomaly of the Constitution, the President has sometimes been exposed to suspicion, and still more frequently to injustice and misrepresentation, in consequence of the practical irresponsibility of his Cabinet officers. They are his chief advisers in regard to the distribution of places, as well as in the higher affairs of State, and the discredit of any mismanagement on their part falls upon him. It is true that he chooses them, and may dismiss them, with the concurrence of the Senate; but, when once appointed, they are beyond reach of all effective criticism—for newspaper attacks are easily explained by the suggestion of party malice. They cannot be questioned in

\* Speech in New York, March 7, 1881.

† 'New York Tribune,' Feb. 25, 1870.

‡ Letter in New York papers, Feb. 20, 1875.

§ Mr. George William Curtis, in 'Harper's Magazine,' 1870.

\* The undeniable facts of the case were as we have briefly indicated above. See, for example, a letter to the 'New York Nation,' Nov. 3, 1881.

Congress, for they are absolutely prohibited from sitting in either House.

For months together it is quite possible for the Cabinet to pursue a course which is in direct opposition to the wishes of the people. This was seen, among other occasions, in 1873-4, when Mr. Richardson was Secretary of the Treasury, and at a time when his management of the finances caused great dissatisfaction. At last a particularly gross case of negligence, to use no harsher word, known as the 'Sanborn contracts,' caused his retirement; that is to say, the demand for his withdrawal became so persistent and so general, that the President could no longer refuse to listen to it. His objectionable policy might have been pursued till the end of the Presidential term, but for the accidental discovery of a scandal, which exhausted the patience of his friends as well as his enemies. Now had Mr. Richardson been a member of either House, and liable to be subjected to a rigorous cross-questioning as to his proceedings, the mismanagement of which he was accused, and which was carried on in the dark, never could have occurred. Why the founders of the Constitution should have thrown this protection round the persons who happen to fill the chief offices of State, is difficult to conjecture, but the clause is clear:—'No person holding any office under the United States shall be a member of either House during his continuance in office.\*' Mr. Justice Story declares that this provision 'has been vindicated upon the highest grounds of public authority,' but he also admits that, as applied to the heads of departments, it leads to many evils. He adds a warning which many events of our own time have shown to be not unnecessary:—'if corruption ever eats its way silently into the vitals of this Republic, it will be because the people are unable to bring responsibility home to the Executive through his chosen Ministers. They will be betrayed when their suspicions are most lulled by the Executive, under the guise of an obedience to the will of Congress.†' The inconveniences occasioned to the public service under the present system are very great. There is no official personage in either House to explain the provisions of any Bill, or to give information on pressing matters of public business. Cabinet officers are only brought into communication with the nation when they send in their annual reports, or when a special report is called for by some unusual emergency. Sometimes the President himself goes down to the Capitol to talk over the merits of a Bill with members. The Department which happens to be interested in any particular measure

puts it under the charge of some friend of the Administration, and if a member particularly desires any further information respecting it he may, if he thinks proper, go to the Department and ask for it. But Congress and Ministers are never brought face to face. It is possible that American 'Secretaries' may escape some of the inconvenience which English Ministers are at times called upon to undergo; but the most capable and honest of them forfeit many advantages, not the least of which is the opportunity of making the exact nature of their work known to their countrymen, and of meeting party misrepresentations and calumnies in the most effectual way. In like manner, the incapable members of the Cabinet would not be able, under a different system, to shift the burden of responsibility for their blunders upon the President. No President suffered more in reputation for the faults of others than General Grant. It is true that he did not always choose his Secretaries with sufficient care or discrimination, but he was made to bear more than a just proportion of the censure which was provoked by their mistakes. And it was not in General Grant's disposition to defend himself. In ordinary intercourse he was sparing of his words, and could never be induced to talk about himself, or to make a single speech in defense of any portion of his conduct. The consequence was, that his second term of office was far from being worthy of the man who enjoyed a popularity, just after the war, which Washington himself might have envied, and who is still, and very justly, regarded with respect and gratitude for his memorable services in the field.

"The same sentiment, to which we have referred as specially characteristic of the American people—hostility to all changes in their method of government which are not absolutely essential—will keep the Cabinet surrounded by irresponsible, and sometimes incapable, advisers. Contrary to general supposition, there is no nation in the world so little disposed to look favorably on Radicalism and a restless desire for change, as the Americans. The Constitution itself can only be altered by a long and tedious process, and after every State in the Union has been asked its opinion on the question. There is no hesitation in enforcing the law in case of disorder, as the railroad rioters in Pennsylvania found out a few years ago. The state of affairs, which the English Government has permitted to exist in Ireland for upwards of a year, would not have been tolerated twenty-four hours in the United States. The maintenance of the law first, the discussion of grievances afterwards; such is, and always has been, the policy of every American Government, until the evil day of

\* Article I. sect. vi. 2.

† 'Commentaries,' I., book iii. sect. 369:

James Buchanan. The governor of every State is a real ruler, and not a mere ornament, and the President wields a hundred-fold more power than has been left to the Sovereign of Great Britain. Both parties as a rule, combine to uphold his authority, and, in the event of any dispute with a foreign Power, all party distinctions disappear as if by magic. There are no longer Democrats and Republicans, but only Americans. The species of politician, who endeavors to gain a reputation for himself by destroying the reputation of his country was not taken over to America in the 'Mayflower,' and it would be more difficult than ever to establish it on American ground to-day. A man may hold any opinions that may strike his fancy on other subjects, but in reference to the Government, he is expected, while he lives under it, to give it his hearty support, especially as against foreign nations. There was once a faction called the 'Know Nothings,' the guiding principle of which was inveterate hostility to foreigners; but a party based upon the opposite principle, of hostility to one's own country, has not yet ventured to lift up its head across the Atlantic. That is an invention in politics which England has introduced, and of which she is allowed to enjoy the undisputed monopoly. \* \* \*

"Display and ceremonial were by no means absent from the Government in the beginning of its history. President Washington never went to Congress on public business except in a State coach, drawn by six cream-colored horses. The coach was an object which would excite the admiration of the throng even now in the streets of London. It was built in the shape of a hemisphere, and its panels were adorned with cupids, surrounded with flowers worthy of Florida, and of fruit not to be equalled out of California. The coachman and postillions were arrayed in gorgeous liveries of white and scarlet. The Philadelphia 'Gazette,' a Government organ, regularly gave a supply of Court news for the edification of the citizens. From that the people were allowed to learn as much as it was deemed proper for them to know about the President's movements, and a fair amount of space was also devoted to Mrs. Washington—who was not referred to as Mrs. Washington, but as 'the amiable consort of our beloved President.' When the President made his appearance at a ball or public reception, a dais was erected for him upon which he might stand apart from the vulgar throng, and the guests or visitors bowed to him in solemn silence. 'Republican simplicity' has only come in later times. In our day, the hack-driver who takes a visitor to a public reception at the White House, is quite free to get off his box, walk in side by side with his fare, and shake hands with the President with as

much familiarity as anybody else. Very few persons presumed to offer to shake hands with General Washington. One of his friends, Gouverneur Morris, rashly undertook, for a foolish wager, to go up to him and slap him on the shoulder, saying, 'My dear General, I am happy to see you look so well.' The moment fixed upon arrived, and Mr. Morris, already half-repenting of his wager, went up to the President, placed his hand upon his shoulder, and uttered the prescribed words. 'Washington,' as an eye-witness described the scene, 'withdrew his hand, stepped suddenly back, fixed his eye on Morris for several minutes with an angry frown, until the latter retreated abashed, and sought refuge in the crowd.' No one else ever tried a similar experiment. It is recorded of Washington, that he wished the official title of the President to be 'High Mightiness,'\* and at one time it was proposed to engrave his portrait upon the national coinage. No royal levées were more punctiliously arranged and ordered than those of the First President. It was Jefferson, the founder of the Democratic party, who introduced Democratic manners into the Republic. He refused to hold weekly receptions, and when he went to Congress to read his Address, he rode up unattended, tied his horse to a post, and came away with the same disregard for outward show. After his inauguration, he did not even take the trouble to go to Congress with his Message, but sent it by the hands of his Secretary—a custom which has been found so convenient that it has been followed ever since. A clerk now mumbles through the President's Message, while members sit at their desks writing letters, or reading the Message itself, if they do not happen to have made themselves masters of its contents beforehand."

The writer, after discussing monopolies and tariffs, closes with hopes and predictions so moderately and sensibly stated that any one will be safe in adopting them as his own.

"The controversies which have yet to be fought out on these issues [the tariff and corporate power] may sometimes become formidable, but we may hope that the really dangerous questions that once confronted the American people are set at rest for ever. The States once more stand in their proper relation to the Union, and any interference with their self-government is never again likely to be attempted, for the feeling of the whole people would condemn it. It was a highly Conservative system which the framers of the Constitution adopted, when they decided that each State should be entitled to make its own laws,

\* [These are mere traditions tinged with the spirit of some of the assaults made in the "good old days" even against so illustrious a man as Washington.—*Am. Pol.*]

to regulate its own franchise, to raise its own taxes, and settle everything in connection with its own affairs in its own way. The general government has no right whatever to send a single soldier into any State, even to preserve order, until it has been called upon to act by the Governor of that State. The Federal Government, as it has been said by the Supreme Court, is one of enumerated powers; and if it has ever acted in excess of those powers, it was only when officers in States broke the compact which existed, and took up arms for its destruction. They abandoned their place in the Union, and were held to have thereby forfeited their rights as States. In ordinary times there is ample security against the abuse of power in any direction. If a State government exceeds its authority, the people can at the next election expel the parties who have been guilty of the offense; if Congress trespasses upon the functions of the States, there is the remedy of an appeal to the Supreme Court, the 'final interpreter of the Constitution; if usurpation should be attempted in spite of these safeguards, there is the final remedy of an appeal to the whole nation under the form of a Constitutional Amendment, which may at any time be adopted with the consent of three-fourths of the States. Only, therefore, as Mr. Justice Story has pointed out, when three-fourths of the States have combined to practise usurpation, is the case 'irremediable under any known forms of the Constitution.' It would be difficult to conceive of any circumstances under which such a combination as this could arise. No form of government ever yet devised has proved to be faultless in its operation; but that of the United States is well adapted to the genius and character of the people, and the very dangers which it has passed through render it more precious in their

eyes than it was before it had been tried in the fire. It assures freedom to all who live under it; and it provides for the rigid observance of law, and the due protection of every man in his rights. There is much in the events which are now taking place around us to suggest serious doubts, whether these great and indispensable advantages are afforded by some of the older European systems of government which we have been accustomed to look upon as better and wiser than the American Constitution."

A final word as to a remaining great issue—that of the tariff. It must ever be a political issue, one which parties cannot wholly avoid. The Democratic party as a mass, yet leans to Free Trade; the Republican party, as a mass, favors Tariffs and high ones, at least plainly protective. Within a year, two great National Conventions were held, one at Chicago and one at New York, both in former times, Free Trade centres, and in these Congress was petitioned either to maintain or improve the existing tariff. As a result we see presented and advocated at the current session the Tariff Commission Bill, decisive action upon which has not been taken at the time we close these pages. The effect of the conventions was to cause the Democratic Congressional caucus to reject the effort of Proctor Knott, to place it in its old attitude of hostility to protection. Many of the members sought and for the time secured an avoidance of the issue. Their ability to maintain this attitude in the face of Mr. Watterson's\* declaration that the Democratic party must stand or fall on that issue, remains to be seen.

\* Mr. Watterson, formerly a distinguished member of Congress, is the author of the "tariff for revenue only" plank in the Democratic National Platform of 1880, and is now, as he has been for years, the chief editor of the *Louisville Courier Journal*.

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## POLITICAL CHANGES IN 1882.

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With a view to carry this work through the year 1882 and into part of 1883, very plain reference should be made to the campaign of 1882, which in several important States was fully as disastrous to the Republican party as any State elections since the advent of that party to national supremacy and power. In 1863 and 1874 the Republican reverses were almost if not quite as general, but in the more important States the adverse majorities were not near so sweeping. Political "tidal waves" had been freely talked of as descriptive of the situation in the earlier

years named, but the result of 1882 has been pertinently described by Horatio Seymour as the "groundswell," and such it seemed, both to the active participants in, and lookers-on, at the struggle.

Political discontent seems to be periodical under all governments, and the periods are probably quite as frequent though less violent under republican as other forms. Certain it is that no political party in our history has long enjoyed uninterrupted success. The National success of the Republicans cannot truthfully be said to have been uninterrupted since the first



election of Lincoln, as at times one or the other of the two Houses of Congress have been in the hands of the Democratic party, while since the second Grant administration there has not been a safe working majority of Republicans in either House. Combinations with Greenbackers, Readjusters, and occasionally with dissenting Democrats have had to be employed to preserve majorities in behalf of important measures, and these have not always succeeded, though the general tendency of side-parties has been to support the majority, for the very plain reason that majorities can reward with power upon committees and with patronage.

Efforts were made by the Democrats in the first session of the 47th Congress to reduce existing tariffs, and to repeal the internal revenue taxes. The Republicans met the first movement by establishing a Tariff Commission, which was appointed by President Arthur, and composed mainly of gentlemen favorable to protective duties. In the year previous (1881) the income from internal taxes was \$135,264,385.51, and the cost of collecting \$4,327,793.24, or 3.20 per cent. The customs revenues amounted to \$198,159,676.02, the cost of collecting the same \$6,383,288.10, or 3.22 per cent. There was no general complaint as to the cost of collecting these immense revenues, for this cost was greatly less than in former years, but the surplus on internal taxes (about \$146,000,000) was so large that it could not be profitably employed even in the payment of the public debt, and as a natural result all interests called upon to pay the tax (save where there was a monopoly in the product or the manufacture) complained of the burden as wholly unnecessary, and large interests and very many people demanded immediate and absolute repeal. The Republicans sought to meet this demand half way by a bill repealing all the taxes, save those on spirits and tobacco, but the Democrats obstructed and defeated every attempt at partial repeal. The Republicans thought that the moral sentiment of the country would favor the retention of the internal taxes upon spirits and tobacco (the latter having been previously reduced) but if there was any such sentiment it did not manifest itself in the fall elections. On the contrary, every form of discontent, encouraged by these great causes, took shape. While the Tariff Commission, by active and very intelligent work, held out continued hope to the more confident industries, those which had been threatened or injured by the failure of the crops in 1881, and by the assassination of President Garfield, saw only prolonged injury in the probable work of the Commission, for to meet the

close Democratic sentiment and to unite that which it was hoped would be generally friendly, moderate tariff rates had to be fixed; notably upon iron, steel, and many classes of manufactured goods. Manufacturers of the cheaper grades of cotton goods were feeling the pressure of competition from the South—where goods could be made from a natural product close at hand—while those of the North found about the same time that the tastes of their customers had improved, and hence their cheaper grades were no longer in such general demand. There was overproduction, as a consequence grave depression, and not all in the business could at once realize the cause of the trouble. Doubt and distrust prevailed, and early in the summer of 1882, and indeed until late in the fall, the country seemed upon the verge of a business panic. At the same time the leading journals of the country seemed to have joined in a crusade against all existing political methods, and against all statutory and political abuses. The cry of "Down with Boss Rule!" was heard in many States, and this rallied to the swelling ranks of discontent all who are naturally fond of pulling down leaders—and the United States Senatorial elections of 1883 quickly showed that the blow was aimed at all leaders, whether they were alleged Bosses or not. Then, too, the forms of discontent which could not take practical shape in the great Presidential contest between Garfield and Hancock, came to the front with cumulative force after the assassination. There is little use in philosophizing and searching for sufficient reasons leading to a fact, when the fact itself must be confessed and when its force has been felt. It is a plain fact that many votes in the fall of 1882 were determined by the nominating struggle for the Presidency in 1880, by the quarrels which followed Garfield's inauguration, and by the assassination. Indeed, the nation had not recovered from the shock, and many very good people looked with very grave suspicion upon every act of President Arthur after he had succeeded to the chair. The best informed, broadest and most liberal political minds saw in his course an honest effort to heal existing differences in the Republican party, but many acts of recommendation and appointment directed to this end were discounted by the few which could not thus be traced, and suspicion and discontent swelled the chorus of other injuries. The result was the great political changes of 1882. It began in Ohio, the only important and debatable October State remaining at this time. The causes enumerated above (save the assassination and the conflict between the friends of Grant and Blaine) operated

with less force in Ohio than any other section—for here leaders had not been held up as “Bosses;” civil service reform had many advocates among them; the people were not by interest specially wedded to high tariff duties, nor were they large payers of internal revenue taxes. But the liquor issue had sprung up in the Legislature the previous winter, the Republicans attempting to levy and collect a tax from all who sold, and to prevent the sale on Sundays. These brief facts make strange reading to the people of other States, where the sale of liquor has generally been licensed, and forbidden on Sundays. Ohio had previously passed a prohibitory constitutional amendment, in itself defective, and as no legislation had been enacted to enforce it, those who wished began to sell as though the right were natural, and in this way became strong enough to resist taxation or license. The Legislature of 1882, the majority controlled by the Republicans, attempted to pass the Pond liquor tax act, and its issue was joined. The liquor interests organized, secured control of the Democratic State Convention, nominated a ticket pledged to their interests, made a platform which pointed to unrestricted sale, and by active work and the free use of funds, carried the election and reversed the usual majority. Governor Foster, the boldest of the Republican leaders, accepted the issue as presented, and stumped in favor of license and the sanctity of the Sabbath; but the counsels of the Republican leaders were divided, Ex-Secretary Sherman and others enacting the role of “confession and avoidance.” The result carried with it a train of Republican disasters. Congressional candidates whom the issue could not legitimately touch, fell before it, probably on the principle that “that which strikes the head injures the entire body.” The Democratic State and Legislative tickets succeeded, and the German element, which of all others is most favorable to freedom in the observance of the Sabbath, transferred its vote almost as an entirety from the Republican to the Democratic party.

Ohio emboldened the liquor interests, and in their Conventions and Societies in other States they agreed as a rule to check and, if possible, defeat the advance of the prohibitory amendment idea. This started in Kansas in 1880, under the lead of Gov. St. John, an eloquent temperance advocate. It was passed by an immense majority, and it was hardly in force before conflicting accounts were scattered throughout the country as to its effect. Some of the friends of temperance contended that it improved the public condition; its enemies all asserted that in the larger towns and cities it produced

free and irresponsible instead of licensed sale. The latter seem to have had the best of the argument, if the election result is a truthful witness. Gov. St. John was again the nominee of the Republicans, but while all of the remainder of the State-ticket was elected, he fell under a majority which must have been produced by a change of forty thousand votes. Iowa next took up the prohibitory amendment idea, secured its adoption, but the result was injurious to the Republicans in the Fall elections, where the discontent struck at Congressmen, as well as State and Legislative officers.

The same amendment had been proposed in Pennsylvania, a Republican House in 1881 having passed it by almost a solid vote (Democrats freely joining in its support), but a Republican Senate defeated, after it had been loaded down with amendments. New York was coquetting with the same measure, and as a result the liquor interests—well-organized and with an abundance of money, as a rule struck at the Republican party in both New York and Pennsylvania, and thus largely aided the groundswell. The same interests aided the election of Genl. B. F. Butler of Massachusetts, but from a different reason. He had, in one of his earlier canvasses, freely advocated the right of the poor to sell equally with those who could pay heavy license fees, and had thus won the major sympathy of the interest. Singularly enough, Massachusetts alone of all the Republican States meeting with defeat in 1882, fails to show in her result reasons which harmonize with those enumerated as making up the elements of discontent. Her people most do favor high tariffs, taxes on liquors and luxuries, civil service reforms, and were supposed to be more free from legal and political abuses than any other. Massachusetts had, theretofore, been considered to be the most advanced of all the States—in notions, in habit, and in law—yet Butler’s victory was relatively more pronounced than that of any Democratic candidate, not excepting that of Cleveland over Folger in New York, the Democratic majority here approaching two hundred thousand. How are we to explain the Massachusetts’ result? Gov. Bishop was a high-toned and able gentleman, the type of every reform contended for. There is but one explanation. Massachusetts had had too much of reform; it had come in larger and faster doses than even her progressive people could stand—and an inconsistent discontent took new shape there—that of very plain reaction. This view is confirmed by the subsequent attempt of Gov. Butler to defeat the re-election of Geo. F. Hoar to

the U. S. Senate, by a combination of Democrats with dissatisfied Republicans. The movement failed, but it came very near to success, and for days the result was in doubt. Hoar had been a Senator of advanced views, of broad and comprehensive statesmanship, but that communistic sentiment which occasionally crops out in our politics and strikes at all leaders, merely from the pleasure of asserting the right to tear down, assailed him with a vigor almost equal to that which struck Windom of Minnesota, a statesman of twenty-four years' honorable, able and sometimes brilliant service. To prejudice the people of his State against him, a photograph of his Washington residence had been scattered broadcast. The print in the photograph intended to prejudice being a coach with a liveried lackey. It might have been the coach and lackey of a visitor, but the effect was the same where discontent had run into a fever.

Political discontent gave unmistakable manifestations of its existence in Ohio, Massachusetts, New York (where Ex-Governor Cornell's nomination had been defeated by a forged telegram), Michigan, Nebraska, Kansas, Iowa, Connecticut, California, Colorado, Pennsylvania, and Indiana. The Republican position was well maintained in New Hampshire, Vermont, Rhode Island, Minnesota, Illinois, and Wisconsin. It was greatly improved in Virginia, where Mahone's Republican Readjuster ticket carried the State by nearly ten thousand, and where a United States' Senator and Congressman-at-large were gained, as well as some of the District Congressmen. The Republicans also improved the situation in North Carolina and Tennessee, though they failed to carry either. They also gained Congressmen in Mississippi and Louisiana, but the Congressional result throughout the country was a sweeping Democratic victory, the 48th Congress, beginning March 4, 1883, showing a Democratic majority of 71 in a total membership of 325.

In Pennsylvania alone of all the Northern States, were the Republican elements of discontent organized, and here they were as well organized as possible under the circumstances. Charles S. Wolfe had the year previous proclaimed what he called his "independence of the Bosses," by declaring himself a candidate for State Treasurer, "nominated in a convention of one." He secured 49,984 votes, and this force was used as the nucleus for the better organized Independent Republican movement of 1882. Through this a State Convention was called which placed a full ticket in the field, and which in many districts nominated separate legislative candidates.

The complaints of the Independent Republicans of Pennsylvania were very much like those of dissatisfied Republicans in other Northern States, where no adverse organizations were set up, and these can best be understood by giving the official papers and correspondence connected with the revolt, and the attempts to conciliate and suppress it by the regular organization. The writer feels a delicacy in appending this data, inasmuch as he was one of the principals in the negotiations, but formulated complaints, methods and principles peculiar to the time can be better understood as presented by organized and official bodies, than where mere opinions of contemporaneous writers and speakers must otherwise be given. A very careful summary has been made by Col. A. K. McClure, in the *Philadelphia Times Almanac*, and from this we quote the data connected with the—

#### **The Independent Republican Revolt in Pennsylvania.**

The following call was issued by Chairman McKee, of the committee which conducted the Wolfe campaign in 1881:

HEADQUARTERS STATE COMMITTEE,  
CITIZENS' REPUBLICAN ASSOCIATION,  
GIRARD HOUSE,

PHILADELPHIA, December 16, 1881.

*To the Independent Republicans of Pennsylvania:*

You are earnestly requested to send representatives from each county to a State conference, to be held at Philadelphia, Thursday, January 12th, 1882, at 10 o'clock A. M., to take into consideration the wisdom of placing in nomination proper persons for the offices of Governor, Lieutenant Governor, Secretary of Internal Affairs and Supreme Court Judge, and such other matters as may come before the conference, looking to the overthrow of "boss rule," and the elimination of the pernicious "spoils system," and its kindred evils, from the administration of public affairs. It is of the utmost importance that those fifty thousand unshackled voters who supported the independent candidacy of Hon. Charles S. Wolfe for the office of State Treasurer as a solemn protest against ring domination, together with the scores of thousands of liberty-loving citizens who are ready to join in the next revolt against "bossism," shall be worthily represented at this conference.

I. D. MCKEE, Chairman.

FRANK WILLING LEACH, Secretary.

Pursuant to the above call, two hundred and thirteen delegates, representing thirty-three of the sixty-six counties, met at the Assembly Building, January 12th, 1882,

and organized by the election of John J. Pinkerton as chairman, together with a suitable list of vice-presidents and secretaries. After a general interchange of views, a resolution was adopted directing the holding of a State Convention for the nomination of a State ticket, May 24th. An executive committee, with power to arrange for the election of delegates from each Senatorial district, was also appointed, consisting of Messrs. I. D. McKee, of Philadelphia; Wharton Barker, of Montgomery; John J. Pinkerton, of Chester; F. M. Nichols, of Luzerne; H. S. McNair, of York, and C. W. Miller, of Crawford. Mr. Nichols afterwards declining to act, George E. Mapes, of Venango, was substituted in his place. Before the time arrived for the meeting of the convention of May 24th, several futile efforts were made to heal the breach between the two wings of the Republican party. At a conference of leading Independents held in Philadelphia, April 23d, at which Senator Mitchell was present, a committee was appointed for the purpose of conferring with a similar committee from the regular organization, upon the subject of the party differences. The members of the Peace Conference, on the part of the Independents, were Charles S. Wolfe, I. D. McKee, Francis B. Reeves, J. W. Lee, and Wharton Barker. The committee on the part of the Stalwarts were M. S. Quay, John F. Hartranft, C. L. Magee, Howard J. Reeder, and Thomas Cochran. A preliminary meeting was held at the Continental Hotel, on the evening of April 29th, which adjourned to meet at the same place on the evening of May 1st; at which meeting the following peace propositions were agreed upon:

*Resolved*, That we recommend the adoption of the following principles and methods by the Republican State Convention of May 10th.

*First*. That we unequivocally condemn the use of patronage to promote personal political ends, and require that all offices bestowed within the party shall be upon the sole basis of fitness.

*Second*. That competent and faithful officers should not be removed except for cause.

*Third*. That the non-elective minor offices should be filled in accordance with rules established by law.

*Fourth*. That the ascertained popular will shall be faithfully carried out in State and National Conventions, and by those holding office by the favor of the party.

*Fifth*. That we condemn compulsory assessments for political purposes, and proscription for failure to respond either to such assessments or to requests for voluntary contributions, and that any policy of

political proscription is unjust, and calculated to disturb party harmony.

*Sixth*. That public office constitutes a high trust to be administered solely for the people, whose interests must be paramount to those of persons or parties, and that it should be invariably conducted with the same efficiency, economy, and integrity as are expected in the execution of private trusts.

*Seventh*. That the State ticket should be such as by the impartiality of its constitution and the high character and acknowledged fitness of the nominees will justly commend itself to the support of the united Republican party.

*Resolved*, That we also recommend the adoption of the following permanent rules for the holding of State Conventions, and the conduct of the party:

*First*. That delegates to State Conventions shall be chosen in the manner in which candidates for the General Assembly are nominated, except in Senatorial districts composed of more than one county, in which conferees for the selection of Senatorial delegates shall be chosen in the manner aforesaid, and the representation of each county shall be based upon its Republican vote cast at the Presidential election next preceding the convention.

*Second*. Hereafter the State Convention of the Republican party shall be held on the second Wednesday of July, except in the year of the Presidential election, when it shall be held not more than thirty days previous to the day fixed for the National Convention, and at least sixty days' notice shall be given of the date of the State Convention.

*Third*. That every person who voted the Republican electoral ticket at the last Presidential election next preceding any State Convention shall be permitted to participate in the election of delegates to State and National Conventions, and we recommend to the county organizations that in their rules they allow the largest freedom in the general participation in the primaries consistent with the preservation of the party organization.

M. S. QUAY,  
J. F. HARTRANFT,  
THOMAS COCHRAN,  
HOWARD J. REEDER,  
C. L. MAGEE,

On the part of the Republican State Committee, appointed by Chairman Cooper.

CHARLES S. WOLFE,  
I. D. MCKEE,  
FRANCIS B. REEVES,  
WHARTON BARKER,  
J. W. LEE,

On the part of Senator Mitchell's Independent Republican Committee.

The following resolution was adopted by the joint conference:

*Resolved*, That we disclaim any authority to speak or act for other persons than ourselves, and simply make these suggestions as in our opinion are essential to the promotion of harmony and unity.

In order, however, that there might be no laying down of arms on the part of the Independents, in the false belief that the peace propositions had ended the contest, without regard to whether they were accepted in good faith, and put in practice by the regular convention, the following call was issued by the Independent Executive Committee:

EXECUTIVE COMMITTEE,  
CITIZENS' REPUBLICAN ASSOCIATION OF  
PENNSYLVANIA, GIRARD HOUSE.

PHILADELPHIA, May 3d, 1882.

*To the Independent Republicans of Pennsylvania:*

At a conference of Independent Republicans held in Philadelphia, on January 12th, 1882, the following resolution was adopted, to wit:

*Resolved*, That a convention be held on the 24th day of May, 1882, for the purpose of placing in nomination a full Independent Republican ticket for the offices to be filled at the general election next November.

In pursuance and by the authority of the above resolution the undersigned, the State Executive Committee appointed at the said conference, request the Independent Republicans of each county of the Commonwealth of Pennsylvania to send delegates to the Independent Convention of May 24th, the basis of representation to be the same as that fixed for Senators and Representatives of the General Assembly of Pennsylvania.

Should the convention of May 10th fail to nominate as its candidates men who in their character, antecedents and affiliations are embodiments of the principles of true Republicanism free from the iniquities of bossism, and of an honest administration of public affairs free from the evils of the spoils system, such nominations, or any such nomination, should be emphatically repudiated by the Independent Convention of May 24th, and by the Independent Republicans of Pennsylvania in November next.

The simple adoption by the Harrisburg Convention of May 10th of resolutions of plausible platitudes, while confessing the existence of the evils which we have strenuously opposed, and admitting the justice of our position in opposing them, will not satisfy the Independent Republicans of this Commonwealth. We are not battling

for the construction of platforms, but for the overthrow of bossism, and the evils of the spoils system, which animated a despicable assassin to deprive our loved President Garfield of his life, and our country of its friend and peacemaker.

The nomination of slated candidates by machine methods, thereby tending to the perpetuation of boss dominion in our Commonwealth, should never be ratified by the Independent Republicans in convention assembled or at the polls. Upon this very vital point there should be no mistake in the mind of any citizen of this State. The path of duty in this emergency leads forward, and not backward, and forward we should go until bossism and machineism and stalwartism—aye, and Cameronism—are made to give way to pure Republicanism. The people will not submit to temporizing or compromising.

We appeal to the Independent Republicans of Pennsylvania to take immediate steps toward perfecting their organization in each county, and completing the selection of delegates to the Independent State Convention. Use every exertion to secure the choice as delegates of representative, courageous men, who will not falter when the time arrives to act—who will not desert into the ranks of the enemy when the final time of testing comes. Especially see to it that there shall not be chosen as delegates any Pharisaical Independents, who preach reform, yet blindly follow boss leadership at the crack of the master's whip. Act quickly and act discreetly.

A State Campaign Committee of fifty, comprising one member from each Senatorial district, has been formed, and any one desiring to co-operate with us in this movement against the enemies of the integrity of our State, who shall communicate with us, will be immediately referred to the committeeman representing the district in which he lives. We urgently invite a correspondence from the friends of political independence from all sections of the State.

Again we say to the Independent Republicans of Pennsylvania in the interest of justice and the Commonwealth's honor, leave no stone unturned to vindicate the rights of the people.

I. D. McKEE, Chairman.

WHARTON BARKER.

JOHN J. PINKERTON.

GEO. E. MAPES.

H. S. McNAIR.

CHARLES W. MILLER.

FRANK WILLING LEACH, Secretary.

In pursuance of the above call, the Independent Convention met, May 24th. in Philadelphia, and deciding that the action of the regular Republican Convention, held

at Harrisburg on May 10th, did not give the guarantee of reform demanded by the Independents, proceeded to nominate a ticket and adopt a platform setting forth their views.

Although the break between the two wings of the party was thus made final to all appearances, yet all efforts for a reconciliation were not entirely abandoned. Thos. M. Marshall having declined the nomination for Congressman at Large on the Republican ticket, the convention was reconvened June 21st, for the purpose of filling the vacancy, and while in session, instructed the State Central Committee to use all honorable means to secure harmony between the two sections of the party. Accordingly, the Republican State Committee was called to meet in Philadelphia, July 13th. At this meeting the following propositions were submitted to the Independents:

Pursuant to the resolution passed by the Harrisburg Convention of June 21st, and authorizing the Republican State Committee to use all honorable means to promote harmony in the party, the said committee, acting in conjunction with the Republican candidates on the State ticket, respectfully submit to the State Committee and candidates of the Independents the following propositions:

*First.* The tickets headed by James A. Beaver and John Stewart, respectively, be submitted to a vote of the Republican electors of the State, at primaries, as hereinafter provided for.

*Second.* The selection of candidates to be voted for by the Republican party in November to be submitted as aforesaid, every Republican elector, constitutionally and legally qualified, to be eligible to nomination.

*Third.* A State Convention to be held, to be constituted as recommended by the Continental Hotel Conference, whereof Wharton Barker was chairman and Francis B. Reeves secretary, to select candidates to be voted for by the Republican party in November, its choice to be limited to the candidates now in nomination, or unlimited, as the Independent State Committee may prefer.

The primaries or convention referred to in the foregoing propositions to be held on or before the fourth Wednesday of August next, under regulations or apportionment to be made by Daniel Agnew, Hampton L. Carson, and Francis B. Reeves, not in conflict, however, with the acts of Assembly regulating primary elections, and the candidates receiving the highest popular vote, or the votes of a majority of the members of the convention, to receive the united support of the party.

*Resolved,* That in the opinion of the Re-

publican State Committee the above propositions fully carry out, in letter and spirit, the resolution passed by the Harrisburg Convention, June 21st, and that we hereby pledge the State Committee to carry out in good faith any one of the foregoing propositions which may be accepted.

*Resolved,* That the chairman of the Republican State Committee be directed to forward an official copy of the proceedings of this meeting, together with the foregoing propositions, to the Independent State Committee and candidates.

Whereupon, General Reeder, of Northampton, moved to amend by adding a further proposition, as follows.

*Fourth.* A State Convention, to be constituted as provided for by the new rules adopted by the late Republican State Convention, to select candidates to be voted for by the Republican party in November, provided, if such convention be agreed to, said convention shall be held not later than the fourth Wednesday in August. Which amendment was agreed to, and the preamble and resolutions as amended were agreed to.

This communication was addressed to the chairman of the Independent State Committee, I. D. McKee, who called the Independent Committee to meet July 27th, to consider the propositions. In the meantime the Independent candidates held a conference on the night of July 13th, and four of them addressed the following propositions to the candidates of the Stalwart wing of the party:

PHILADELPHIA, July 13th, 1882.

*To General James A. Beaver, Hon. William T. Davies, Hon. John M. Greer, William Henry Rawle, Esq., and Marriott Brosius, Esq.*

*Gentlemen:* By a communication received from the Hon. Thomas V. Cooper, addressed to us as candidates of the Independent Republicans, we are advised of the proceedings of the State Committee, which assembled in this city yesterday.

Without awaiting the action of the Independent State Committee, to which we have referred the communication, and attempting no discussion of the existing differences, or the several methods proposed by which to secure party unity, we beg to say that we do not believe that any of the propositions, if accepted, would produce harmony in the party, but on the contrary, would lead to wider divisions. We therefore suggest that the desired result can be secured by the hearty co-operation of the respective candidates. We have no authority to speak for the great body of voters now giving their support to the Independent Republican ticket, nor

can we include them by any action we may take. We are perfectly free, however, to act in our individual capacity, and desire to assure you that we are not only willing, but anxious to co-operate with you in the endeavor to restore peace and harmony to our party. That this can be accomplished beyond all doubt we feel entirely assured, if you, gentlemen, are prepared to yield, with us, all personal considerations, and agree to the following propositions:

*First.* The withdrawal of both tickets.

*Second.* The several candidates of these tickets to pledge themselves not to accept any subsequent nomination by the proposed convention.

Under these conditions we will unite with you in urging upon our respective constituencies the adoption of the third proposition submitted by your committee, and conclude the whole controversy by our final withdrawal as candidates. Such withdrawal of both tickets would remove from the canvass all personal as well as political antagonisms, and leave the party united and unembarrassed.

We trust, gentlemen, that your judgment will approve the method we have suggested, and that, appreciating the importance of concluding the matter with as little delay as possible, you will give us your reply within a week from this date.

Very respectfully, your obedient servants,  
JOHN STEWART,  
LEVI BIRD DUFF.  
GEORGE W. MERRICK.  
GEORGE JUNKIN.

William McMichael, Independent candidate for Congressman at Large, dissented from the proposition of his colleagues, and addressed the following communication to Chairman Cooper:

PHILADELPHIA, July 13th, 1882.

*Hon. Thomas V. Cooper, Chairman, etc.*

*Dear Sir:* Your letter of July 12th is received, addressed to the chairman of the State Committee of the Independent Republicans and their candidates, containing certain propositions of your committee. I decline those propositions, because they involve an abandonment of the cause of the Independent Republicans.

If a new convention, representing all Republicans, had nominated an entirely new ticket, worthy of popular support, and not containing the name of any candidate on either of the present tickets, and sincerely supporting the principles of the Independent Republicans, the necessity for a separate Independent Republican movement would not exist. Your proposition, however, practically proposes to re-nominate General Beaver, and reaffirm the abuse which we oppose.

The convention of Independent Republicans which met in Philadelphia on May 24th, announced principles in which I believe. It nominated me for Congressman at Large, and I accepted that nomination. It declared boldly against bossism, the spoils system, and all the evils which impair Republican usefulness, and in favor of popular rule, equal rights of all, national unity, maintenance of public credit, protection to labor, and all the great principles of true Republicanism. No other ticket now in the field presents those issues. The people of Pennsylvania can say at the polls, in November, whether they approve of those principles, and will support the cause which represents them. I will not withdraw or retire unless events hereafter shall give assurance that necessary reform in the civil service shall be adopted; assessments made upon officeholders returned, and not hereafter exacted; boss, machine, and spoils methods forever abandoned; and all our public offices, from United States Senator to the most unimportant officials, shall be filled only by honest and capable men, who will represent the people, and not attempt to dictate to or control them.

I shall go on with the fight, asking the support of all my fellow-citizens who believe in the principles of the Independent Republican Convention of May 24th.

Yours truly,

WILLIAM MCMICHAEL.

To these propositions General Beaver and his colleagues replied in the following communication:

PHILADELPHIA, July 15th, 1882.

*Hon. Thomas V. Cooper, Chairman Republican State Committee, Philadelphia, Pa.*

*Sir:* We have the honor to acknowledge the receipt through you of a communication addressed to us by the Hon. John Stewart, Colonel Levi Bird Duff, Major G. W. Merrick, and George Junkin, Esq., in response to certain propositions submitted by the Republican State Committee, representing the Republican party of Pennsylvania, looking to an amicable and honorable adjustment of whatever differences there may be among the various elements of the party. Without accepting any of the propositions submitted by your committee, this communication asks us, as a condition precedent to any recommendation on the part of the writers thereof, to declare that in the event of the calling of a new convention, we will severally forbid the Republicans of Pennsylvania to call upon us for our services as candidates for the various positions to be filled by the people at the coming election. To say

that in the effort to determine whether or not our nomination was the free and unbiased choice of the Republican party we must not be candidates, is simply to try the question at issue. We have no desire to discuss the question in any of its numerous bearings. We have placed ourselves unreservedly in the hands of the Republicans of Pennsylvania. We have pledged ourselves to act concurrently with your committee, and are bound by its action. We therefore respectfully suggest that we have no power or authority to act independently of the committee, or make any declaration at variance with the propositions submitted in accordance with its action. There ought to be and can be no such thing as personal antagonism in this contest. We socially and emphatically disclaim even the remotest approach to a feeling of this kind toward any person. We fraternize with and are ready to support any citizen who loves the cause of pure Republicanism, and with this declaration we submit the whole subject to your deliberate judgment and wise consideration.

JAMES A. BEAVER.  
WILLIAM HENRY RAWLE,  
MARRIOTT BROSIUS.  
W. T. DAVIES.  
JOHN M. GREER.

At the meeting of the Independent State Committee, July 27th, the propositions of the Regular Committee were unanimously rejected, and a committee appointed to draft a reply, which was done in the following terms:

*Thomas V. Cooper, Esq., Chairman Republican State Committee.*

*Dear Sir:* I am instructed to advise you that the Independent Republican State Committee have considered the four suggestions contained in the minutes of the proceedings of your committee, forwarded to me by you on the 12th instant.

I am directed to say that this committee find that none of the four are methods fitted to obtain a harmonious and honorable unity of the Republican voters of Pennsylvania. All of them are inadequate to that end, for the reason that they afford no guarantee that, being accepted, the principles upon which the Independent Republicans have taken their stand would be treated with respect or put into action. All of them contain the probability that an attempt to unite the Republicans of the State by their means would either result in reviving and strengthening the political dictatorship which we condemn or would permanently distract the Republican body, and insure the future and continued triumph of our common opponent, the Democratic party.

Of the four suggestions, the first, second and fourth are so inadequate as to need no separate discussion: the third, which alone may demand attention, has the fatal defect of not including the withdrawal of that "slated" ticket which was made up many months ago, and long in advance of the Harrisburg Convention, to represent and to maintain the very evils of control and abuses of method to which we stand opposed. This proposition, like the others, supposing it to have been sincerely put forward, clearly shows that you misconceive the cause of the Independent Republican movement, as well as its aims and purposes. You assume that we desire to measure the respective numbers of those who support the Harrisburg ticket and those who find their principles expressed by the Philadelphia Convention. This is a complete and fatal misapprehension. We are organized to promote certain reforms, and not to abandon them in pursuit of votes. Our object is the overthrow of the "boss system" and of the "spoils system."

In behalf of this we are willing and anxious to join hands with you whenever it is assured that the union will be honestly and earnestly for that purpose. But we cannot make alliances or agree to compromises that in their face threaten the very object of the movement in which we have engaged. Whether your ticket has the support of many or few, of a majority or a minority of the Republican voters, does not affect in the smallest degree the duty of every citizen to record himself against the abuses which it represents. Had the gentlemen who compose it been willing to withdraw themselves from the field, as they were invited to join in doing, for the common good, by the Independent Republican candidates, this act would have encouraged the hope that a new convention, freely chosen by the people, and unembarrassed by claims of existing candidates, might have brought forth the needed guarantee of party emancipation and public reform.

This service, however, they have declined to render their party; they not only claim and receive your repeated assurances of support, but they permit themselves to be put forward to secure the use of the Independent Republican votes at the same time that they represent the "bossism," the "spoils" methods, and the "machine" management which we are determined no longer to tolerate. The manner in which their candidacy was decreed, the means employed to give it convention formality, the obligations which they incur by it, the political methods with which it identifies them, and the political and personal plans for which their official influence would be required, all join to make it the most im-



perative public duty not to give them support at this election under any circumstances.

In closing this note, this committee must express its regret, that, having considered it desirable to make overtures to the Independent Republicans, you should have so far misapprehended the facts of the situation. It is our desire to unite the Republican party on the sure ground of principle, in the confidence that we are thus serving it with the highest fidelity, and preserving for the future service of the Commonwealth that vitality of Republicanism which has made the party useful in the past, and which alone confers upon it now the right of continued existence. The only method which promises this result in the approaching election is that proposed by the Independent Republican candidates in their letter of July 13th, 1882, which was positively rejected by your committee.

On behalf of the Independent Republican State Committee of Pennsylvania,

I. D. MCKEE, Chairman.

With this communication ended all efforts at conciliation.

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The election followed, and the Democratic ticket, headed by Robert E. Pattison of Philadelphia, received an average plurality of 40,000, and the Independent Republican ticket received an average vote of about 43,000—showing that while Independence organized did not do as well in a gubernatorial as it had in a previous off-year, it yet had force enough to defeat the Republican State ticket headed by Gen. James A. Beaver. All of the three several State tickets were composed of able men, and the force of both of the Republican tickets on the hustings excited great interest and excitement; yet the Republican vote, owing to the division, was not out by nearly one hundred thousand, and fifty thousand more Republicans than Democrats remained at home, many of them purposely. In New York, where dissatisfaction had no rallying point, about two hundred thousand Republicans remained at home, some because of anger at the defeat of Gov. Cornell in the State nominating convention—some in protest against the National Administration, which was accused of the desire for direct endorsement where it presented the name of Hon. Chas. J. Folger, its Secretary of the Treasury, as the home gubernatorial candidate,—others because of some of the many reasons set forth in the bill of complaints which enumerates the causes of the dissatisfaction within the party.

At this writing the work of Republican repair is going on. Both the Senate and

House at Washington are giving active work to the passage of a tariff bill, the repeal of the revenue taxes, and the passage of a two-cent letter postage bill—measures anxiously hastened by the Republicans in order to anticipate friendly and defeat unfriendly attempts on the part of the Democratic House, which comes in with the first session of the 48th Congress.

In Pennsylvania, as we close this review of the struggle of 1882, the Regular and Independent Republican State Committees—at least the heads thereof—are devising a plan to jointly call a Republican State Convention to nominate the State ticket to be voted for in November, 1883. The groundswell was so great that it had no sooner passed, than Republicans of all shades of opinion, felt the need of harmonious action, and the leaders everywhere set themselves to the work of repair.

The Republicans in the South differed from those of the North in the fact that their complaints were all directed against a natural political enemy—the Bourbons—and wherever there was opportunity they favored and entered into movements with Independent and Readjuster Democrats, with the sole object of revolutionizing political affairs in the South. Their success in these combinations was only great in Virginia, but it proved to be promising in North Carolina, Mississippi, and Louisiana, and may take more definite and general shape in the great campaign of 1884.

The Democratic party was evidently surprised at its great victory in 1882, and has not yet formally resolved what it will do with it. The Congress beginning with December, 1883, will doubtless give some indication of the drift of Democratic events.

The most notable law passed in the closing session of the 47th Congress, was the Civil Service Reform Bill, introduced by Senator Geo. H. Pendleton of Ohio, but prepared under the direction of the Senate Judiciary Committee. The Republicans, feeling that there was some public demand for the passage of a measure of the kind, eagerly rushed to its support, at a time when it was apparent that the spoils of office might slip from their hands. From opposite motives the Democrats, who had previously encouraged, now ran away from it, but it passed both Houses with almost a solid Republican vote, a few Democrats in each House voting with them. President Arthur signed the bill, but at this writing the Commission which it creates has not been appointed, and of course none of the rules and constructions under the act have been formulated. Its basic principles are fixed tenure in minor places, competitive examinations, and non-partisan selections.



AMERICAN POLITICS.

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BOOK II.

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POLITICAL PLATFORMS.



# AMERICAN POLITICS.

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## BOOK II.

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### POLITICAL PLATFORMS.

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THE FIRST POLITICAL PLATFORM ENUNCIATED IN THE UNITED STATES TO COMMAND GENERAL ATTENTION WAS DRAWN BY MR. MADISON IN 1798, WHOSE OBJECT WAS TO PRONOUNCE THE ALIEN AND SEDITION LAWS UNCONSTITUTIONAL, AND TO DEFINE THE RIGHTS OF THE STATES.

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#### **Virginia Resolutions of 1798.**

*Pronouncing the Alien and Sedition Laws to be unconstitutional, and Defining the rights of the States.—Drawn by Mr. Madison.*

*In the Virginia House of Delegates,  
Friday, Dec. 21, 1798.*

*Resolved,* That the General Assembly of Virginia doth unequivocally express a firm resolution to maintain and defend the Constitution of the United States, and the constitution of this state, against every aggression either foreign or domestic; and that they will support the government of the United States in all measures warranted by the former.

That this Assembly most solemnly declares a warm attachment to the Union of the states, to maintain which it pledges its powers; and, that for this end, it is their duty to watch over and oppose every infraction of those principles which constitute the only basis of that Union, because a faithful observance of them can alone secure its existence and the public happiness.

That this Assembly doth explicitly and peremptorily declare, that it views the powers of the federal government, as resulting from the compact to which the states are parties, as limited by the plain sense and intention of the instrument constituting that compact, as no farther valid than they are authorized by the grants enumerated in that compact; and that in case of a deliberate, palpable, and dangerous exercise of other powers, not granted by the said compact, the states, who are parties thereto, have the right, and are in duty bound, to interpose, for arresting the

progress of the evil, and for maintaining within their respective limits the authorities, rights, and liberties appertaining to them.

That the General Assembly doth also express its deep regret, that a spirit has, in sundry instances, been manifested by the federal government, to enlarge its powers by forced constructions of the constitutional charter which defines them; and, that indications have appeared of a design to expound certain general phrases (which, having been copied from the very limited grant of powers in the former Articles of Confederation, were the less liable to be misconstrued) so as to destroy the meaning and effect of the particular enumeration which necessarily explains, and limits the general phrases, and so as to consolidate the states by degrees into one sovereignty, the obvious tendency and inevitable result of which would be, to transform the present republican system of the United States into an absolute, or at best, a mixed monarchy.

That the General Assembly doth particularly protest against the palpable and alarming infractions of the Constitution, in the two late cases of the "Alien and Sedition Acts," passed at the last session of Congress; the first of which exercises a power nowhere delegated to the federal government, and which, by uniting legislative and judicial powers to those of executive, subverts the general principles of free government, as well as the particular organization and positive provisions of the Federal Constitution; and the other

of which acts exercises, in like manner, a power not delegated by the Constitution, but on the contrary, expressly and positively forbidden by one of the amendments thereto; a power which, more than any other, ought to produce universal alarm, because it is levelled against the right of freely examining public characters and measures, and of free communication among the people thereon, which has ever been justly deemed the only effectual guardian of every other right.

That this state having by its Convention, which ratified the Federal Constitution, expressly declared, that among other essential rights, "the liberty of conscience and the press cannot be cancelled, abridged, restrained, or modified by any authority of the United States," and from its extreme anxiety to guard these rights from every possible attack of sophistry and ambition, having with other states recommended an amendment for that purpose, which amendment was, in due time, annexed to the Constitution, it would mark a reproachful inconsistency, and criminal degeneracy, if an indifference were now shown to the most palpable violation of one of the rights, thus declared and secured; and to the establishment of a precedent which may be fatal to the other.

That the good people of this commonwealth, having ever felt, and continuing to feel the most sincere affection for their brethren of the other states; the truest anxiety for establishing and perpetuating the Union of all: and the most scrupulous fidelity to that Constitution, which is the pledge of mutual friendship, and the instrument of mutual happiness; the General Assembly doth solemnly appeal to the like dispositions in the other States, in confidence that they will concur with this commonwealth, in declaring, as it does hereby declare, that the acts aforesaid are unconstitutional; and, that the necessary and proper measures will be taken by each for co-operating with this state, in maintaining unimpaired the authorities, rights, and liberties, reserved to the states, respectively, or to the people.

That the governor be desired to transmit a copy of the foregoing resolutions to the executive authority of each of the other states, with a request that the same may be communicated to the legislature thereof; and that a copy be furnished to each of the Senators and Representatives representing this state in the Congress of the United States.

Attest, JOHN STEWART.

1798. December 24th. Agreed to by the Senate.

H. BROOKE.

A true copy from the original deposited in the office of the General Assembly.

JOHN STEWART, Keeper of Rolls.

Extracts from the Address to the People, which accompanied the foregoing resolutions:—

Fellow - Citizens: Unwilling to shrink from our representative responsibility, conscious of the purity of our motives, but acknowledging your right to supervise our conduct, we invite your serious attention to the emergency which dictated the subjoined resolutions. Whilst we disdain to alarm you by ill-founded jealousies, we recommend an investigation, guided by the coolness of wisdom, and a decision bottomed, on firmness but tempered with moderation.

It would be perfidious in those intrusted with the guardianship of the state sovereignty, and acting under the solemn obligation of the following oath: "I do swear, that I will support the Constitution of the United States," not to warn you of encroachments, which, though clothed with the pretext of necessity, or disguised by arguments of expediency, may yet establish precedents, which may ultimately devote a generous and unsuspecting people to all the consequences of usurped power.

Encroachments, springing from a government whose organization cannot be maintained without the co-operation of the states, furnish the strongest incitements upon the state legislatures to watchfulness, and impose upon them the strongest obligation to preserve unimpaired the line of partition.

The acquiescence of the states under infractions of the federal compact, would either beget a speedy consolidation, by precipitating the state governments into impotency and contempt; or prepare the way for a revolution, by a repetition of these infractions, until the people are aroused to appear in the majesty of their strength. It is to avoid these calamities, that we exhibit to the people the momentous question, whether the Constitution of the United States shall yield to a construction which defies every restraint and overwhelms the best hopes of republicanism.

Exhortations to disregard domestic usurpations until foreign danger shall have passed, is an artifice which may be for ever used; because the possessors of power, who are the advocates for its extension, can ever create national embarrassments, to be successively employed to soothe the people into sleep, whilst that power is swelling silently, secretly, and fatally. Of the same character are insinuations of a foreign influence, which seize upon a laudable enthusiasm against danger from a broad, and distort it by an unnatural application, so as to blind your eyes against danger at home.

The sedition act presents a scene which was never expected by the early friends of the Constitution. It was then admitted

that the state sovereignties were only diminished by powers specifically enumerated, or necessary to carry the specified powers into effect. Now federal authority is deduced from implication, and from the existence of state law it is inferred that Congress possesses a similar power of legislation; whence Congress will be endowed with a power of legislation in all cases whatsoever, and the states will be stript of every right reserved by the concurrent claims of a paramount legislature.

The sedition act is the offspring of these tremendous pretensions, which inflict a death wound on the sovereignty of these states.

For the honor of American understanding, we will not believe that the people have been allured into the adoption of the Constitution by an affectation of defining powers, whilst the preamble would admit a construction which would erect the will of Congress into a power paramount in all cases, and therefore limited in none. On the contrary, it is evident that the objects for which the Constitution was formed were deemed attainable only by a particular enumeration and specification of each power granted to the federal government; reserving all others to the people, or to the states. And yet it is in vain we search for any specified power, embracing the right of legislation against the freedom of the press.

Had the states been despoiled of their sovereignty by the generality of the preamble, and had the federal government been endowed with whatever they should judge to be instrumental towards union, justice, tranquillity, common defence, general welfare, and the preservation of liberty nothing could have been more frivolous than an enumeration of powers.

All the preceding arguments rising from a deficiency of constitutional power in Congress, apply to the alien act, and this act is liable to other objections peculiar to itself. If a suspicion that aliens are dangerous constitute the justification of that power exercised over them by Congress, then a similar suspicion will justify the exercise of a similar power over natives. Because there is nothing in the Constitution distinguishing between the power of a state to permit the residence of natives and aliens. It is therefore a right originally possessed, and never surrendered by the respective states, and which is rendered dear and valuable to Virginia, because it is assailed through the bosom of the Constitution, and because her peculiar situation renders the easy admission of artisans and laborers an interest of vast importance.

But this bill contains other features, still more alarming and dangerous. It dispenses with the trial by jury: it violates the judicial system; it confounds legislative,

executive, and judicial powers; it punishes without trial; and it bestows upon the President despotic power over a numerous class of men. Are such measures consistent with our constitutional principles? And will an accumulation of power so extensive in the hands of the executive, over aliens, secure to natives the blessings of republican liberty?

If measures can mould governments, and if an uncontrolled power of construction is surrendered to those who administer them, their progress may be easily foreseen and their end easily foretold. A lover of monarchy, who opens the treasures of corruption, by distributing emolument among devoted partisans, may at the same time be approaching his object, and deluding the people with professions of republicanism. He may confound monarchy and republicanism, by the art of definition. He may varnish over the dexterity which ambition never fails to display, with the pliancy of language, the seduction of expediency, or the prejudices of the times. And he may come at length to avow that so extensive a territory as that of the United States can only be governed by the energies of monarchy; that it cannot be defended, except by standing armies; and that it cannot be united, except by consolidation.

Measures have already been adopted which may lead to these consequences. They consist:

In fiscal systems and arrangements, which keep a host of commercial and wealthy individuals, embodied and obedient to the mandates of the treasury.

In armies and navies, which will, on the one hand, enlist the tendency of man to pay homage to his fellow-creature who can feed or honor him; and on the other, employ the principle of fear, by punishing imaginary insurrections, under the pretext of preventive justice.

In swarms of officers, civil and military, who can inculcate political tenets tending to consolidation and monarchy, both by indulgences and severities; and can act as spies over the free exercise of human reason.

In restraining the freedom of the press, and investing the executive with legislative, executive, and judicial powers, over a numerous body of men.

And, that we may shorten the catalogue, in establishing by successive precedents such a mode of construing the Constitution as will rapidly remove every restraint upon federal power.

Let history be consulted; let the man of experience reflect; nay, let the artificers of monarchy be asked what farther materials they can need for building up their favorite system?

These are solemn, but painful truths; and yet we recommend it to you not to forget the possibility of danger from without,

although danger threatens us from within. Usurpation is indeed dreadful, but against foreign invasion, if that should happen, let us rise with hearts and hands united, and repel the attack with the zeal of freemen, who will strengthen their title to examine and correct domestic measures by having defended their country against foreign aggression.

Pledged as we are, fellow-citizens, to these sacred engagements, we yet humbly and fervently implore the Almighty Disposer of events to avert from our land war and usurpation, the scourges of mankind; to permit our fields to be cultivated in peace; to instill into nations the love of friendly intercourse; to suffer our youth to be educated in virtue; and to preserve our morality from the pollution invariably incident to habits of war; to prevent the laborer and husbandman from being harassed by taxes and imposts; to remove from ambition the means of disturbing the commonwealth; to annihilate all pretexts for power afforded by war; to maintain the Constitution; and to bless our nation with tranquillity, under whose benign influence we may reach the summit of happiness and glory, to which we are destined by Nature and Nature's God.

Attest, JOHN STEWART, C. H. D.

1799, Jan. 23. Agreed to by the Senate.

H. BROOKE, C. S.

A true copy from the original, deposited in the office of the General Assembly.

JOHN STEWART, Keeper of Rolls.

#### Answers of the several State Legislatures.

STATE OF DELAWARE.—In the House of Representatives, Feb. 1, 1799. Resolved, By the Senate and House of Representatives of the state of Delaware, in General Assembly met, that they consider the resolutions from the state of Virginia as a very unjustifiable interference with the general government and constituted authorities of the United States, and of dangerous tendency, and therefore not fit subject for the further consideration of the General Assembly.

ISAAC DAVIS, Speaker of the Senate.

STEPHEN LEWIS, Speaker of the H. of R's. Test—

JOHN FISHER, C. S.

JOHN CALDWELL, C. H. R.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS.—In General Assembly, February, A. D. 1799. Certain resolutions of the Legislature of Virginia, passed on 21st of December last, being communicated to this Assembly,

1. *Resolved*, That in the opinion of this legislature, the second section of third article of the Constitution of the United States in these words, to wit: The judicial power shall extend to all cases arising under the laws of the United States, vests in the federal courts, exclusively, and in the Supreme Court of the United States ultimately, the authority of deciding on the constitutionality of any act or law of the Congress of the United States.

2. *Resolved*, That for any state legislature to assume that authority, would be,

1st. Blending together legislative and judicial powers.

2d. Hazarding an interruption of the peace of the states by civil discord, in case of a diversity of opinions among the state legislatures; each state having, in that case, no resort for vindicating its own opinions, but to the strength of its own arm.

3d. Submitting most important questions of law to less competent tribunals; and

4th. An infraction of the Constitution of the United States, expressed in plain terms.

3. *Resolved*, That although for the above reasons, this legislature, in their public capacity, do not feel themselves authorized to consider and decide on the constitutionality of the sedition and alien laws (so called); yet they are called upon by the exigency of this occasion, to declare, that in their private opinions, these laws are within the powers delegated to Congress, and promotive of the welfare of the United States.

4. *Resolved*, That the governor communicate these resolutions to the supreme executive of the state of Virginia, and at the same time express to him that this legislature cannot contemplate, without extreme concern and regret, the many civil and fatal consequences which may flow from the very unwarrantable resolutions aforesaid, of the legislature of Virginia, passed on the twenty-first day of December last.

A true copy. SAMUEL EDDY, Sec.

COMMONWEALTH OF MASSACHUSETTS.—In Senate, Feb. 9, 1799. The legislature of Massachusetts having taken into serious consideration the resolutions of the State of Virginia, passed the 21st day of December last, and communicated by his excellency the governor, relative to certain supposed infractions of the Constitution of the United States, by the government thereof, and being convinced that the Federal Constitution is calculated to promote the happiness, prosperity, and safety of the people of these United States, and to maintain that union of the several states, so essential to the welfare of the whole; and being bound by solemn oath



to support and defend that Constitution, feel it unnecessary to make any professions of their attachment to it, or of their firm determination to support it against every aggression, foreign or domestic.

But they deem it their duty solemnly to declare, that while they hold sacred the principle, that consent of the people is the only pure source of just and legitimate power, they cannot admit the right of the state legislatures to denounce the administration of that government to which the people themselves, by a solemn compact, have exclusively committed their national concerns: That, although a liberal and enlightened vigilance among the people is always to be cherished, yet an unreasonable jealousy of the men of their choice, and a recurrence to measures of extremity, upon groundless or trivial pretexts, have a strong tendency to destroy all rational liberty at home, and to deprive the United States of the most essential advantages in their relations abroad: That this legislature are persuaded that the decision of all cases in law and equity, arising under the Constitution of the United States, and the construction of all laws made in pursuance thereof, are exclusively vested by the people in the judicial courts of the United States.

That the people in that solemn compact, which is declared to be the supreme law of the land, have not constituted the state legislatures the judges of the acts or measures of the federal government, but have confided to them the power of proposing such amendments of the Constitution, as shall appear to them necessary to the interests, or conformable to the wishes of the people whom they represent.

That by this construction of the Constitution, an amicable and dispassionate remedy is pointed out for any evil which experience may prove to exist, and the peace and prosperity of the United States may be preserved without interruption.

But, should the respectable state of Virginia persist in the assumption of the right to declare the acts of the national government unconstitutional, and should she oppose successfully her force and will to those of the nation, the Constitution would be reduced to a mere cipher, to the form and pageantry of authority, without the energy of power. Every act of the federal government which thwarted the views or checked the ambitious projects of a particular state, or of its leading and influential members, would be the object of opposition and of remonstrance; while the people, convulsed and confused by the conflict between two hostile jurisdictions, enjoying the protection of neither, would be wearied into a submission to some bold leader, who would establish himself on the ruins of both.

The legislature of Massachusetts, although they do not themselves claim the right, nor admit the authority of any of the state governments, to decide upon the constitutionality of the acts of the federal government, still, lest their silence should be construed into disapprobation, or at best into a doubt of the constitutionality of the acts referred to by the State of Virginia; and, as the General Assembly of Virginia has called for an expression of their sentiments, do explicitly declare, that they consider the acts of Congress, commonly called "the alien and sedition acts," not only constitutional, but expedient and necessary: That the former act respects a description of persons whose rights were not particularly contemplated in the Constitution of the United States, who are entitled only to a temporary protection, while they yield a temporary allegiance; a protection which ought to be withdrawn whenever they become "dangerous to the public safety," or are found guilty of "treasonable machination" against the government: That Congress having been especially intrusted by the people with the general defence of the nation, had not only the right, but were bound to protect it against internal as well as external foes. That the United States, at the time of passing the *act concerning aliens*, were threatened with actual invasion, had been driven by the unjust and ambitious conduct of the French government into warlike preparations, expensive and burthensome, and had then, within the bosom of the country, thousands of aliens, who, we doubt not, were ready to co-operate in any external attack.

It cannot be seriously believed, that the United States should have waited till the poignard had in fact been plunged. The removal of aliens is the usual preliminary of hostility, and is justified by the invariable usages of nations. Actual hostility had unhappily long been experienced, and a formal declaration of it the government had reason daily to expect. The law, therefore, was just and salutary, and no officer could, with so much propriety, be intrusted with the execution of it, as the one in whom the Constitution has reposed the executive power of the United States.

The *sedition act*, so called, is, in the opinion of this legislature, equally defensible. The General Assembly of Virginia, in their resolve under consideration, observe, that when that state by its convention ratified the Federal Constitution, it expressly declared, "That, among other essential rights, the liberty of conscience and of the press cannot be cancelled, abridged, restrained, or modified by any authority of the United States," and from its extreme anxiety to guard these rights from every possible attack of sophistry or

ambition, with other states, recommend an amendment for that purpose: which amendment was, in due time, annexed to the Constitution; but they did not surely expect that the proceedings of their state convention were to explain the amendment adopted by the Union. The words of that amendment, on this subject, are, "Congress shall make no law abridging the freedom of speech or of the press."

The act complained of is no abridgment of the freedom of either. The genuine liberty of speech and the press, is the liberty to utter and publish the truth; but the constitutional right of the citizen to utter and publish the truth, is not to be confounded with the licentiousness in speaking and writing, that is only employed in propagating falsehood and slander. This freedom of the press has been explicitly secured by most, if not all, the state constitutions; and of this provision there has been generally but one construction among enlightened men; that it is a security for the rational use and not the abuse of the press; of which the courts of law, the juries, and people will judge; this right is not infringed, but confirmed and established by the late act of Congress.

By the Constitution, the legislative, executive, and judicial departments of government are ordained and established; and general enumerated powers vested in them respectively, including those which are prohibited to the several states. Certain powers are granted in general terms by the people to their general government, for the purposes of their safety and protection. The government is not only empowered, but it is made their duty to repel invasions and suppress insurrections; to guaranty to the several states a republican form of government; to protect each state against invasion, and, when applied to, against domestic violence; to hear and decide all cases in law and equity, arising under the Constitution, and under any treaty or law made in pursuance thereof; and all cases of admiralty and maritime jurisdiction, and relating to the law of nations. Whenever, therefore, it becomes necessary to effect any of the objects designated, it is perfectly consonant to all just rules of construction, to infer, that the usual means and powers necessary to the attainment of that object, are also granted: But the Constitution has left no occasion to resort to implication for these powers; it has made an express grant of them, in the 8th section of the first article, which ordains, "That Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by the Constitution in the government of the United States or in any department or officer thereof."

This Constitution has established a Supreme Court of the United States, but has made no provisions for its protection, even against such improper conduct in its presence, as might disturb its proceedings, unless expressed in the section before recited. But as no statute has been passed on this subject, this protection is, and has been for nine years past, uniformly found in the application of the principles and usages of the common law. The same protection may unquestionably be afforded by a statute passed in virtue of the before-mentioned section, as necessary and proper, for carrying into execution the powers vested in that department. A construction of the different parts of the Constitution, perfectly just and fair, will, on analogous principles, extend protection and security against the offences in question, to the other departments of government, in discharge of their respective trusts.

The President of the United States is bound by his oath "to preserve, protect, and defend the Constitution," and it is expressly made his duty, "to take care that the laws be faithfully executed;" but this would be impracticable by any created being, if there could be no legal restraint of those scandalous misrepresentations of his measures and motives, which directly tend to rob him of the public confidence. And equally impotent would be every other public officer, if thus left to the mercy of the seditious.

It is holden to be a truth most clear, that the important trusts before enumerated cannot be discharged by the government to which they are committed, without the power to restrain seditious practices and unlawful combinations against itself, and to protect the officers thereof from abusive misrepresentations. Had the Constitution withheld this power, it would have made the government responsible for the effects without any control over the causes which naturally produce them, and would have essentially failed of answering the great ends for which the people of the United States declare, in the first clause of that instrument, that they establish the same, viz: "To form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general warfare, and secure the blessings of liberty to ourselves and posterity."

Seditious practices and unlawful combinations against the federal government, or any officer thereof, in the performance of his duty, as well as licentiousness of speech and of the press, were punishable on the principles of common law in the courts of the United States, before the act in question was passed. This act then is an amelioration of that law in favor of the party accused, as it mitigates the punishment which that authorizes, and admits of any

investigation of public men and measures which is regulated by truth. It is not intended to protect men in office, only as they are agents of the people. Its object is to afford legal security to public offices and trusts created for the safety and happiness of the people, and therefore the security derived from it is for the benefit of the people, and is their right.

The construction of the Constitution and of the existing law of the land, as well as the act complained of, the legislature of Massachusetts most deliberately and firmly believe results from a just and full view of the several parts of the Constitution: and they consider that act to be wise and necessary, as an audacious and unprincipled spirit of falsehood and abuse had been too long unremittingly exerted for the purpose of perverting public opinion, and threatened to undermine and destroy the whole fabric of government.

The legislature further declare, that in the foregoing sentiments they have expressed the general opinion of their constituents, who have not only acquiesced without complaint in those particular measures of the federal government, but have given their explicit approbation by re-electing those men who voted for the adoption of them. Nor is it apprehended, that the citizens of this state will be accused of supineness or of an indifference to their constitutional rights; for while, on the one hand, they regard with due vigilance the conduct of the government, on the other, their freedom, safety and happiness require, that they should defend that government and its constitutional measures against the open or insidious attacks of any foe, whether foreign or domestic.

And, lastly, that the legislature of Massachusetts feel a strong conviction, that the several United States are connected by a common interest which ought to render their union indissoluble, and that this state will always co-operate with its confederate states in rendering that union productive of mutual security, freedom, and happiness.

Sent down for concurrence.

SAMUEL PHILIPS, President.

In the House of Representatives, Feb. 13, 1799.

Read and concurred.

EDWARD H. ROBBINS, Speaker.

A true copy. Attest,

JOHN AVERY, Secretary.

STATE OF NEW YORK.—In Senate, March 5, 1799.—Whereas, the people of the United States have established for themselves a free and independent national government: And whereas it is essential to the existence of every government, that it have authority to defend and preserve

its constitutional powers inviolate, inasmuch as every infringement thereof tends to its subversion: And whereas the judicial power extends expressly to all cases of law and equity arising under the Constitution and the laws of the United States whereby the interference of the legislatures of the particular states in those cases is manifestly excluded: And whereas our peace, prosperity, and happiness, eminently depend on the preservation of the Union, in order to which, a reasonable confidence in the constituted authorities and chosen representatives of the people is indispensable: And whereas every measure calculated to weaken that confidence has a tendency to destroy the usefulness of our public functionaries, and to excite jealousies equally hostile to rational liberty, and the principles of a good republican government: And whereas the Senate, not perceiving that the rights of the particular states have been violated, nor any unconstitutional powers assumed by the general government, cannot forbear to express the anxiety and regret with which they observe the inflammatory and pernicious sentiments and doctrines which are contained in the resolutions of the legislatures of Virginia and Kentucky—sentiments and doctrines, no less repugnant to the Constitution of the United States, and the principles of their union, than destructive to the Federal government and unjust to those whom the people have elected to administer it: wherefore, *Resolved*, That while the Senate feel themselves constrained to bear unequivocal testimony against such sentiments and doctrines, they deem it a duty no less indispensable, explicitly to declare their incompetency, as a branch of the legislature of this state, to supervise the acts of the general government.

*Resolved*, That his Excellency, the Governor, be, and he is hereby requested to transmit a copy of the foregoing resolution to the executives of the states of Virginia and Kentucky, to the end that the same may be communicated to the legislatures thereof.

A true copy.

ABM. B. BAUCKER, Clerk.

STATE OF CONNECTICUT.—At a General Assembly of the state of Connecticut, holden at Hartford, in the said state, on the second Thursday of May, Anno Domini 1799, his excellency the governor having communicated to this assembly sundry resolutions of the legislature of Virginia, adopted in December, 1798, which relate to the measures of the general government; and the said resolutions having been considered, it is

*Resolved*, That this Assembly views with deep regret, and explicitly disavows, the principles contained in the aforesaid reso-

lutions; and particularly the opposition to the "Alien and Sedition Acts"—acts which the Constitution authorized; which the exigency of the country rendered necessary; which the constituted authorities have enacted, and which merit the entire approbation of this Assembly. They, therefore, decidedly refuse to concur with the legislature of Virginia, in promoting any of the objects attempted in the aforesaid resolutions.

And it is further resolved, That his excellency the governor be requested to transmit a copy of the foregoing resolution to the governor of Virginia, that it may be communicated to the legislature of that state.

Passed in the House of Representatives unanimously.

Attest, JOHN C. SMITH, Clerk.

Concurred, unanimously, in the upper House.

Teste, SAM. WYLLYS, Sec'y.

STATE OF NEW HAMPSHIRE.—In the House of Representatives, June 14, 1799.—The committee to take into consideration the resolutions of the General Assembly of Virginia, dated December 21, 1798; also certain resolutions of the legislature of Kentucky, of the 10th of November, 1798; report as follows:—

The legislature of New Hampshire, having taken into consideration certain resolutions of the General Assembly of Virginia, dated December 21, 1798; also certain resolutions of the legislature of Kentucky, of the 10th of November, 1798,—

*Resolved*, That the legislature of New Hampshire unequivocally express a firm resolution to maintain and defend the Constitution of the United States, and the constitution of this state, against every aggression, either foreign or domestic, and that they will support the government of the United States in all measures warranted by the former.

That the state legislatures are not the proper tribunals to determine the constitutionality of the laws of the general government; that the duty of such decision is properly and exclusively confided to the judicial department.

That if the legislature of New Hampshire, for mere speculative purposes, were to express an opinion on the acts of the general government, commonly called "the Alien and Sedition Bills," that opinion would unreservedly be, that those acts are constitutional and, in the present critical situation of our country, highly expedient.

That the constitutionality and expediency of the acts aforesaid have been very ably advocated and clearly demonstrated by many citizens of the United States, more especially by the minority of the General

Assembly of Virginia. The legislature of New Hampshire, therefore, deem it unnecessary, by any train of arguments, to attempt further illustration of the propositions, the truth of which, it is confidently believed, at this day, is very generally seen and acknowledged.

Which report, being read and considered, was unanimously received and accepted, one hundred and thirty-seven members being present.

Sent up for concurrence.

JOHN PRENTICE, Speaker.

In Senate, same day, read and concurred in unanimously.

AMOS SHEPARD, President.

Approved June 15, 1799.

J. T. GILMAN, Governor.

A true copy.

Attest, JOSEPH PEARSON, Sec'y.

STATE OF VERMONT.—In the House of Representatives, October 30, A. D. 1799.—The House proceeded to take under their consideration the resolutions of the General Assembly of Virginia, relative to certain measures of the general government, transmitted to the legislature of this state for their consideration; whereupon,

*Resolved*, that the General Assembly of the state of Vermont do highly disapprove of the resolutions of the General Assembly of the state of Virginia, as being unconstitutional in their nature and dangerous in their tendency. It belongs not to state legislatures to decide on the constitutionality of the laws made by the general government; this power being exclusively vested in judiciary courts of the Union.

That his excellency the governor be requested to transmit a copy of this resolution to the executive of Virginia, to be communicated to the General Assembly of that state; and that the same be sent to the Governor and Council for their concurrence.

SAMUEL C. CRAFTS, Clerk.

In Council, October 30, 1799.—Read and concurred in unanimously.

RICHARD WHITNEY, Sec'y.

#### Resolutions of 1798 and 1799.

(The original draught prepared by Thomas Jefferson.)

The following resolutions passed the House of Representatives of Kentucky, Nov. 10, 1798. On the passage of the first resolution, one dissentient; 2d, 3d, 4th, 5th, 6th, 7th, 8th, two dissentients; 9th, three dissentients.

1. *Resolved*, That the several states composing the United States of America, are not united on the principle of unlimited submission to their general government;

but that by compact under the style and title of a Constitution for the United States, and of amendments thereto, they constituted a general government for special purposes, delegated to that government certain definite powers, reserving, each state to itself, the residuary mass of right to their own self-government: and, that whenever the general government assumes undelegated powers, its acts are unauthoritative, void, and of no force; that to this compact each state acceded as a state, and is an integral party; that this government, created by this compact, was not made the exclusive or final judge of the extent of the powers delegated to itself; since that would have made its discretion, and not the Constitution, the measure of its powers; but, that as in all other cases of compact among parties having no common judge, each party has an equal right to judge for itself, as well of infractions as of the mode and measure of redress.

2. *Resolved*, That the Constitution of the United States having delegated to Congress a power to punish treason, counterfeiting the securities and current coin of the United States, piracies and felonies committed on the high seas, and offences against the laws of nations, and no other crimes whatever; and it being true, as a general principle, and one of the amendments to the Constitution having also declared, "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," therefore also the same act of Congress, passed on the 14th day of July, 1798, and entitled "An act in addition to the act entitled An act for the punishment of certain crimes against the United States;" as also the act passed by them on the 27th day of June, 1798, entitled "An act to punish frauds committed on the Bank of the United States," (and all other their acts which assume to create, define, or punish crimes other than those enumerated in the Constitution), are altogether void and of no force, and that the power to create, define, and punish such other crimes is reserved, and of right appertains solely and exclusively to the respective states, each within its own territory.

3. *Resolved*, That it is true, as a general principle, and is also expressly declared by one of the amendments to the Constitution, 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;" and that no power over the freedom of religion, freedom of speech, or freedom of the press being delegated to the United States by the Constitution, nor prohibited by it to the states, all lawful powers respecting the same did of right remain, and were

reserved to the states or to the people; that thus was manifested their determination to retain to themselves the right of judging how far the licentiousness of speech and of the press may be abridged without lessening their useful freedom, and how far those abuses which cannot be separated from their use should be tolerated rather than the use be destroyed; and thus also they guarded against all abridgment by the United States, of the freedom of religious principles and exercises, and retained to themselves the right of protecting the same, as this, stated by a law passed on the general demand of its citizens, had already protected them from all human restraint or interference: and that, in addition to this general principle and express declaration, another and more special provision has been made by one of the amendments to the Constitution, which expressly declares, that "Congress shall make no laws respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press," thereby guarding in the same sentence, and under the same words, the freedom of religion, of speech, and of the press, insomuch that whatever violates either, throws down the sanctuary which covers the others; and that libels, falsehood, and defamation, equally with heresy and false religion, are withheld from the cognisance of federal tribunals. That therefore the act of the Congress of the United States, passed on the 14th of July, 1798, entitled "An act in addition to the act entitled An act for the punishment of certain crimes against the United States," which does abridge the freedom of the press, is not law, but is altogether void and of no force.

4. *Resolved*, That alien friends are under the jurisdiction and protection of the laws of the state wherein they are: that no power over them has been delegated to the United States, nor prohibited to the individual states distinct from their power over citizens; and it being true, as a general principle, and one of the amendments to the Constitution having also declared, that "the powers not delegated to the United States by the Constitution, nor prohibited to the states, are reserved to the states respectively, or to the people," the act of the Congress of the United States, passed the 22d day of June, 1798, entitled "An act concerning aliens," which assumes power over alien friends not delegated by the Constitution, is not law, but is altogether void and of no force.

5. *Resolved*, That in addition to the general principle as well as the express declaration, that powers not delegated are reserved, another and more special provision inferred in the Constitution, from abundant caution has declared, "that the migra-

tion or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year 1808." That this commonwealth does admit the migration of alien friends described as the subject of the said act concerning aliens; that a provision against prohibiting their migration, is a provision against all acts equivalent thereto, or it would be nugatory; that to remove them when migrated is equivalent to a prohibition of their migration, and is, therefore, contrary to the said provision of the Constitution, and void.

6. *Resolved*, That the imprisonment of a person under the protection of the laws of this commonwealth on his failure to obey the simple order of the President to depart out of the United States, as is undertaken by the said act, entitled, "An act concerning aliens," is contrary to the Constitution, one amendment in which has provided, that "no person shall be deprived of liberty without due process of law," and, that another having provided, "that in all criminal prosecutions, the accused shall enjoy the right to a public trial by an impartial jury, to be informed as to the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and to have assistance of counsel for his defence," the same act undertaking to authorize the President to remove a person out of the United States who is under the protection of the law, on his own suspicion, without jury, without public trial, without confrontation of the witnesses against him, without having witnesses in his favor, without defence, without counsel, is contrary to these provisions also of the Constitution, is therefore not law, but utterly void and of no force.

That transferring the power of judging any person who is under the protection of the laws, from the courts to the President of the United States, as is undertaken by the same act concerning aliens, is against the article of the Constitution which provides, that "the judicial power of the United States shall be vested in the courts, the judges of which shall hold their office during good behavior," and that the said act is void for that reason also; and it is further to be noted that this transfer of judiciary power is to that magistrate of the general government who already possesses all the executive, and a qualified negative in all the legislative powers.

7. *Resolved*, That the construction applied by the general government (as is evident by sundry of their proceedings) to those parts of the Constitution of the United States which delegate to Congress power to lay and collect taxes, duties, imposts, excises; to pay the debts, and provide for the common defence and general

welfare of the United States, and to make all laws which shall be necessary and proper for carrying into execution the powers vested by the Constitution in the government of the United States, or any department thereof, goes to the destruction of all the limits prescribed to their power by the Constitution: That words meant by that instrument to be subsidiary only to the execution of the limited powers, ought not to be so construed as themselves to give unlimited powers, nor a part so to be taken as to destroy the whole residue of the instrument: That the proceedings of the general government under color of those articles, will be a fit and necessary subject for revisal and correction at a time of greater tranquillity, while those specified in the preceding resolutions call for immediate redress.

8. *Resolved*, That the preceding resolutions be transmitted to the Senators and Representatives in Congress from this commonwealth, who are enjoined to present the same to their respective Houses, and to use their best endeavors to procure at the next session of Congress a repeal of the aforesaid unconstitutional and obnoxious acts.

9. *Resolved lastly*, That the governor of this commonwealth be, and is hereby authorized and requested to communicate the preceding resolutions to the legislatures of the several states, to assure them that this commonwealth considers union for special national purposes, and particularly for those specified in their late federal compact, to be friendly to the peace, happiness, and prosperity of all the states—that, faithful to that compact, according to the plain intent and meaning in which it was understood and acceded to by the several parties, it is sincerely anxious for its preservation; that it does also believe, that to take from the states all the powers of self-government, and transfer them to a general and consolidated government, without regard to the special delegations and reservations solemnly agreed to in that compact, is not for the peace, happiness, or prosperity of these states; and that, therefore, this commonwealth is determined, as it doubts not its co-states are, to submit to undelegated and consequently unlimited powers in no man, or body of men on earth: that if the acts before specified should stand, these conclusions would flow from them; that the general government may place any act they think proper on the list of crimes and punish it themselves, whether enumerated or not enumerated by the Constitution as cognisable by them; that they may transfer its cognisance to the President or any other person, who may himself be the accuser, counsel, judge, and jury, whose suspicions may be the evidence, his order the sentence, his officer the executioner, and

his breast the sole record of the transaction; that a very numerous and valuable description of the inhabitants of these states, being by this precedent reduced as outlaws to the absolute dominion of one man and the barriers of the Constitution thus swept from us all, no rampart now remains against the passions and the power of a majority of Congress, to protect from a like exportation or other grievous punishment the minority of the same body, the legislatures, judges, governors, and counsellors of the states, nor their other peaceable inhabitants who may venture to reclaim the constitutional rights and liberties of the states and people, or who, for other causes, good or bad, may be obnoxious to the view or marked by the suspicions of the President, or to be thought dangerous to his or their elections or other interests, public or personal; that the friendless alien has been selected as the safest subject of a first experiment; but the citizen will soon follow, or rather has already followed; for, already has a sedition act marked him as a prey: that these and successive acts of the same character, unless arrested on the threshold, may tend to drive these states into revolution and blood, and will furnish new calumnies against republican governments, and new pretexts for those who wish it to be believed, that man cannot be governed but by a rod of iron; that it would be a dangerous delusion were a confidence in the men of our choice to silence our fears for the safety of our rights; that confidence is everywhere the parent of despotism; free government is found in jealousy and not in confidence; it is jealousy and not confidence which prescribes limited constitutions to bind down those whom we are obliged to trust with power; that our Constitution has accordingly fixed the limits to which, and no farther, our confidence may go; and let the honest advocate of confidence read the alien and sedition acts, and say if the Constitution has not been wise in fixing limits to the government it created, and whether we should be wise in destroying those limits? Let him say what the government is, if it be not a tyranny, which the men of our choice have conferred on the President, and the President of our choice has assented to and accepted over the friendly strangers, to whom the mild spirit of our country and its laws had pledged hospitality and protection; that the men of our choice have more respected the bare suspicions of the President than the solid rights of innocence, the claims of justification, the sacred force of truth, and the forms and substance of law and justice. In questions of power, then, let no more be said of confidence in man, but bind him down from mischief by the chains of the Constitution. That this Commonwealth

does therefore call on its co-states for an expression of their sentiments on the acts concerning aliens, and for the punishment of certain crimes hereinbefore specified, plainly declaring whether these acts are or are not authorized by the federal compact. And it doubts not that their sense will be so announced as to prove their attachment to limited government, whether general or particular, and that the rights and liberties of their co-states will be exposed to no dangers by remaining embarked on a common bottom with their own: but they will concur with this commonwealth in considering the said acts as so palpably against the Constitution as to amount to an undisguised declaration, that the compact is not meant to be the measure of the powers of the general government, but that it will proceed in the exercise over these states of all powers whatsoever. That they will view this as seizing the rights of the states and consolidating them in the hands of the general government, with a power assumed to bind the states (not merely in cases made federal) but in all cases whatsoever, by laws made, not with their consent, but by others against their consent; that this would be to surrender the form of government we have chosen, and live under one deriving its powers from its own will, and not from our authority; and that the co-states recurring to their natural rights in cases not made federal, will concur in declaring these void and of no force, and will each unite with this Commonwealth in requesting their repeal at the next session of Congress.

EDMUND BULLOCK, S. H. R.  
JOHN CAMPBELL, S. P. T.

Passed the House of Representatives,  
Nov. 10, 1798.

Attest, THOS. TODD, C. H. R.

In Senate, Nov. 13, 1798.—Unanimously  
concurrent in.

Attest, B. THURSTON, C. S.

Approved, Nov. 19, 1798.

JAS. GARRARD, Gov. of Ky.

By the Governor,

HARRY TOULMIN, Sec. of State.

House of Representatives, Thursday, }  
Nov. 14, 1799. }

The House, according to the standing order of the day, resolved itself into a committee of the whole House, on the state of the commonwealth, Mr. Desha in the chair; and after some time spent therein, the speaker resumed the chair, and Mr. Desha reported that the committee had taken under consideration sundry resolutions passed by several state legislatures, on the subject of the alien and sedition laws, and had come to a resolution thereupon, which he delivered in at the clerk's

table, where it was read and *unanimously* agreed to by the House, as follows:—

The representatives of the good people of this commonwealth, in General Assembly convened, having maturely considered the answers of sundry states in the Union, to their resolutions passed the last session, respecting certain unconstitutional laws of Congress, commonly called the alien and sedition laws, would be faithless, indeed, to themselves and to those they represent, were they silently to acquiesce in the principles and doctrines attempted to be maintained in all those answers, that of Virginia only excepted. To again enter the field of argument, and attempt more fully or forcibly to expose the unconstitutionality of those obnoxious laws, would, it is apprehended, be as unnecessary as unavailing. We cannot, however, but lament that, in the discussion of those interesting subjects by sundry of the legislatures of our sister states, unfounded suggestions and uncandid insinuations, derogatory to the true character and principles of this commonwealth, have been substituted in place of fair reasoning and sound argument. Our opinions of these alarming measures of the general government, together with our reasons for those opinions, were detailed with decency and with temper, and submitted to the discussion and judgment of our fellow-citizens throughout the Union. Whether the like decency and temper have been observed in the answers of most of those states who have denied or attempted to obviate the great truths contained in those resolutions, we have now only to submit to a candid world. Faithful to the true principles of the Federal Union, unconscious of any designs to disturb the harmony of that Union, and anxious only to escape the fangs of despotism, the good people of this commonwealth are regardless of censure or calumny. Lest, however, the silence of this commonwealth should be construed into an acquiescence in the doctrines and principles advanced and attempted to be maintained by the said answers, or lest those of our fellow-citizens throughout the Union who so widely differ from us on those important subjects, should be deluded by the expectation, that we shall be deterred from what we conceive our duty, or shrink from the principles contained in those resolutions—therefore,

*Resolved*, That this commonwealth considers the Federal Union, upon the terms and for the purposes specified in the late compact, as conducive to the liberty and happiness of the several states: That it does now unequivocally declare its attachment to the Union, and to that compact, agreeably to its obvious and real intention, and will be among the last to seek its dissolution: That if those who administer

the general government be permitted to transgress the limits fixed by that compact, by a total disregard to the special delegations of power therein contained, an annihilation of the state governments, and the creation upon their ruins of a general consolidated government, will be the inevitable consequence: That the principle and construction contended for by sundry of the state legislatures, that the general government is the exclusive judge of the extent of the powers delegated to it, stop nothing short of despotism—since the discretion of those who administer the government, and not the Constitution, would be the measure of their powers: That the several states who formed that instrument being sovereign and independent, have the unquestionable right to judge of the infraction; and that a nullification by those sovereignties of all unauthorized acts done under color of that instrument is the rightful remedy: That this commonwealth does, under the most deliberate reconsideration, declare that the said alien and sedition laws are, in their opinion, palpable violations of the said Constitution; and, however cheerfully it may be disposed to surrender its opinion to a majority of its sister states, in matters of ordinary or doubtful policy, yet, in momentous regulations like the present, which so vitally wound the best rights of the citizen, it would consider a silent acquiescence as highly criminal: That although this commonwealth, as a party to the federal compact, will bow to the laws of the Union, yet it does, at the same time, declare that it will not now, or ever hereafter, cease to oppose in a constitutional manner every attempt, at what quarter soever offered, to violate that compact. And, finally, in order that no pretext or arguments may be drawn from a supposed acquiescence on the part of this commonwealth in the constitutionality of those laws, and be thereby used as precedents for similar future violations of the federal compact—this commonwealth does now enter against them its solemn protest.

Extract, &c. Attest, T. TODD, C. H. R.

In Senate, Nov. 22, 1799—Read and concurred in.

Attest, B. THURSTON, C. S.

**Washington's Farewell Address to the People of the United States, Sept. 17, 1796.**

*Accepted as a Platform for the People of the Nation, regardless of party.*

FRIENDS AND FELLOW-CITIZENS:—

The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me pro-



per, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed to decline being considered among the number of those out of whom a choice is to be made. I beg you, at the same time, to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that in withdrawing the tender of service, which silence, in my situation, might imply, I am influenced by no diminution of zeal for your future interests; no deficiency of grateful respect of your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in, the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that, in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust, I will only say, that I have with good intentions contributed towards the organization and administration of the government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience, in my own eyes—perhaps still more in the eyes of others—has strengthened the motives to diffidence of myself; and every day the increasing weight of years admonishes me, more and more, that the abode of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services, they were temporary, I have the consolation to believe that, while choice

and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is intended to terminate the career of my public life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead; amidst appearances sometimes dubious, vicissitudes of fortune often discouraging; in situations in which, not unfrequently, want of success has countenanced the spirit of criticism,—the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated by this new idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows, that Heaven may continue to you the choicest tokens of its beneficence; that union and brotherly affection may be perpetual; that the free Constitution, which is the work of your hands, may be sacredly maintained; that its administration, in every department, may be stamped with wisdom and virtue; that in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete, by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and the adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop; but a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments, which are the result of much reflection, of no inconsiderable observation, and which appear to me all-important to the permanency of your felicity as a people. These will be afforded to you with the more freedom, as you can only see in them the disinterested warning of a parting friend, who can possibly have no personal motive to bias his counsel; nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with

every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence—the support of your tranquillity at home, your peace abroad, of your safety, of your prosperity, of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth: as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively, (though often covertly and insidiously) directed,—it is of infinite moment that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourself to think and speak of it as of the palladium of your political safety and prosperity, watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens, by birth or choice, of a common country, that country has a right to concentrate your affections. The name of *American*, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than appellations derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess are the work of joint counsels and joint efforts, of common dangers, sufferings, and successes. But these considerations, however powerfully they address themselves to your sensibility, are generally outweighed by those which apply more immediately to your interest; here every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The North, in an unrestrained intercourse with the South, protected by the equal laws of a common government, finds, in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry. The South, in

the same intercourse benefiting by the agency of the North, sees its agriculture grow, and its commerce expanded. Turning partly into its own channels the seamen of the North, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength to which itself is unequally adapted. The East, in like intercourse with the West, already finds, and in the progressive improvement of interior communication, by land and by water, will more and more find, a valuable vent for the commodities which each brings from abroad or manufactures at home. The West derives from the East supplies requisite to its growth or comfort, and what is perhaps of still greater consequence, it must, of necessity, owe the secure enjoyment of indispensable outlets for its own productions, to the weight, influence, and the maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interests as one nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength, or from an apostate and unnatural connexion with any foreign power, must be intrinsically precarious.

While, then, every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find, in the united mass of means and efforts, greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and what is of inestimable value, they must derive from union an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries, not tied together by the same government; which their own rivalry alone would be sufficient to produce, but which opposite foreign alliances, attachments and intrigues, would stimulate and embitter. Hence, likewise, they will avoid the necessity of those overgrown military establishments, which, under any form of government, are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty; in this sense it is that your union ought to be considered as a main prop of your liberty, and that the love of one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the Union as a primary object of patriotic desire. Is there a doubt, whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation, in such a case, were criminal.

We are authorized to hope, that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to Union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its bands.

In contemplating the causes which may disturb our Union, it occurs as a matter of serious concern, that any ground should have been furnished for characterizing parties by geographical discriminations—Northern and Southern—Atlantic and Western: whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart-burnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by paternal affection. The inhabitants of our Western country have lately had a useful lesson on this head; they have seen in the negotiation by the executive, and in the unanimous ratification by the Senate, of the treaty with Spain, and in the universal satisfaction at that event throughout the United States, decisive proof how unfounded were the suspicions propagated among them, of a policy in the general government, and in the Atlantic States, unfriendly to their interest in regard to the Mississippi—that with Great Britain, and that with Spain, which secure to them everything they could desire in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the Union by which they were procured? Will they not henceforth be deaf to those advisers, if such there are, who would sever them from their brethren, and connect them with aliens?

To the efficacy and permanency of your Union a government of the whole is indispensable. No alliance, however strict between the parties, can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances, in all time, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a Constitution of government, better calculated than your former for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of

our own choice, uninfluenced and unawed—adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers—uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political system is the right of the people to make and to alter their Constitutions of government; but the Constitution which at any time exists, till changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and right of the people to establish government, presupposes the duty of every individual to obey the established government.

All obstruction to the execution of laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive to this fundamental principle, and of fatal tendency. They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation, the will of a party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill-concerted and incongruous projects of fashion, rather than the organ of consistent and wholesome plans, digested by common counsels and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying, afterwards, the very engines which had lifted them to unjust dominion.

Towards the preservation of your government, and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular oppositions to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretexts. One method of assault may be to effect, in the forms of the Constitution, alterations which will impair the energy of the system, and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and

habit are at least as necessary to fix the true character of governments as of other human institutions; that experience is the surest standard by which to test the real tendency of the existing constitution of a country; that facility in changes, upon the credit of mere hypothesis and opinion exposes to perpetual change, from the endless variety of hypothesis and opinion; and remember, especially, that for the efficient management of your common interests, in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed, and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprise of faction, to confine each member of the society within the limits described by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view, and warn you, in the most solemn manner, against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge, natural to party dissensions, which, in different ages and countries, has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads, at length, to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind (which, nevertheless, ought not to be entirely out of sight), the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms;

kindles the animosity of one part against another; foment, occasionally, riot and insurrection. It opens the door to foreign influence and corruption, which find a facilitated access to the government itself, through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties, in free countries, are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This, within certain limits, is probably true; and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest, instead of warming, it should consume.

It is important, likewise, that the habits of thinking, in a free country, should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding, in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power, and proneness to abuse it, which predominates in the human heart, is sufficient to satisfy us of the truth of this position.

The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal, against invasions by the others, has been evinced by experiments, ancient and modern; some of them in our own country, and under our own eyes. To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be, in any particular, wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance, in permanent evil, any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and cherish them. A volume could not trace all their connexions with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition, that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principles. It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who, that is a sincere friend to it, can look with indifference upon attempts to shake the foundation of the fabric?

Promote then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it; avoiding, likewise, the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars may have occasioned; not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should co-operate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that toward the payments of debts there must be revenues; that to have revenue there must be taxes; that no taxes can be devised, which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper objects (which is always a choice of difficulties) ought to be a decisive moment for a candid construction of the conduct of the

government in making it, and for a spirit of acquiescence in the measure for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all; religion and morality enjoin this conduct; and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and at no distant period a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt that, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations, and passionate attachment for others, should be excluded: and that in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is, in some degree, a slave. It is a slave to its animosity or to its affection; either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another, disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and untractable, when accidental or trifling occasions of dispute occur. Hence frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill-will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts, through passion, what reason would reject; at other times it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty, of nations has been the victim.

So likewise a passionate attachment of one nation to another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducement or justification. It leads also to concessions to the favorite

nation of privileges denied to others, which is apt doubly to injure the nation making the concessions; by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill-will, and a disposition to retaliate, in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted, or deluded citizens (who devote themselves to the favorite nation) facility to betray, or sacrifice the interest of their own country, without odium; sometimes even with popularity; gilding with the appearance of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the art of seduction, to mislead public opinion, to influence or awe the public councils? Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe me, fellow-citizens), the jealousy of a free people ought to be constantly awake; since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defence against it. Excessive partiality for one foreign nation, and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil, and even second, the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little political connexion as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. There let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interests, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliances with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But, in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves, by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural cause of things; diffusing and diversifying, by gentle means, the streams of commerce, by forcing nothing; establishing, with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinions will permit, but temporary, and liable to be, from time to time, abandoned or varied, as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay, with a portion of its independence, for whatever it may accept under that character; that by such acceptance it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be

no greater error than to expect, or calculate upon, real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations; but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigues, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records, and other evidences of my conduct, must witness to you and the world. To myself, the assurance of my own conscience is, that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 23d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both Houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance, and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe, that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and unity towards other nations.

The inducements of interests, for observing that conduct, will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions,

and to progress, without interruption, to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though, in reviewing the incidents of my administration, I am unconscious of intentional error; I am, nevertheless, too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope, that my country will never come to view them with indulgence; and that, after forty-five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this, as in other things, and actuated by that fervent love towards it which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate, with pleasing expectation, that retreat in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow-citizens, the benign influence of good laws under a free government—the ever favorite object of my heart—and happy reward, as I trust, of our mutual cares, labors, and dangers.

GEORGE WASHINGTON.

United States, 17th of Sept., 1796.

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**1800.—No Federal Platform.**

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**Republican Platform, Philadelphia.**

*Adopted in Congressional Caucus.*

1. An inviolable preservation of the Federal constitution, according to the true sense in which it was adopted by the states, that in which it was advocated by its friends, and not that which its enemies apprehended, who, therefore, became its enemies.

2. Opposition to monarchizing its features by the forms of its administration, with a view to conciliate a transition, first, to a president and senate for life; and, secondly, to an hereditary tenure of those offices, and thus to worm out the elective principle.

3. Preservation to the states of the powers not yielded by them to the Union, and to the legislature of the Union its constitutional share in division of powers; and resistance, therefore, to existing movements for transferring all the powers of the states

to the general government, and all of those of that government to the executive branch.

4. A rigorously frugal administration of the government, and the application of all the possible savings of the public revenue to the liquidation of the public debt; and resistance, therefore, to all measures looking to a multiplication of officers and salaries, merely to create partisans and to augment the public debt, on the principle of its being a public blessing.

5. Reliance for internal defense solely upon the militia, till actual invasion, and for such a naval force only as may be sufficient to protect our coasts and harbors from depredations; and opposition, therefore, to the policy of a standing army in time of peace which may overawe the public sentiment, and to a navy, which, by its own expenses, and the wars in which it will implicate us, will grind us with public burdens and sink us under them.

6. Free commerce with all nations, political connection with none, and little or no diplomatic establishment.

7. Opposition to linking ourselves, by new treaties, with the quarrels of Europe, entering their fields of slaughter to preserve their balance, or joining in the confederacy of kings to war against the principles of liberty.

8. Freedom of religion, and opposition to all maneuvers to bring about a legal ascendancy of one sect over another.

9. Freedom of speech and of the press; and opposition, therefore, to all violations of the constitution, to silence, by force, and not by reason, the complaints or criticisms, just or unjust, of our citizens against the conduct of their public agents.

10. Liberal naturalization laws, under which the well disposed of all nations who may desire to embark their fortunes with us and share with us the public burdens, may have that opportunity, under moderate restrictions, for the development of honest intention, and severe ones to guard against the usurpation of our flag.

11. Encouragement of science and the arts in all their branches, to the end that the American people may perfect their independence of all foreign monopolies, institutions and influences.

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**1801—1811.—No Platforms.**

(No Convention or Caucus held.)

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**1812.—No Republican Platform.**

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**No Federal Platform.**

**Clintonian Platform.**

New York, August 17.

1. Opposition to nominations of chief magistrates by congressional caucuses, as well because such practices are the exercise of undelegated authority, as of their repugnance to the freedom of elections.

2. Opposition to all customs and usages in both the executive and legislative departments which have for their object the maintenance of an official regency to prescribe tenets of political faith, the line of conduct to be deemed fidelity or recreancy to republican principles, and to perpetuate in themselves or families the offices of the Federal government.

3. Opposition to all efforts on the part of particular states to monopolize the principal offices of the government, as well because of their certainty to destroy the harmony which ought to prevail amongst all the constituent parts of the Union, as of their leanings toward a form of oligarchy entirely at variance with the theory of republican government; and, consequently, particular opposition to continuing a citizen of Virginia in the executive office another term, unless she can show that she enjoys a corresponding monopoly of talents and patriotism, after she has been honored with the presidency for twenty out of twenty-four years of our constitutional existence, and when it is obvious that the practice has arrayed the agricultural against the commercial interests of the country.

4. Opposition to continuing public men for long periods in offices of delicate trust and weighty responsibility as the reward of public services, to the detriment of all or any particular interest in, or section of, the country; and, consequently, to the continuance of Mr. Madison in an office which, in view of our pending difficulties with Great Britain, requires an incumbent of greater decision, energy and efficiency.

5. Opposition to the lingering inadequacy of preparation for the war with Great Britain, now about to ensue, and to the measure which allows uninterrupted trade with Spain and Portugal, which, as it can not be carried on under our flag, gives to Great Britain the means of supplying her armies with provisions, of which they would otherwise be destitute, and thus affording aid and comfort to our enemy.

6. Averment of the existing necessity for placing the country in a condition for aggressive action for the conquest of the British American Provinces and for the defence of our coasts and exposed frontiers: and of the propriety of such a levy of taxes as will raise the necessary funds for the emergency.

7. Advocacy of the election of De Witt Clinton as the surest method of relieving the country from all the evils existing and



prospective, for the reason that his great talents and inflexible patriotism guaranty a firm and unyielding maintenance of our national sovereignty, and the protection of those commercial interests which were flagging under the weakness and imbecility of the administration.

**1815.—Resolutions passed by the Hartford Convention, January 4.**

*Resolved*, That it be and is hereby recommended to the legislatures of the several states represented in this convention, to adopt all such measures as may be necessary effectually to protect the citizens of said states from the operation and effects of all acts which have been or may be passed by the Congress of the United States, which shall contain provisions subjecting the militia or other citizens to forcible drafts, conscriptions, or impressments not authorized by the constitution of the United States.

*Resolved*, That it be and is hereby recommended to the said legislatures, to authorize an immediate and an earnest application to be made to the government of the United States, requesting their consent to some arrangement whereby the said states may, separately or in concert, be empowered to assume upon themselves the defense of their territory against the enemy, and a reasonable portion of the taxes collected within said states may be paid into the respective treasuries thereof, and appropriated to the balance due said states and to the future defense of the same. The amount so paid into said treasuries to be credited, and the disbursements made as aforesaid to be charged to the United States.

*Resolved*, That it be and hereby is recommended to the legislatures of the aforesaid states, to pass laws where it has not already been done, authorizing the governors or commanders-in-chief of their militia to make detachments from the same, or to form voluntary corps, as shall be most convenient and conformable to their constitutions, and to cause the same to be well armed, equipped, and held in readiness for service, and upon request of the governor of either of the other states, to employ the whole of such detachment or corps, as well as the regular forces of the state, or such part thereof as may be required, and can be spared consistently with the safety of the state, in assisting the state making such request to repel any invasion thereof which shall be made or attempted by the public enemy.

*Resolved*, That the following amendments of the constitution of the United States be recommended to the states represented as

aforesaid, to be proposed by them for adoption by the state legislatures, and in such cases as may be deemed expedient by a convention chosen by the people of each state. And it is further recommended that the said states shall persevere in their efforts to obtain such amendments, until the same shall be effected.

First. Representatives and direct taxes shall be apportioned among the several states which may be included within this Union, according to their respective numbers of free persons, including those bound to serve for a term of years, and excluding Indians not taxed, and all other persons;

Second. No new state shall be admitted into the Union by Congress, in virtue of the power granted in the constitution, without the concurrence of two-thirds of both houses;

Third. Congress shall not have power to lay an embargo on the ships or vessels of the citizens of the United States, in the ports or harbors thereof, for more than sixty days;

Fourth. Congress shall not have power, without the concurrence of two-thirds of both houses, to interdict the commercial intercourse between the United States and any foreign nation or the dependencies thereof;

Fifth. Congress shall not make nor declare war, nor authorize acts of hostility against any foreign nation, without the concurrence of two-thirds of both houses, except such acts of hostility be in defense of the territories of the United States when actually invaded;

Sixth. No person who shall hereafter be naturalized shall be eligible as a member of the Senate or House of Representatives of the United States, or capable of holding any civil office under the authority of the United States;

Seventh. The same person shall not be elected President of the United States a second time, nor shall the President be elected from the same state two terms in succession.

*Resolved*, That if the application of these states to the government of the United States, recommended in a foregoing resolution, should be unsuccessful, and peace should not be concluded, and the defense of these states should be neglected, as it has been since the commencement of the war, it will, in the opinion of this convention, be expedient for the legislatures of the several states to appoint delegates to another convention, to meet at Boston, in the state of Massachusetts, on the third Monday of June next, with such powers and instructions as the exigency of a crisis so momentous may require.

*Resolved*, That the Honorable George Cabot, the Honorable Chauncey Goodrich, the Honorable Daniel Lyman, or any two of them, be authorized to call another

meeting of this convention, to be holden in Boston at any time before new delegates shall be chosen as recommended in the above resolution, if in their judgment the situation of the country shall urgently require it.

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**From 1813-1829.—No Platforms by either political party, except that at Hartford by Federalists, given above.**

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**1830.—Anti-masonic resolution,**

*Philadelphia, September.*

*Resolved,* That it is recommended to the people of the United States, opposed to secret societies, to meet in convention on Monday, the 26th day of September, 1831, at the city of Baltimore, by delegates equal in number to their representatives in both Houses of Congress, to make nominations of suitable candidates for the offices of President and Vice-President, to be supported at the next election, and for the transaction of such other business as the cause of Anti-Masonry may require.

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**1832.—National Democratic Platform, adopted at a ratification Meeting**

*at Washington City, May 11.*

*Resolved,* That an adequate protection to American industry is indispensable to the prosperity of the country; and that an abandonment of the policy at this period would be attended with consequences ruinous to the best interests of the nation.

*Resolved,* That a uniform system of internal improvements, sustained and supported by the general government, is calculated to secure, in the highest degree, the harmony, the strength and permanency of the republic.

*Resolved,* That the indiscriminate removal of public officers for a mere difference of political opinion, is a gross abuse of power; and that the doctrine lately boldly preached in the United States Senate, that "to the victors belong the spoils of the vanquished," is detrimental to the interests, corrupting to the morals, and dangerous to the liberties of the country.

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**1836.—"Locofoco" Platform,**

*New York, January.*

We hold these truths to be self-evident, that all men are created free and equal; that they are endowed by their Creator with certain inalienable rights, among which are life, liberty, and the pursuit of happiness; that the true foundation of re-

publican government is the equal rights of every citizen in his person and property, and in their management; that the idea is quite unfounded that on entering into society we give up any natural right; that the rightful power of all legislation is to declare and enforce only our natural rights and duties, and to take none of them from us; that no man has the natural right to commit aggressions on the equal rights of another, and this is all from which the law ought to restrain him; that every man is under the natural duty of contributing to the necessities of society, and this all the law should enforce on him; that when the laws have declared and enforced all this, they have fulfilled their functions.

We declare unqualified hostility to bank notes and paper money as a circulating medium, because gold and silver is the only safe and constitutional currency; hostility to any and all monopolies by legislation, because they are violations of equal rights of the people; hostility to the dangerous and unconstitutional creation of vested rights or prerogatives by legislation, because they are usurpations of the people's sovereign rights; no legislative or other authority in the body politic can rightfully, by charter or otherwise, exempt any man or body of men, in any case whatever, from trial by jury and the jurisdiction or operation of the laws which govern the community.

We hold that each and every law or act of incorporation, passed by preceding legislatures, can be rightfully altered and repealed by their successors; and that they should be altered or repealed, when necessary for the public good, or when required by a majority of the people.

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**1836.—Whig Resolutions,**

*Albany, N. Y., February 3.*

*Resolved,* That in support of our cause, we invite all citizens opposed to Martin Van Buren and the Baltimore nominees.

*Resolved,* That Martin Van Buren, by intriguing with the executive to obtain his influence to elect him to the presidency, has set an example dangerous to our freedom and corrupting to our free institutions.

*Resolved,* That the support we render to William H. Harrison is by no means given to him solely on account of his brilliant and successful services as leader of our armies during the last war, but that in him we view also the man of high intellect, the stern patriot, uncontaminated by the machinery of hackneyed politicians—a man of the school of Washington.

*Resolved,* That in Francis Granger we recognize one of our most distinguished fellow-citizens, whose talents we admire,

whose patriotism we trust, and whose principles we sanction.

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**1839.—Abolition Resolution,**

Warsaw, N. Y., November 13.

*Resolved*, That, in our judgment, every consideration of duty and expediency which ought to control the action of Christian freemen, requires of the Abolitionists of the United States to organize a distinct and independent political party, embracing all the necessary means for nominating candidates for office and sustaining them by public suffrage.

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**Abolition Platforms.**

The first national platform of the Abolition party upon which it went into the contest in 1840, favored the abolition of slavery in the District of Columbia and Territories; the inter-state slave-trade, and a general opposition to slavery to the full extent of constitutional power.

In 1848, that portion of the party which did not support the Buffalo nominees took the ground of affirming the constitutional authority and duty of the General Government to abolish slavery in the States.

Under the head of "Buffalo," the platform of the Free Soil party, which nominated Mr. Van Buren, will be found.

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**1840.—Democratic Platform,**

Baltimore, May 5.

*Resolved*, That the Federal government is one of limited powers, derived solely from the constitution, and the grants of power shown therein ought to be strictly construed by all the departments and agents of the government, and that it is inexpedient and dangerous to exercise doubtful constitutional powers.

2. *Resolved*, That the constitution does not confer upon the general government the power to commence and carry on a general system of internal improvements.

3. *Resolved*, That the constitution does not confer authority upon the Federal government, directly or indirectly, to assume the debts of the several states, contracted for local internal improvements or other state purposes; nor would such assumption be just or expedient.

4. *Resolved*, That justice and sound policy forbid the Federal government to foster one branch of industry to the detriment of another, or to cherish the interests of one portion to the injury of another portion of our common country—that every citizen and every section of the country

has a right to demand and insist upon an equality of rights and privileges, and to complete and ample protection of persons and property from domestic violence or foreign aggression.

5. *Resolved*, That it is the duty of every branch of the government to enforce and practice the most rigid economy in conducting our public affairs, and that no more revenue ought to be raised than is required to defray the necessary expenses of the government.

6. *Resolved*, That Congress has no power to charter a United States bank; that we believe such an institution one of deadly hostility to the best interests of the country, dangerous to our republican institutions and the liberties of the people, and calculated to place the business of the country within the control of a concentrated money power, and above the laws and the will of the people.

7. *Resolved*, That Congress has no power under the constitution, to interfere with or control the domestic institutions of the several states; and that such states are the sole and proper judges of everything pertaining to their own affairs, not prohibited by the constitution; that all efforts, by Abolitionists or others, made to induce Congress to interfere with questions of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences, and that all such efforts have an inevitable tendency to diminish the happiness of the people, and endanger the stability and permanence of the Union, and ought not to be countenanced by any friend to our political institutions.

8. *Resolved*, That the separation of the moneys of the government from banking institutions is indispensable for the safety of the funds of the government and the rights of the people.

9. *Resolved*, That the liberal principles embodied by Jefferson in the Declaration of Independence, and sanctioned in the constitution, which makes ours the land of liberty and the asylum of the oppressed of every nation, have ever been cardinal principles in the democratic faith; and every attempt to abridge the present privilege of becoming citizens, and the owners of soil among us, ought to be resisted with the same spirit which swept the alien and sedition laws from our statute book.

*Whereas*, Several of the states which have nominated Martin Van Buren as a candidate for the presidency, have put in nomination different individuals as candidates for Vice-President, thus indicating a diversity of opinion as to the person best entitled to the nomination; and whereas, some of the said states are not represented in this convention; therefore,

*Resolved*, That the convention deem it

expedient at the present time not to choose between the individuals in nomination, but to leave the decision to their republican fellow-citizens in the several states, trusting that before the election shall take place, their opinions will become so concentrated as to secure the choice of a Vice-President by the electoral college.

#### 1843.—Liberty Platform.

Buffalo, August 30.

1. *Resolved*, That human brotherhood is a cardinal principle of true democracy, as well as of pure Christianity, which spurns all inconsistent limitations; and neither the political party which repudiates it, nor the political system which is not based upon it, can be truly democratic or permanent.

2. *Resolved*, That the Liberty party, placing itself upon this broad principle, will demand the absolute and unqualified divorce of the general government from slavery, and also the restoration of equality of rights among men, in every state where the party exists, or may exist.

3. *Resolved*, That the Liberty party has not been organized for any temporary purpose by interested politicians, but has arisen from among the people in consequence of a conviction, hourly gaining ground, that no other party in the country represents the true principles of American liberty, or the true spirit of the constitution of the United States.

4. *Resolved*, That the Liberty party has not been organized merely for the overthrow of slavery; its first decided effort must, indeed, be directed against slaveholding as the grossest and most revolting manifestation of despotism, but it will also carry out the principle of equal rights into all its practical consequences and applications, and support every just measure conducive to individual and social freedom.

5. *Resolved*, That the Liberty party is not a sectional party but a national party; was not originated in a desire to accomplish a single object, but in a comprehensive regard to the great interests of the whole country; is not a new party, nor a third party, but is the party of 1776, reviving the principles of that memorable era, and striving to carry them into practical application.

6. *Resolved*, That it was understood in the times of the declaration and the constitution, that the existence of slavery in some of the states was in derogation of the principles of American liberty, and a deep stain upon the character of the country, and the implied faith of the states and the nation was pledged that slavery should never be extended beyond its then exist-

ing limits, but should be gradually, and yet, at no distant day, wholly abolished by state authority.

7. *Resolved*, That the faith of the states and the nation thus pledged, was most nobly redeemed by the voluntary abolition of slavery in several of the states, and by the adoption of the ordinance of 1787, for the government of the territory north-west of the river Ohio, then the only territory in the United States, and consequently the only territory subject in this respect to the control of Congress, by which ordinance slavery was forever excluded from the vast regions which now compose the states of Ohio, Indiana, Illinois, Michigan, and the territory of Wisconsin, and an incapacity to bear up any other than freemen was impressed on the soil itself.

8. *Resolved*, That the faith of the states and the nation thus pledged, has been shamefully violated by the omission, on the part of many of the states, to take any measures whatever for the abolition of slavery within their respective limits; by the continuance of slavery in the District of Columbia, and in the territories of Louisiana and Florida; by the legislation of Congress; by the protection afforded by national legislation and negotiation to slaveholding in American vessels, on the high seas, employed in the coastwise Slave Traffic; and by the extension of slavery far beyond its original limits, by acts of Congress admitting new slave states into the Union.

9. *Resolved*, That the fundamental truths of the Declaration of Independence, that all men are endowed by their Creator with certain inalienable rights, among which are life, liberty, and the pursuit of happiness, was made the fundamental law of our national government, by that amendment of the constitution which declares that no person shall be deprived of life, liberty, or property, without due process of law.

10. *Resolved*, That we recognize as sound the doctrine maintained by slaveholding jurists, that slavery is against natural rights, and strictly local, and that its existence and continuance rests on no other support than state legislation, and not on any authority of Congress.

11. *Resolved*, That the general government has, under the constitution, no power to establish or continue slavery anywhere, and therefore that all treaties and acts of Congress establishing, continuing or favoring slavery in the District of Columbia, in the territory of Florida, or on the high seas, are unconstitutional, and all attempts to hold men as property within the limits of exclusive national jurisdiction ought to be prohibited by law.

12. *Resolved*, That the provisions of the

constitution of the United States which confers extraordinary political powers on the owners of slaves, and thereby constituting the two hundred and fifty thousand slaveholders in the slave states a privileged aristocracy; and the provisions for the reclamation of fugitive slaves from service, are anti-republican in their character, dangerous to the liberties of the people, and ought to be abrogated.

13. *Resolved*, That the practical operation of the second of these provisions, is seen in the enactment of the act of Congress respecting persons escaping from their masters, which act, if the construction given to it by the Supreme Court of the United States in the case of *Prigg vs. Pennsylvania* be correct, nullifies the habeas corpus acts of all the states, takes away the whole legal security of personal freedom, and ought, therefore, to be immediately repealed.

14. *Resolved*, That the peculiar patronage and support hitherto extended to slavery and slaveholding, by the general government, ought to be immediately withdrawn, and the example and influence of national authority ought to be arrayed on the side of liberty and free labor.

15. *Resolved*, That the practice of the general government, which prevails in the slave states, of employing slaves upon the public works, instead of free laborers, and paying aristocratic masters, with a view to secure or reward political services, is utterly indefensible and ought to be abandoned.

16. *Resolved*, That freedom of speech and of the press, and the right of petition, and the right of trial by jury, are sacred and inviolable; and that all rules, regulations and laws, in derogation of either, are oppressive, unconstitutional, and not to be endured by a free people.

17. *Resolved*, That we regard voting, in an eminent degree, as a moral and religious duty, which, when exercised, should be by voting for those who will do all in their power for immediate emancipation.

18. *Resolved*, That this convention recommend to the friends of liberty in all those free states where any inequality of rights and privileges exists on account of color, to employ their utmost energies to remove all such remnants and effects of the slave system.

*Whereas*, The constitution of these United States is a series of agreements, covenants or contracts between the people of the United States, each with all, and all with each; and,

*Whereas*, It is a principle of universal morality, that the moral laws of the Creator are paramount to all human laws; or, in the language of an Apostle, that "we ought to obey God rather than men;" and,

*Whereas*, The principle of common law—that any contract, covenant, or agreement, to do an act derogatory to natural right, is vitiated and annulled by its inherent immorality—has been recognized by one of the justices of the Supreme Court of the United States, who in a recent case expressly holds that "any contract that rests upon such a basis is void;" and,

*Whereas*, The third clause of the second section of the fourth article of the constitution of the United States, when construed as providing for the surrender of a fugitive slave, does "rest upon such a basis," in that it is a contract to rob a man of a natural right—namely, his natural right to his own liberty—and is therefore absolutely void. Therefore,

19. *Resolved*, That we hereby give it to be distinctly understood by this nation and the world, that, as abolitionists, considering that the strength of our cause lies in its righteousness, and our hope for it in our conformity to the laws of God, and our respect for the rights of man, we owe it to the Sovereign Ruler of the Universe, as a proof of our allegiance to Him, in all our civil relations and offices, whether as private citizens, or public functionaries sworn to support the constitution of the United States, to regard and to treat the third clause of the fourth article of that instrument, whenever applied to the case of a fugitive slave, as utterly null and void, and consequently as forming no part of the constitution of the United States, whenever we are called upon or sworn to support it.

20. *Resolved*, That the power given to Congress by the constitution, to provide for calling out the militia to suppress insurrection, does not make it the duty of the government to maintain slavery by military force, much less does it make it the duty of the citizens to form a part of such military force; when freemen unsheathe the sword it should be to strike for liberty, not for despotism.

21. *Resolved*, That to preserve the peace of the citizens, and secure the blessings of freedom, the legislature of each of the free states ought to keep in force suitable statutes rendering it penal for any of its inhabitants to transport, or aid in transporting from such state, any person sought to be thus transported, merely because subject to the slave laws of any other state; this remnant of independence being accorded to the free states by the decision of the Supreme Court, in the case of *Prigg vs. the state of Pennsylvania*.

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1844.—Whig Platform.

Baltimore, May 1.

1. *Resolved*, That these principles may

be summed as comprising a well-regulated national currency: a tariff for revenue to defray the necessary expenses of the government, and discriminating with special reference to the protection of the domestic labor of the country; the distribution of the proceeds from the sales of the public lands; a single term for the presidency; a reform of executive usurpations; and generally such an administration of the affairs of the country as shall impart to every branch of the public service the greatest practical efficiency, controlled by a well-regulated and wise economy.

#### 1844.—Democratic Platform.

Baltimore, May 27.

Resolutions 1, 2, 3, 4, 5, 6, 7, 8 and 9, of the platform of 1840, were reaffirmed, to which were added the following:

10. *Resolved*, That the proceeds of the public lands ought to be sacredly applied to the national objects specified in the constitution, and that we are opposed to the laws lately adopted, and to any law for the distribution of such proceeds among the states, as alike inexpedient in policy and repugnant to the constitution.

11. *Resolved*, That we are decidedly opposed to taking from the President the qualified veto power by which he is enabled, under restrictions and responsibilities amply sufficient to guard the public interest, to suspend the passage of a bill whose merits can not secure the approval of two-thirds of the Senate and House of Representatives, until the judgment of the people can be obtained thereon, and which has thrice saved the American people from the corrupt and tyrannical domination of the bank of the United States.

12. *Resolved*, That our title to the whole of the territory of Oregon is clear and unquestionable; that no portion of the same ought to be ceded to England or any other power, and that the reoccupation of Oregon and the reannexation of Texas at the earliest practicable period, are great American measures, which this convention recommends to the cordial support of the democracy of the Union.

#### 1848.—Democratic Platform.

Baltimore, May 22.

1. *Resolved*, That the American democracy place their trust in the intelligence, the patriotism, and the discriminating justice of the American people.

2. *Resolved*, That we regard this as a distinctive feature of our political creed, which we are proud to maintain before the world, as the great moral element in a

form of government springing from and upheld by the popular will; and contrast it with the creed and practice of federalism, under whatever name or form, which seeks to palsy the will of the constituent, and which conceives no imposture too monstrous for the popular credulity.

3. *Resolved*, Therefore, that entertaining these views, the Democratic party of this Union, through the delegates assembled in general convention of the states, coming together in a spirit of concord, of devotion to the doctrines and faith of a free representative government, and appealing to their fellow-citizens for the rectitude of their intentions, renew and reassert before the American people, the declaration of principles avowed by them on a former occasion, when, in general convention, they presented their candidates for the popular suffrage.

Resolutions 1, 2, 3 and 4, of the platform of 1840, were reaffirmed.

8. *Resolved*, That it is the duty of every branch of the government to enforce and practice the most rigid economy in conducting our public affairs, and that no more revenue ought to be raised than is required to defray the necessary expenses of the government, and for the gradual but certain extinction of the debt created by the prosecution of a just and necessary war.

Resolution 5, of the platform of 1840, was enlarged by the following:

And that the results of democratic legislation, in this and all other financial measures, upon which issues have been made between the two political parties of the country, have demonstrated to careful and practical men of all parties, their soundness, safety and utility in all business pursuits.

Resolutions 7, 8 and 9, of the platform of 1840, were here inserted.

13. *Resolved*, That the proceeds of the public lands ought to be sacredly applied to the national objects specified in the constitution; and that we are opposed to any law for the distribution of such proceeds among the states as alike inexpedient in policy and repugnant to the constitution.

14. *Resolved*, That we are decidedly opposed to taking from the President the qualified veto power, by which he is enabled, under restrictions and responsibilities amply sufficient to guard the public interests, to suspend the passage of a bill whose merits can not secure the approval of two-thirds of the Senate and House of Representatives, until the judgment of the people can be obtained thereon, and which has saved the American people from the corrupt and tyrannical domination of the Bank of the United States, and from a corrupting system of general internal improvements.

15. *Resolved*, That the war with Mexico, provoked on her part by years of insult and injury, was commenced by her army crossing the Rio Grande, attacking the American troops, and invading our sister state of Texas, and upon all the principles of patriotism and the laws of nations, it is a just and necessary war on our part, in which every American citizen should have shown himself on the side of his country, and neither morally nor physically, by word or by deed, have given "aid and comfort to the enemy."

16. *Resolved*, That we would be rejoiced at the assurance of peace with Mexico, founded on the just principles of indemnity for the past and security for the future; but that while the ratification of the liberal treaty offered to Mexico remains in doubt, it is the duty of the country to sustain the administration and to sustain the country in every measure necessary to provide for the vigorous prosecution of the war, should that treaty be rejected.

17. *Resolved*, That the officers and soldiers who have carried the arms of their country into Mexico, have crowned it with imperishable glory. Their unconquerable courage, their daring enterprise, their unflinching perseverance and fortitude when assailed on all sides by innumerable foes and that more formidable enemy—the diseases of the climate—exalt their devoted patriotism into the highest heroism, and give them a right to the profound gratitude of their country, and the admiration of the world.

18. *Resolved*, That the Democratic National Convention of thirty states composing the American Republic, tender their fraternal congratulations to the National Convention of the Republic of France, now assembled as the free suffrage representative of the sovereignty of thirty-five millions of Republicans, to establish government on those eternal principles of equal rights, for which their La Fayette and our Washington fought side by side in the struggle for our national independence; and we would especially convey to them, and to the whole people of France, our earnest wishes for the consolidation of their liberties, through the wisdom that shall guide their councils, on the basis of a democratic constitution, not derived from the grants or concessions of kings or dynasties, but originating from the only true source of political power recognized in the states of this Union—the inherent and inalienable right of the people, in their sovereign capacity, to make and to amend their forms of government in such manner as the welfare of the community may require.

19. *Resolved*, That in view of the recent development of this grand political truth, of the sovereignty of the people and their capacity and power for self-government,

which is prostrating thrones and erecting republics on the ruins of despotism in the old world, we feel that a high and sacred duty is devolved, with increased responsibility, upon the Democratic party of this country, as the party of the people, to sustain and advance among us constitutional liberty, equality, and fraternity, by continuing to resist all monopolies and exclusive legislation for the benefit of the few at the expense of the many, and by a vigilant and constant adherence to those principles and compromises of the constitution, which are broad enough and strong enough to embrace and uphold the Union as it was, the Union as it is, and the Union as it shall be in the full expansion of the energies and capacity of this great and progressive people.

20. *Resolved*, That a copy of these resolutions be forwarded, through the American minister at Paris, to the National Convention of the Republic of France.

21. *Resolved*, That the fruits of the great political triumph of 1844, which elected James K. Polk and George M. Dallas, President and Vice-President of the United States, have fulfilled the hopes of the democracy of the Union in defeating the declared purposes of their opponents in creating a National Bank; in preventing the corrupt and unconstitutional distribution of the land proceeds from the common treasury of the Union for local purposes; in protecting the currency and labor of the country from ruinous fluctuations, and guarding the money of the country for the use of the people by the establishment of the constitutional treasury; in the noble impulse given to the cause of free trade by the repeal of the tariff of '42, and the creation of the more equal, honest, and productive tariff of 1846; and that, in our opinion, it would be a fatal error to weaken the bands of a political organization by which these great reforms have been achieved, and risk them in the hands of their known adversaries, with whatever delusive appeals they may solicit our surrender of that vigilance which is the only safeguard of liberty.

22. *Resolved*, That the confidence of the democracy of the Union in the principles, capacity, firmness, and integrity of James K. Polk, manifested by his nomination and election in 1844, has been signally justified by the strictness of his adherence to sound democratic doctrines, by the purity of purpose, the energy and ability, which have characterized his administration in all our affairs at home and abroad; that we tender to him our cordial congratulations upon the brilliant success which has hitherto crowned his patriotic efforts, and assure him in advance, that at the expiration of his presidential term he will carry with him

to his retirement, the esteem, respect and admiration of a grateful country.

23. *Resolved*, That this convention hereby present to the people of the United States Lewis Cass, of Michigan, as the candidate of the Democratic party for the office of President, and William O. Butler, of Kentucky, for Vice-President of the United States.

**1848.—Whig Principles Adopted at a Ratification Meeting,**

*Philadelphia, June 9.*

1. *Resolved*, That the Whigs of the United States, here assembled by their representatives, heartily ratify the nominations of General Zachary Taylor as President, and Millard Fillmore as Vice-President, of the United States, and pledge themselves to their support.

2. *Resolved*, That in the choice of General Taylor as the Whig candidate for President, we are glad to discover sympathy with a great popular sentiment throughout the nation—a sentiment which having its origin in admiration of great military success, has been strengthened by the development, in every action and every word, of sound conservative opinions, and of true fidelity to the great example of former days, and to the principles of the constitution as administered by its founders.

3. *Resolved*, That General Taylor, in saying that, had he voted in 1844, he would have voted the Whig ticket, gives us the assurance—and no better is needed from a consistent and truth-speaking man—that his heart was with us at the crisis of our political destiny, when Henry Clay was our candidate, and when not only Whig principles were well defined and clearly asserted, but Whig measures depended on success. The heart that was with us then is with us now, and, we have a soldier's word of honor, and a life of public and private virtue, as the security.

4. *Resolved*, That we look on General Taylor's administration of the government as one conducive of peace, prosperity and union; of peace, because no one better knows, or has greater reason to deplore, what he has seen sadly on the field of victory, the horrors of war, and especially of a foreign and aggressive war; of prosperity, now more than ever needed to relieve the nation from a burden of debt, and restore industry—agricultural, manufacturing, and commercial—to its accustomed and peaceful functions and influences; of union, because we have a candidate whose very position as a southwestern man, reared on the banks of the great stream whose tributaries, natural and artificial, embrace the whole Union, renders the protection of the interests of the whole country his first trust, and whose various duties in past life

have been rendered, not on the soil, or under the flag of any state or section, but over the wide frontier, and under the broad banner of the nation.

5. *Resolved*, That standing, as the Whig party does, on the broad and firm platform of the constitution, braced up by all its inviolable and sacred guarantees and compromises, and cherished in the affections, because protective of the interests of the people, we are proud to have as the exponent of our opinions, one who is pledged to construe it by the wise and generous rules which Washington applied to it, and who has said—and no Whig desires any other assurance—that he will make Washington's administration his model.

6. *Resolved*, That as Whigs and Americans, we are proud to acknowledge our gratitude for the great military services which, beginning at Palo Alto, and ending at Buena Vista, first awakened the American people to a just estimate of him who is now our Whig candidate. In the discharge of a painful duty—for his march into the enemy's country was a reluctant one; in the command of regulars at one time, and volunteers at another, and of both combined; in the decisive though punctual discipline of his camp, where all respected and loved him; in the negotiation of terms for a dejected and desperate enemy; in the exigency of actual conflict when the balance was perilously doubtful—we have found him the same—brave, distinguished, and considerate, no heartless spectator of bloodshed, no trifler with human life or human happiness; and we do not know which to admire most, his heroism in withstanding the assaults of the enemy in the most hopeless fields of Buena Vista—mourning in generous sorrow over the graves of Ringgold, of Clay, of Hardin—or in giving, in the heat of battle, terms of merciful capitulation to a vanquished foe at Monterey, and not being ashamed to avow that he did it to spare women and children, helpless infancy and more helpless age, against whom no American soldier ever wars. Such a military man, whose triumphs are neither remote nor doubtful, whose virtues these trials have tested, we are proud to make our candidate.

7. *Resolved*, That in support of this nomination, we ask our Whig friends throughout the nation to unite, to co-operate zealously, resolutely, with earnestness, in behalf of our candidate, whom calumny can not reach, and with respectful demeanor to our adversaries, whose candidates have yet to prove their claims on the gratitude of the nation.

**1848.—Buffalo Platform.**

*Utica, June 22.*

*Whereas*, We have assembled in convention as a union of freemen, for the sake of



freedom, forgetting all past political difference, in a common resolve to maintain the rights of free labor against the aggression of the slave power, and to secure free soil to a free people; and,

*Whereas*, The political conventions recently assembled at Baltimore and Philadelphia—the one stifling the voice of a great constituency, entitled to be heard in its deliberations, and the other abandoning its distinctive principles for mere availability—have dissolved the national party organization heretofore existing, by nominating for the chief magistracy of the United States, under the slaveholding dictation, candidates, neither of whom can be supported by the opponents of slavery extension, without a sacrifice of consistency, duty, and self-respect; and,

*Whereas*, These nominations so made, furnish the occasion, and demonstrate the necessity of the union of the people under the banner of free democracy, in a solemn and formal declaration of their independence of the slave power, and of their fixed determination to rescue the Federal government from its control,

1. *Resolved, therefore*, That we, the people here assembled, remembering the example of our fathers in the days of the first Declaration of Independence, putting our trust in God for the triumph of our cause, and invoking His guidance in our endeavors to advance it, do now plant ourselves upon the national platform of freedom, in opposition to the sectional platform of slavery.

2. *Resolved*, That slavery in the several states of this Union which recognize its existence, depends upon the state laws alone, which can not be repealed or modified by the Federal government, and for which laws that government is not responsible. We therefore propose no interference by Congress with slavery within the limits of any state.

3. *Resolved*, That the proviso of Jefferson, to prohibit the existence of slavery, after 1800, in all the territories of the United States, southern and northern; the votes of six states and sixteen delegates in Congress of 1784, for the proviso, to three states and seven delegates against it; the actual exclusion of slavery from the Northwestern Territory, by the Ordinance of 1787, unanimously adopted by the states in Congress; and the entire history of that period, clearly show that it was the settled policy of the nation not to extend, nationalize or encourage, but to limit, localize and discourage, slavery; and to this policy, which should never have been departed from, the government ought to return.

4. *Resolved*, That our fathers ordained the constitution of the United States, in order, among other great national objects,

to establish justice, promote the general welfare, and secure the blessings of liberty; but expressly denied to the Federal government, which they created, all constitutional power to deprive any person of life, liberty, or property, without due legal process.

5. *Resolved*, That in the judgment of this convention, Congress has no more power to make a slave than to make a king; no more power to institute or establish slavery than to institute or establish a monarchy; no such power can be found among those specifically conferred by the constitution, or derived by just implication from them.

6. *Resolved*, That it is the duty of the Federal government to relieve itself from all responsibility for the existence or continuance of slavery wherever the government possesses constitutional power to legislate on that subject, and it is thus responsible for its existence.

7. *Resolved*, That the true, and, in the judgment of this convention, the only safe means of preventing the extension of slavery into territory now free, is to prohibit its extension in all such territory by an act of Congress.

8. *Resolved*, That we accept the issue which the slave power has forced upon us; and to their demand for more slave states, and more slave territory, our calm but final answer is, no more slave states and no more slave territory. Let the soil of our extensive domains be kept free for the hardy pioneers of our own land, and the oppressed and banished of other lands, seeking homes of comfort and fields of enterprise in the new world.

9. *Resolved*, That the bill lately reported by the committee of eight in the Senate of the United States, was no compromise, but an absolute surrender of the rights of the non-slaveholders of all the states; and while we rejoice to know that a measure which, while opening the door for the introduction of slavery into the territories now free, would also have opened the door to litigation and strife among the future inhabitants thereof, to the ruin of their peace and prosperity, was defeated in the House of Representatives, its passage, in hot haste, by a majority, embracing several senators who voted in open violation of the known will of their constituents, should warn the people to see to it that their representatives be not suffered to betray them. There must be no more compromises with slavery; if made, they must be repealed.

10. *Resolved*, That we demand freedom and established institutions for our brethren in Oregon, now exposed to hardships, peril, and massacre, by the reckless hostility of the slave power to the establishment of free government and free territo-

ries; and not only for them, but for our brethren in California and New Mexico.

11. *Resolved*, It is due not only to this occasion, but to the whole people of the United States, that we should also declare ourselves on certain other questions of national policy; therefore,

12. *Resolved*, That we demand cheap postage for the people; a retrenchment of the expenses and patronage of the Federal government; the abolition of all unnecessary offices and salaries; and the election by the people of all civil officers in the service of the government, so far as the same may be practicable.

13. *Resolved*, that river and harbor improvements, when demanded by the safety and convenience of commerce with foreign nations, or among the several states, are objects of national concern, and that it is the duty of Congress, in the exercise of its constitutional power, to provide therefor.

14. *Resolved*, That the free grant to actual settlers, in consideration of the expenses they incur in making settlements in the wilderness, which are usually fully equal to their actual cost, and of the public benefits resulting therefrom, of reasonable portions of the public lands, under suitable limitations, is a wise and just measure of public policy, which will promote in various ways the interests of all the states of this Union; and we, therefore, recommend it to the favorable consideration of the American People.

15. *Resolved*, That the obligations of honor and patriotism require the earliest practical payment of the national debt, and we are, therefore, in favor of such a tariff of duties as will raise revenue adequate to defray the expenses of the Federal government, and to pay annual installments of our debt and the interest thereon.

16. *Resolved*, That we inscribe on our banner, "Free Soil, Free Speech, Free Labor, and Free Men," and under it we will fight on, and fight ever, until a triumphant victory shall reward our exertions.

#### 1852.—Democratic Platform.

Baltimore, June 1.

Resolutions 1, 2, 3, 4, 5, 6 and 7, of the platform of 1848, were reaffirmed, to which were added the following:

8. *Resolved*, That it is the duty of every branch of the government to enforce and practice the most rigid economy in conducting our public affairs, and that no more revenue ought to be raised than is required to defray the necessary expenses of the government, and for the gradual but certain extinction of the public debt.

9. *Resolved*, That Congress has no power

to charter a National Bank; that we believe such an institution one of deadly hostility to the best interests of the country, dangerous to our republican institutions and the liberties of the people, and calculated to place the business of the country within the control of a concentrated money power, and that above the laws and will of the people; and that the results of Democratic legislation, in this and all other financial measures, upon which issues have been made between the two political parties of the country, have demonstrated to candid and practical men of all parties, their soundness, safety, and utility, in all business pursuits.

10. *Resolved*, That the separation of the moneys of the government from banking institutions is indispensable for the safety of the funds of the government and the rights of the people.

11. *Resolved*, That the liberal principles embodied by Jefferson in the Declaration of Independence, and sanctioned in the constitution, which makes ours the land of liberty and the asylum of the oppressed of every nation, have ever been cardinal principles in the Democratic faith; and every attempt to abridge the privilege of becoming citizens and the owners of the soil among us, ought to be resisted with the same spirit that swept the alien and sedition laws from our statute books.

12. *Resolved*, That Congress has no power under the constitution to interfere with, or control, the domestic institutions of the several states, and that such states are the sole and proper judges of everything appertaining to their own affairs, not prohibited by the constitution; that all efforts of the Abolitionists or others, made to induce Congress to interfere with questions of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences; and that all such efforts have an inevitable tendency to diminish the happiness of the people, and endanger the stability and permanency of the Union, and ought not to be countenanced by any friend of our political institutions.

13. *Resolved*, That the foregoing proposition covers, and is intended to embrace, the whole subject of slavery agitation in Congress; and therefore the Democratic party of the Union, standing on this national platform, will abide by, and adhere to, a faithful execution of the acts known as the Compromise measures settled by last Congress, "the act for reclaiming fugitives from service labor" included; which act, being designed to carry out an express provision of the constitution, can not, with fidelity thereto, be repealed, nor so changed as to destroy or impair its efficiency.

14. *Resolved*, That the Democratic party

will resist all attempts at renewing in Congress, or out of it, the agitation of the slavery question, under whatever shape or color the attempt may be made.

[Here resolutions 13 and 14, of the platform of 1848, were inserted.]

17. *Resolved*, That the Democratic party will faithfully abide by and uphold the principles laid down in the Kentucky and Virginia resolutions of 1792 and 1798, and in the report of Mr. Madison to the Virginia Legislature in 1799; that it adopts those principles as constituting one of the main foundations of its political creed, and is resolved to carry them out in their obvious meaning and import.

18. *Resolved*, That the war with Mexico, upon all the principles of patriotism and the law of nations, was a just and necessary war on our part, in which no American citizen should have shown himself opposed to his country, and neither morally nor physically, by word or deed, given aid and comfort to the enemy.

19. *Resolved*, That we rejoice at the restoration of friendly relations with our sister Republic of Mexico, and earnestly desire for her all the blessings and prosperity which we enjoy under republican institutions, and we congratulate the American people on the results of that war which have so manifestly justified the policy and conduct of the Democratic party, and insured to the United States indemnity for the past and security for the future.

20. *Resolved*, That, in view of the condition of popular institutions in the old world, a high and sacred duty is devolved with increased responsibility upon the Democracy of this country, as the party of the people, to uphold and maintain the rights of every state, and thereby the union of states, and to sustain and advance among them constitutional liberty, by continuing to resist all monopolies and exclusive legislation for the benefit of the few at the expense of the many, and by a vigilant and constant adherence to those principles and compromises of the constitution which are broad enough and strong enough to embrace and uphold the Union as it is, and the Union as it should be, in the full expansion of the energies and capacity of this great and progressive people.

#### 1852.—Whig Platform.

Baltimore, June 16.

The Whigs of the United States, in convention assembled adhering to the great conservative principles by which they are controlled and governed, and now as ever relying upon the intelligence of the American people, with an abiding confidence in their capacity for self-government and

their devotion to the constitution and the Union, do proclaim the following as the political sentiments and determination for the establishment and maintenance of which their national organization as a party was effected:

First. The government of the United States is of a limited character, and is confined to the exercise of powers expressly granted by the constitution, and such as may be necessary and proper for carrying the granted powers into full execution, and that powers not granted or necessarily implied are reserved to the states respectively and to the people.

Second. The state governments should be held secure to their reserved rights, and the General Government sustained in its constitutional powers, and that the Union should be revered and watched over as the palladium of our liberties.

Third. That while struggling freedom everywhere enlists the warmest sympathy of the Whig party, we still adhere to the doctrines of the Father of his Country, as announced in his Farewell Address, of keeping ourselves free from all entangling alliances with foreign countries, and of never quitting our own to stand upon foreign ground; that our mission as a republic is not to propagate our opinions, or impose on other countries our forms of government, by artifice or force, but to teach by example, and show by our success, moderation and justice, the blessings of self-government, and the advantages of free institutions.

Fourth. That, as the people make and control the government, they should obey its constitution, laws and treaties as they would retain their self-respect and the respect which they claim and will enforce from foreign powers.

Fifth. Governments should be conducted on the principles of the strictest economy; and revenue sufficient for the expenses thereof, in time of peace, ought to be derived mainly from a duty on imports, and not from direct taxes; and on laying such duties sound policy requires a just discrimination, and, when practicable, by specific duties, whereby suitable encouragement may be afforded to American industry, equally to all classes and to all portions of the country.

Sixth. The constitution vests in Congress the power to open and repair harbors, and remove obstructions from navigable rivers, whenever such improvements are necessary for the common defense, and for the protection and facility of commerce with foreign nations or among the states, said improvements being in every instance national and general in their character.

Seventh. The Federal and state governments are parts of one system, alike necessary for the common prosperity, peace and

security, and ought to be regarded alike with a cordial, habitual and immovable attachment. Respect for the authority of each, and acquiescence in the just constitutional measures of each, are duties required by the plainest considerations of national, state and individual welfare.

Eighth. That the series of acts of the 32d Congress, the act known as the Fugitive Slave Law included, are received and acquiesced in by the Whig party of the United States as a settlement in principle and substance of the dangerous and exciting questions which they embrace; and, so far as they are concerned, we will maintain them, and insist upon their strict enforcement, until time and experience shall demonstrate the necessity of further legislation to guard against the evasion of the laws on the one hand and the abuse of their powers on the other—not impairing their present efficiency; and we deprecate all further agitation of the question thus settled, as dangerous to our peace, and will discountenance all efforts to continue or renew such agitation whenever, wherever or however the attempt may be made; and we will maintain the system as essential to the nationality of the Whig party, and the integrity of the Union.

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**1852.—Free-soil Platform.**

*Pittsburg, August 11.*

Having assembled in national convention as the free democracy of the United States, united by a common resolve to maintain right against wrong, and freedom against slavery; confiding in the intelligence, patriotism, and discriminating justice of the American people; putting our trust in God for the triumph of our cause, and invoking His guidance in our endeavors to advance it, we now submit to the candid judgment of all men, the following declaration of principles and measures:

1. That governments, deriving their just powers from the consent of the governed, are instituted among men to secure to all those inalienable rights of life, liberty, and the pursuit of happiness, with which they are endowed by their Creator, and of which none can be deprived by valid legislation, except for crime.

2. That the true mission of American democracy is to maintain the liberties of the people, the sovereignty of the states, and the perpetuity of the Union, by the impartial application of public affairs, without sectional discriminations, of the fundamental principles of human rights, strict justice, and an economical administration.

3. That the Federal government is one of limited powers, derived solely from the

constitution, and the grants of power therein ought to be strictly construed by all the departments and agents of the government, and it is inexpedient and dangerous to exercise doubtful constitutional powers.

4. That the constitution of the United States, ordained to form a more perfect Union, to establish justice, and secure the blessings of liberty, expressly denies to the general government all power to deprive any person of life, liberty, or property, without due process of law; and, therefore, the government, having no more power to make a slave than to make a king, and no more power to establish slavery than to establish a monarchy, should at once proceed to relieve itself from all responsibility for the existence of slavery, wherever it possesses constitutional power to legislate for its extinction.

5. That, to the persevering and importunate demands of the slave power for more slave states, new slave territories, and the nationalization of slavery, our distinct and final answer is—no more slave states, no slave territory, no nationalized slavery, and no national legislation for the extradition of slaves.

6. That slavery is a sin against God, and a crime against man, which no human enactment nor usage can make right; and that Christianity, humanity, and patriotism alike demand its abolition.

7. That the Fugitive Slave Act of 1850 is repugnant to the constitution, to the principles of the common law, to the spirit of Christianity, and to the sentiments of the civilized world; we, therefore, deny its binding force on the American people, and demand its immediate and total repeal.

8. That the doctrine that any human law is a finality, and not subject to modification or repeal, is not in accordance with the creed of the founders of our government, and is dangerous to the liberties of the people.

9. That the acts of Congress, known as the Compromise measures of 1850, by making the admission of a sovereign state contingent upon the adoption of other measures demanded by the special interests of slavery; by their omission to guarantee freedom in the free territories; by their attempt to impose unconstitutional limitations on the powers of Congress and the people to admit new states; by their provisions for the assumption of five millions of the state debt of Texas, and for the payment of five millions more, and the cession of large territory to the same state under menace, as an inducement to the relinquishment of a groundless claim; and by their invasion of the sovereignty of the states and the liberties of the people, through the enactment of an unjust, oppressive, and unconstitutional fugitive

slave law, are proved to be inconsistent with all the principles and maxims of democracy, and wholly inadequate to the settlement of the questions of which they are claimed to be an adjustment.

10. That no permanent settlement of the slavery question can be looked for except in the practical recognition of the truth that slavery is sectional and freedom national; by the total separation of the general government from slavery, and the exercise of its legitimate and constitutional influence on the side of freedom; and by leaving to the states the whole subject of slavery and the extradition of fugitives from service.

11. That all men have a natural right to a portion of the soil; and that as the use of the soil is indispensable to life, the right of all men to the soil is as sacred as their right to life itself.

12. That the public lands of the United States belong to the people and should not be sold to individuals nor granted to corporations, but should be held as a sacred trust for the benefit of the people, and should be granted in limited quantities, free of cost, to landless settlers.

13. That due regard for the Federal constitution, a sound administrative policy, demand that the funds of the general government be kept separate from banking institutions; that inland and ocean postage should be reduced to the lowest possible point; that no more revenue should be raised than is required to defray the strictly necessary expenses of the public service and to pay off the public debt; and that the power and patronage of the government should be diminished by the abolition of all unnecessary offices, salaries and privileges, and by the election of the people of all civil officers in the service of the United States, so far as may be consistent with the prompt and efficient transaction of the public business.

14. That river and harbor improvements, when necessary to the safety and convenience of commerce with foreign nations, or among the several states, are objects of national concern; and it is the duty of Congress, in the exercise of its constitutional powers, to provide for the same.

15. That emigrants and exiles from the old world should find a cordial welcome to homes of comfort and fields of enterprise in the new; and every attempt to abridge their privilege of becoming citizens and owners of soil among us ought to be resisted with inflexible determination.

16. That every nation has a clear right to alter or change its own government, and to administer its own concerns in such manner as may best secure the rights and promote the happiness of the people; and foreign interference with that right is a dangerous violation of the law of nations,

against which all independent governments should protest, and endeavor by all proper means to prevent; and especially is it the duty of the American government, representing the chief republic of the world, to protest against, and by all proper means to prevent, the intervention of kings and emperors against nations seeking to establish for themselves republican or constitutional governments.

17. That the independence of Hayti ought to be recognized by our government, and our commercial relations with it placed on the footing of the most favored nations.

18. That as by the constitution, "the citizens of each state shall be entitled to all the privileges and immunities of citizens in the several states," the practice of imprisoning colored seamen of other states, while the vessels to which they belong lie in port, and refusing the exercise of the right to bring such cases before the Supreme Court of the United States, to test the legality of such proceedings, is a flagrant violation of the constitution, and an invasion of the rights of the citizens of other states, utterly inconsistent with the professions made by the slaveholders, that they wish the provisions of the constitution faithfully observed by every state in the Union.

19. That we recommend the introduction into all treaties hereafter to be negotiated between the United States and foreign nations, of some provision for the amicable settlement of difficulties by a resort to decisive arbitrations.

20. That the free democratic party is not organized to aid either the Whig or Democratic wing of the great slave compromise party of the nation, but to defeat them both; and that repudiating and renouncing both as hopelessly corrupt and utterly unworthy of confidence, the purpose of the Free Democracy is to take possession of the Federal government and administer it for the better protection of the rights and interests of the whole people.

21. That we inscribe on our banner Free Soil, Free Speech, Free Labor, and Free Men, and under it will fight on and fight ever, until a triumphant victory shall reward our exertions.

22. That upon this platform, the convention presents to the American people, as a candidate for the office of President of the United States, John P. Hale, of New Hampshire, and as a candidate for the office of Vice-President of the United States, George W. Julian, of Indiana, and earnestly commend them to the support of all freemen and all parties.

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**1856.—The American Platform.**

*Adopted at Philadelphia February 21.*

1. An humble acknowledgment to the

Supreme Being for His protecting care vouchsafed to our fathers in their successful revolutionary struggle, and hitherto manifested to us, their descendants, in the preservation of the liberties, the independence, and the union of these states.

2. The perpetuation of the Federal Union and constitution, as the palladium of our civil and religious liberties, and the only sure bulwarks of American independence.

3. *Americans must rule America*; and to this end *native-born* citizens should be selected for all state, federal, and municipal offices of government employment, in preference to all others. *Nevertheless,*

4. Persons born of American parents residing temporarily abroad, should be entitled to all the rights of *native-born* citizens.

5. No person should be selected for political station (whether of *native* or *foreign* birth), who recognizes any allegiance or obligation of any description to any foreign prince, potentate, or power, or who refuses to recognize the federal and state constitutions (each within its sphere) as paramount to all other laws, as rules of political action.

6. The unequalled recognition and maintenance of the reserved rights of the several states, and the cultivation of harmony and fraternal good-will between the citizens of the several states, and, to this end, non-interference by Congress with questions appertaining solely to the individual states, and non-intervention by each state with the affairs of any other state.

7. The recognition of the right of *native-born* and *naturalized* citizens of the United States, permanently residing in any territory thereof, to frame their constitution and laws, and to regulate their domestic and social affairs in their own mode, subject only to the provisions of the federal constitution, with the privilege of admission into the Union whenever they have the requisite population for one Representative in Congress: *Provided, always,* that none but those who are citizens of the United States under the constitution and laws thereof, and who have a fixed residence in any such territory, ought to participate in the formation of the constitution or in the enactment of laws for said territory or state.

8. An enforcement of the principles that no state or territory ought to admit others than citizens to the right of suffrage or of holding political offices of the United States.

9. A change in the laws of naturalization, making a continued residence of twenty-one years, of all not heretofore provided for, an indispensable requisite for citizenship hereafter, and excluding all paupers and persons convicted of crime

from landing upon our shores; but no interference with the vested rights of foreigners.

10. Opposition to any union between church and state; no interference with religious faith or worship; and no test-oaths for office.

11. Free and thorough investigation into any and all alleged abuses of public functionaries, and a strict economy in public expenditures.

12. The maintenance and enforcement of all laws constitutionally enacted, until said laws shall be repealed, or shall be declared null and void by competent judicial authority.

13. Opposition to the reckless and unwise policy of the present administration in the general management of our national affairs, and more especially as shown in removing "Americans" (by designation) and conservatives in principle, from office, and placing foreigners and ultraists in their places; as shown in a truckling subserviency to the stronger, and an insolent and cowardly bravado towards the weaker powers; as shown in reopening sectional agitation, by the repeal of the Missouri Compromise; as shown in granting to *unnaturalized* foreigners the right of suffrage in Kansas and Nebraska; as shown in its vacillating course on the Kansas and Nebraska question; as shown in the corruptions which pervade some of the departments of the government; as shown in disgracing meritorious naval officers through prejudice or caprice; and as shown in the blundering mismanagement of our foreign relations.

14. Therefore, to remedy existing evils and prevent the disastrous consequences otherwise resulting therefrom, we would build up the "American Party" upon the principles hereinbefore stated.

15. That each state council shall have authority to amend their several constitutions, so as to abolish the several degrees, and substitute a pledge of honor, instead of other obligations, for fellowship and admission into the party.

16. A free and open discussion of all political principles embraced in our platform.

#### 1856.—Democratic Platform,

*Adopted at Cincinnati, June 6.*

*Resolved,* That the American democracy place their trust in the intelligence, the patriotism, and discriminating justice of the American people.

*Resolved,* That we regard this as a distinctive feature of our political creed, which we are proud to maintain before the world as a great moral element in a form of government springing from and upheld by the popular will; and we con-

trast it with the creed and practice of federalism, under whatever name or form, which seeks to palsy the will of the constituent, and which conceives no imposture too monstrous for the popular credulity.

*Resolved, therefore,* That entertaining these views, the Democratic party of this Union, through their delegates, assembled in general convention, coming together in a spirit of concord, of devotion to the doctrines and faith of a free representative government, and appealing to their fellow citizens for the rectitude of their intentions, renew and reassert, before the American people, the declaration of principles avowed by them, when, on former occasions, in general convention, they have presented their candidates for the popular suffrage.

1. That the Federal government is one of limited power, derived solely from the constitution, and the grants of power made therein ought to be strictly construed by all the departments and agents of the government, and that it is inexpedient and dangerous to exercise doubtful constitutional powers.

2. That the constitution does not confer upon the general government the power to commence and carry on a general system of internal improvements.

3. That the constitution does not confer authority upon the Federal government, directly or indirectly, to assume the debts of the several states, contracted for local and internal improvements or other state purposes; nor would such assumption be just or expedient.

4. That justice and sound policy forbid the Federal government to foster one branch of industry to the detriment of another, or to cherish the interests of one portion of our common country; that every citizen and every section of the country has a right to demand and insist upon an equality of rights and privileges, and a complete and ample protection of persons and property from domestic violence and foreign aggression.

5. That it is the duty of every branch of the government to enforce and practice the most rigid economy in conducting our public affairs, and that no more revenue ought to be raised than is required to defray the necessary expenses of the government and gradual but certain extinction of the public debt.

6. That the proceeds of the public lands ought to be sacredly applied to the national objects specified in the constitution, and that we are opposed to any law for the distribution of such proceeds among the states, as alike inexpedient in policy and repugnant to the constitution.

7. That Congress has no power to charter a national bank; that we believe such an institution one of deadly hostility to

the best interests of this country, dangerous to our republican institutions and the liberties of the people, and calculated to place the business of the country within the control of a concentrated money power and above the laws and will of the people; and the results of the democratic legislation in this and all other financial measures upon which issues have been made between the two political parties of the country, have demonstrated to candid and practical men of all parties their soundness, safety, and utility in all business pursuits.

8. That the separation of the moneys of the government from banking institutions is indispensable to the safety of the funds of the government and the rights of the people.

9. That we are decidedly opposed to taking from the President the qualified veto power, by which he is enabled, under restrictions and responsibilities amply sufficient to guard the public interests, to suspend the passage of a bill whose merits can not secure the approval of two-thirds of the Senate and House of Representatives, until the judgment of the people can be obtained thereon, and which has saved the American people from the corrupt and tyrannical dominion of the Bank of the United States and from a corrupting system of general internal improvements.

10. That the liberal principles embodied by Jefferson in the Declaration of Independence, and sanctioned in the Constitution, which makes ours the land of liberty and the asylum of the oppressed of every nation, have ever been cardinal principles in the democratic faith; and every attempt to abridge the privilege of becoming citizens and owners of soil among us, ought to be resisted with the same spirit which swept the alien and sedition laws from our statute books.

*And whereas,* Since the foregoing declaration was uniformly adopted by our predecessors in national conventions, an adverse political and religious test has been secretly organized by a party claiming to be exclusively Americans, and it is proper that the American democracy should clearly define its relations thereto; and declare its determined opposition to all secret political societies, by whatever name they may be called—

*Resolved,* That the foundation of this union of states having been laid in, and its prosperity, expansion, and pre-eminent example in free government built upon, entire freedom of matters of religious concernment, and no respect of persons in regard to rank or place of birth, no party can justly be deemed national, constitutional, or in accordance with American principles, which bases its exclusive organization upon religious opinions and accidental birth-place. And hence a political

crusade in the nineteenth century, and in the United States of America, against Catholics and foreign-born, is neither justified by the past history or future prospects of the country, nor in unison with the spirit of toleration and enlightened freedom which peculiarly distinguishes the American system of popular government.

*Resolved*, That we reiterate with renewed energy of purpose the well-considered declarations of former conventions upon the sectional issue of domestic slavery, and concerning the reserved rights of the states—

1. That Congress has no power under the constitution to interfere with or control the domestic institutions of the several states, and that all such states are the sole and proper judges of everything appertaining to their own affairs not prohibited by the constitution; that all efforts of the Abolitionists or others, made to induce Congress to interfere with questions of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences, and that all such efforts have an inevitable tendency to diminish the happiness of the people and endanger the stability and permanency of the Union, and ought not to be countenanced by any friend of our political institutions.

2. That the foregoing proposition covers and was intended to embrace the whole subject of slavery agitation in Congress, and therefore the Democratic party of the Union, standing on this national platform, will abide by and adhere to a faithful execution of the acts known as the compromise measures, settled by the Congress of 1850—"the act for reclaiming fugitives from service or labor" included; which act, being designed to carry out an express provision of the constitution, can not, with fidelity thereto, be repealed, or so changed as to destroy or impair its efficiency.

3. That the Democratic party will resist all attempts at renewing in Congress, or out of it, the agitation of the slavery question, under whatever shape or color the attempt may be made.

4. That the Democratic party will faithfully abide by and uphold the principles laid down in the Kentucky and Virginia resolutions of 1792 and 1798, and in the report of Mr. Madison to the Virginia legislature in 1799; that it adopts these principles as constituting one of the main foundations of its political creed, and is resolved to carry them out in their obvious meaning and import.

And that we may more distinctly meet the issue on which a sectional party, subsisting exclusively on slavery agitation, now relies to test the fidelity of the people, north and south, to the constitution and the Union—

1. *Resolved*, That claiming fellowship with and desiring the co-operation of all who regard the preservation of the Union under the constitution as the paramount issue, and repudiating all sectional parties and platforms concerning domestic slavery which seek to embroil the states and incite to treason and armed resistance to law in the territories, and whose avowed purpose, if consummated, must end in civil war and disunion, the American democracy recognize and adopt the principles contained in the organic laws establishing the territories of Nebraska and Kansas, as embodying the only sound and safe solution of the slavery question, upon which the great national idea of the people of this whole country can repose in its determined conservation of the Union, and non-interference of Congress with slavery in the territories or in the District of Columbia.

2. That this was the basis of the compromise of 1850, confirmed by both the Democratic and Whig parties in national conventions, ratified by the people in the election of 1852, and rightly applied to the organization of the territories in 1854.

3. That by the uniform application of the Democratic principle to the organization of territories and the admission of new states, with or without domestic slavery, as they may elect, the equal rights of all the states will be preserved intact, the original compacts of the constitution maintained inviolate, and the perpetuity and expansion of the Union insured to its utmost capacity of embracing, in peace and harmony, every future American state that may be constituted or annexed with a republican form of government.

*Resolved*, That we recognize the right of the people of all the territories, including Kansas and Nebraska, acting through the legally and fairly expressed will of the majority of the actual residents, and whenever the number of their inhabitants justifies it, to form a constitution, with or without domestic slavery, and be admitted into the Union upon terms of perfect equality with the other states.

*Resolved, finally*, That in view of the condition of the popular institutions in the old world (and the dangerous tendencies of sectional agitation, combined with the attempt to enforce civil and religious disabilities against the rights of acquiring and enjoying citizenship in our own land), a high and sacred duty is devolved, with increased responsibility, upon the Democratic party of this country, as the party of the Union, to uphold and maintain the rights of every state, and thereby the union of the states, and to sustain and advance among us constitutional liberty, by continuing to resist all monopolies and exclusive legislation for the benefit of the few at the expense of the many, and by a vigi-



lant and constant adherence to those principles and compromises of the constitution which are broad enough and strong enough to embrace and uphold the Union as it was, the Union as it is, and the Union as it shall be, in the full expression of the energies and capacity of this great and progressive people.

1. *Resolved*, That there are questions connected with the foreign policy of this country which are inferior to no domestic questions whatever. The time has come for the people of the United States to declare themselves in favor of free seas and progressive free trade throughout the world, and, by solemn manifestations, to place their moral influence at the side of their successful example.

2. *Resolved*, That our geographical and political position with reference to the other states of this continent, no less than the interest of our commerce and the development of our growing power, requires that we should hold sacred the principles involved in the Monroe doctrine. Their bearing and import admit of no misconstruction, and should be applied with unbending rigidity.

3. *Resolved*, That the great highway which nature, as well as the assent of states most immediately interested in its maintenance, has marked out for free communication between the Atlantic and Pacific oceans, constitutes one of the most important achievements realized by the spirit of modern times, in the unconquerable energy of our people; and that result would be secured by a timely and efficient exertion of the control which we have the right to claim over it; and no power on earth should be suffered to impede or clog its progress by any interference with relations that may suit our policy to establish between our government and the governments of the states within whose dominions it lies; we can under no circumstances surrender our preponderance in the adjustment of all questions arising out of it.

4. *Resolved*, That in view of so commanding an interest, the people of the United States cannot but sympathize with the efforts which are being made by the people of Central America to regenerate that portion of the continent which covers the passage across the inter-oceanic isthmus.

5. *Resolved*, That the Democratic party will expect of the next administration that every proper effort be made to insure our ascendancy in the Gulf of Mexico, and to maintain permanent protection to the great outlets through which are emptied into its waters the products raised out of the soil and the commodities created by the industry of the people of our western valleys and of the Union at large.

6. *Resolved*, That the administration of Franklin Pierce has been true to Demo-

cratic principles, and, therefore, true to the great interests of the country; in the face of violent opposition, he has maintained the laws at home and vindicated the rights of American citizens abroad, and, therefore, we proclaim our unqualified admiration of his measures and policy.

#### 1856.—Republican Platform,

*Adopted at Philadelphia, June 17.*

This convention of delegates, assembled in pursuance of a call addressed to the people of the United States, without regard to past political differences or divisions, who are opposed to the repeal of the Missouri Compromise, to the policy of the present administration, to the extension of slavery into free territory; in favor of admitting Kansas as a free state, of restoring the action of the Federal government to the principles of Washington and Jefferson; and who purpose to unite in presenting candidates for the offices of President and Vice-President, do resolve as follows:

*Resolved*, That the maintenance of the principles promulgated in the Declaration of Independence, and embodied in the federal constitution, is essential to the preservation of our Republican institutions, and that the federal constitution, the rights of the states, and the union of the states, shall be preserved.

*Resolved*, That with our republican fathers we hold it to be a self-evident truth that all men are endowed with the inalienable rights to life, liberty, and the pursuit of happiness, and that the primary object and ulterior design of our Federal government were, to secure these rights to all persons within its exclusive jurisdiction; that as our republican fathers, when they had abolished slavery in all our national territory, ordained that no person should be deprived of life, liberty, or property, without due process of law, it becomes our duty to maintain this provision of the constitution against all attempts to violate it for the purpose of establishing slavery in any territory of the United States, by positive legislation, prohibiting its existence or extension therein. That we deny the authority of Congress, of a territorial legislature, of any individual or association of individuals, to give legal existence to slavery in any territory of the United States, while the present constitution shall be maintained.

*Resolved*, That the constitution confers upon Congress sovereign power over the territories of the United States for their government, and that in the exercise of this power it is both the right and the imperative duty of Congress to prohibit in the territories those twin relics of barbarism—polygamy and slavery.

*Resolved*, That while the constitution of the United States was ordained and established, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty, and contains ample provisions for the protection of the life, liberty, and property of every citizen, the dearest constitutional rights of the people of Kansas have been fraudulently and violently taken from them; their territory has been invaded by an armed force; spurious and pretended legislative, judicial, and executive officers have been set over them, by whose usurped authority, sustained by the military power of the government, tyrannical and unconstitutional laws have been enacted and enforced; the rights of the people to keep and bear arms have been infringed; test oaths of an extraordinary and entangling nature have been imposed, as a condition of exercising the right of suffrage and holding office; the right of an accused person to a speedy and public trial by an impartial jury has been denied; the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, has been violated; they have been deprived of life, liberty, and property without due process of law; that the freedom of speech and of the press has been abridged; the right to choose their representatives has been made of no effect; murders, robberies, and arsons have been instigated or encouraged, and the offenders have been allowed to go unpunished; that all these things have been done with the knowledge, sanction, and procurement of the present national administration; and that for this high crime against the constitution, the Union, and humanity, we arraign the administration, the President, his advisers, agents, supporters, apologists, and accessories, either before or after the facts, before the country and before the world; and that it is our fixed purpose to bring the actual perpetrators of these atrocious outrages, and their accomplices, to a sure and condign punishment hereafter.

*Resolved*, That Kansas should be immediately admitted as a state of the Union with her present free constitution, as at once the most effectual way of securing to her citizens the enjoyment of the rights and privileges to which they are entitled, and of ending the civil strife now raging in her territory.

*Resolved*, That the highwayman's plea that "might makes right," embodied in the Ostend circular, was in every respect unworthy of American diplomacy, and would bring shame and dishonor upon any government or people that gave it their sanction.

*Resolved*, That a railroad to the Pacific

ocean, by the most central and practicable route, is imperatively demanded by the interests of the whole country, and that the Federal government ought to render immediate and efficient aid in its construction, and, as an auxiliary thereto, the immediate construction of an emigrant route on the line of the railroad.

*Resolved*, That appropriations of Congress for the improvement of rivers and harbors of a national character, required for the accommodation and security of our existing commerce, are authorized by the constitution, and justified by the obligation of government to protect the lives and property of its citizens.

*Resolved*, That we invite the affiliation and co-operation of the men of all parties, however differing from us in other respects, in support of the principles herein declared; and believing that the spirit of our institutions, as well as the constitution of our country, guarantees liberty of conscience and equality of rights among citizens, we oppose all proscriptive legislation affecting their security.

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#### 1856.—Whig Platform.

Baltimore, September 13.

*Resolved*, That the Whigs of the United States, now here assembled, hereby declare their reverence for the constitution of the United States, their unalterable attachment to the National Union, and a fixed determination to do all in their power to preserve them for themselves and their posterity. They have no new principles to announce; no new platform to establish; but are content to broadly rest—where their fathers rested—upon the constitution of the United States, wishing no safer guide, no higher law.

*Resolved*, That we regard with the deepest interest and anxiety the present disordered condition of our national affairs—a portion of the country ravaged by civil war, large sections of our population embittered by mutual recriminations; and we distinctly trace these calamities to the culpable neglect of duty by the present national administration.

*Resolved*, That the government of the United States was formed by the conjunction in political unity of wide-spread geographical sections, materially differing, not only in climate and products, but in social and domestic institutions; and that any cause that shall permanently array the different sections of the Union in political hostility and organize parties founded only on geographical distinctions, must inevitably prove fatal to a continuance of the National Union.

*Resolved*, That the Whigs of the United States declare, as a fundamental article of

political faith, an absolute necessity for avoiding geographical parties. The danger, so clearly discerned by the Father of his Country, has now become fearfully apparent in the agitation now convulsing the nation, and must be arrested at once if we would preserve our constitution and our Union from dismemberment, and the name of America from being blotted out from the family of civilized nations.

*Resolved*, That all who revere the constitution and the Union, must look with alarm at the parties in the field in the present presidential campaign—one claiming only to represent sixteen northern states, and the other appealing mainly to the passions and prejudices of the southern states; that the success of either faction must add fuel to the flame which now threatens to wrap our dearest interests in a common ruin.

*Resolved*, That the only remedy for an evil so appalling is to support a candidate pledged to neither of the geographical sections nor arrayed in political antagonism, but holding both in a just and equal regard. We congratulate the friends of the Union that such a candidate exists in Millard Fillmore.

*Resolved*, That, without adopting or referring to the peculiar doctrines of the party which has already selected Mr. Fillmore as a candidate, we look to him as a well tried and faithful friend of the constitution and the Union, eminent alike for his wisdom and firmness—for his justice and moderation in our foreign relations—calm and pacific temperament, so well becoming the head of a great nation—for his devotion to the constitution in its true spirit—his inflexibility in executing the laws but, beyond all these attributes, in possessing the one transcendent merit of being a representative of neither of the two sectional parties now struggling for political supremacy.

*Resolved*, That, in the present exigency of political affairs, we are not called upon to discuss the subordinate questions of administration in the exercising of the constitutional powers of the government. It is enough to know that civil war is raging, and that the Union is in peril; and we proclaim the conviction that the restoration of Mr. Fillmore to the presidency will furnish the best if not the only means of restoring peace.

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#### 1860.—Constitutional Union Platform.

*Baltimore, May 9.*

*Whereas*, Experience has demonstrated that platforms adopted by the partisan conventions of the country have had the effect to mislead and deceive the people,

and at the same time to widen the political divisions of the country, by the creation and encouragement of geographical and sectional parties; therefore,

*Resolved*, That it is both the part of patriotism and of duty to recognize no political principles other than THE CONSTITUTION OF THE COUNTRY, THE UNION OF THE STATES, AND THE ENFORCEMENT OF THE LAWS; and that as representatives of the Constitutional Union men of the country, in national convention assembled, we hereby pledge ourselves to maintain, protect, and defend, separately and unitedly, these great principles of public liberty and national safety against all enemies at home and abroad, believing that thereby peace may once more be restored to the country, the rights of the people and of the states re-established, and the government again placed in that condition of justice, fraternity, and equality, which, under the example and constitution of our fathers, has solemnly bound every citizen of the United States to maintain a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.

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#### 1860.—Republican Platform,

*Chicago, May 17.*

*Resolved*, That we, the delegated representatives of the Republican electors of the United States, in convention assembled, in discharge of the duty we owe to our constituents and our country, unite in the following declarations:

1. That the history of the nation, during the last four years, has fully established the propriety and necessity of the organization and perpetuation of the Republican party, and that the causes which called it into existence are permanent in their nature, and now, more than ever before, demand its peaceful and constitutional triumph.

2. That the maintenance of the principles promulgated in the Declaration of Independence and embodied in the federal constitution, "That all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed," is essential to the preservation of our republican institutions; and that the federal constitution, the rights of the states, and the union of the states, must and shall be preserved.

3. That to the union of the states this nation owes its unprecedented increase in population, its surprising development of

material resources, its rapid augmentation of wealth, its happiness at home and its honor abroad; and we hold in abhorrence all schemes for disunion, come from whatever source they may; and we congratulate the country that no Republican member of Congress has uttered or countenanced the threats of disunion so often made by Democratic members, without rebuke and with applause from their political associates; and we denounce those threats of disunion, in case of a popular overthrow of their ascendancy, as denying the vital principles of a free government, and as an avowal of contemplated treason, which it is the imperative duty of an indignant people sternly to rebuke and forever silence.

4. That the maintenance inviolate of the rights of the states, and especially the right of each state to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of powers on which the perfection and endurance of our political fabric depends; and we denounce the lawless invasion, by armed force, of the soil of any state or territory, no matter under what pretext, as among the gravest of crimes.

5. That the present Democratic administration has far exceeded our worst apprehensions, in its measureless subserviency to the exactions of a sectional interest, as especially evinced in its desperate exertions to force the infamous Lecompton constitution upon the protesting people of Kansas; in construing the personal relations between master and servant to involve an unqualified property in persons; in its attempted enforcement, everywhere, on land and sea, through the intervention of Congress and of the federal courts, of the extreme pretensions of a purely local interest; and in its general and unvarying abuse of the power entrusted to it by a confiding people.

6. That the people justly view with alarm the reckless extravagance which pervades every department of the Federal government; that a return to rigid economy and accountability is indispensable to arrest the systematic plunder of the public treasury by favored partisans; while the recent startling developments of frauds and corruptions at the federal metropolis, show that an entire change of administration is imperatively demanded.

7. That the new dogma, that the constitution, of its own force, carries slavery into any or all of the territories of the United States, is a dangerous political heresy, at variance with the explicit provisions of that instrument itself, with contemporaneous exposition, and with legislative and judicial precedent—is revolutionary in its tendency, and subversive of the peace and harmony of the country.

8. That the normal condition of all the

territory of the United States is that of freedom; that as our republican fathers, when they had abolished slavery in all our national territory, ordained that "no person shall be deprived of life, liberty, or property, without due process of law," it becomes our duty, by legislation, whenever such legislation is necessary, to maintain this provision of the constitution against all attempts to violate it; and we deny the authority of Congress, of a territorial legislature, or of any individuals, to give legal existence to slavery in any territory of the United States.

9. That we brand the recent reopening of the African slave trade, under the cover of our national flag, aided by perversions of judicial power, as a crime against humanity and a burning shame to our country and age; and we call upon Congress to take prompt and efficient measures for the total and final suppression of that execrable traffic.

10. That in the recent vetoes, by their federal governors, of the acts of the legislatures of Kansas and Nebraska, prohibiting slavery in those territories, we find a practical illustration of the boasted Democratic principle of non-intervention and popular sovereignty, embodied in the Kansas-Nebraska bill, and a demonstration of the deception and fraud involved therein.

11. That Kansas should, of right, be immediately admitted as a state under the constitution recently formed and adopted by her people, and accepted by the House of Representatives.

12. That, while providing revenue for the support of the general government by duties upon imports, sound policy requires such an adjustment of these imports as to encourage the development of the industrial interest of the whole country; and we commend that policy of national exchanges which secures to the working men liberal wages, to agriculture remunerative prices, to mechanics and manufacturers an adequate reward for their skill, labor, and enterprise, and to the nation commercial prosperity and independence.

13. That we protest against any sale or alienation to others of the public lands held by actual settlers, and against any view of the homestead policy which regards the settlers as paupers or suppliants for public bounty; and we demand the passage by Congress of the complete and satisfactory homestead measure which has already passed the House.

14. That the republican party is opposed to any change in our naturalization laws, or any state legislation by which the rights of citizenship hitherto accorded to immigrants from foreign lands shall be abridged or impaired; and in favor of giving a full and efficient protection to the rights of all

classes of citizens, whether native or naturalized, both at home and abroad.

15. That appropriations by Congress for river and harbor improvements of a national character, required for the accommodation and security of an existing commerce, are authorized by the constitution and justified by the obligations of government to protect the lives and property of its citizens.

16. That a railroad to the Pacific ocean is imperatively demanded by the interest of the whole country; that the Federal government ought to render immediate and efficient aid in its construction; and that as preliminary thereto, a daily overland mail should be promptly established.

17. Finally, having thus set forth our distinctive principles and views, we invite the co-operation of all citizens, however differing on other questions, who substantially agree with us in their affirmance and support.

#### 1860.—Democratic (Douglas) Platform,

*Charleston, April 23, and Baltimore, June 18.*

1. *Resolved*, That we, the Democracy of the Union, in convention assembled, hereby declare our affirmance of the resolutions unanimously adopted and declared as a Platform of principles by the Democratic convention at Cincinnati, in the year 1856, believing that democratic principles are unchangeable in their nature when applied to the same subject-matters; and we recommend, as the only further resolutions, the following:

Inasmuch as differences of opinion exist in the Democratic party as to the nature and extent of the powers of a territorial legislature, and as to the powers and duties of Congress, under the constitution of the United States, over the institution of slavery within the territories:

2. *Resolved*, That the Democratic party will abide by the decisions of the Supreme Court of the United States on the questions of constitutional law.

3. *Resolved*, That it is the duty of the United States to afford ample and complete protection to all its citizens, whether at home or abroad, and whether native or foreign.

4. *Resolved*, That one of the necessities of the age, in a military, commercial, and postal point of view, is speedy communication between the Atlantic and Pacific states; and the Democratic party pledge such constitutional government aid as will insure the construction of a railroad to the Pacific coast at the earliest practicable period.

5. *Resolved*, That the Democratic party are in favor of the acquisition of the island of Cuba, on such terms as shall be honorable to ourselves and just to Spain.

6. *Resolved*, That the enactments of state legislatures to defeat the faithful execution of the Fugitive Slave Law are hostile in character, subversive of the constitution, and revolutionary in their effect.

7. *Resolved*, That it is in accordance with the true interpretation of the Cincinnati platform, that, during the existence of the territorial governments, the measure of restriction, whatever it may be, imposed by the federal constitution on the power of the territorial legislature over the subject of domestic relations, as the same has been, or shall hereafter be, finally determined by the Supreme Court of the United States, shall be respected by all good citizens, and enforced with promptness and fidelity by every branch of the general government.

#### 1860.—Democratic (Breckinridge) Platform.

*Charleston and Baltimore.*

*Resolved*, That the platform adopted by the Democratic party at Cincinnati be affirmed, with following explanatory resolutions:

1. That the government of a territory, organized by an act of Congress, is provisional and temporary; and, during its existence, all citizens of the United States have an equal right to settle, with their property, in the territory, without their rights, either of person or property, being destroyed or impaired by congressional or territorial legislation.

2. That it is the duty of the Federal government, in all its departments, to protect, when necessary, the rights of persons and property in the territories, and wherever else its constitutional authority extends.

3. That when the settlers in a territory having an adequate population form a state constitution in pursuance of law, the right of sovereignty commences, and, being consummated by admission into the Union, they stand on an equal footing with the people of other states, and the state thus organized ought to be admitted into the Federal Union, whether its constitution prohibits or recognizes the institution of slavery.

4. That the Democratic party are in favor of the acquisition of the island of Cuba, on such terms as shall be honorable to ourselves and just to Spain, at the earliest practicable moment.

5. That the enactments of state legislatures to defeat the faithful execution of the Fugitive Slave Law are hostile in character, subversive of the constitution, and revolutionary in their effect.

6. That the Democracy of the United States recognize it as the imperative duty of this government to protect the natural-

ized citizen in all his rights, whether at home or in foreign lands, to the same extent as its native-born citizens.

*Whereas*, One of the greatest necessities of the age, in a political, commercial, postal, and military point of view, is a speedy communication between the Pacific and Atlantic coasts; therefore, be it

*Resolved*, That the Democratic party do hereby pledge themselves to use every means in their power to secure the passage of some bill, to the extent of the constitutional authority of Congress, for the construction of a Pacific railroad from the Mississippi river to the Pacific ocean, at the earliest practicable moment.

#### 1864.—Radical Platform.

*Cleveland, May 31.*

1. That the Federal Union shall be preserved.

2. That the constitution and laws of the United States must be observed and obeyed.

3. That the Rebellion must be suppressed by force of arms, and without compromise.

4. That the rights of free speech, free press and the *habeas corpus* be held inviolate, save in districts where martial law has been proclaimed.

5. That the Rebellion has destroyed slavery; and the federal constitution should be so amended as to prohibit its re-establishment, and to secure to all men absolute equality before the law.

6. That integrity and economy are demanded, at all times in the administration of the government, and that in time of war the want of them is criminal.

7. That the right of asylum, except for crime and subject to law, is a recognized principle of American liberty; and that any violation of it can not be overlooked, and must not go unrebuked.

8. That the national policy known as the "Monroe Doctrine" has become a recognized principle; and that the establishment of an anti-republican government on this continent by any foreign power can not be tolerated.

9. That the gratitude and support of the nation are due to the faithful soldiers and the earnest leaders of the Union army and navy, for their heroic achievements and deathless valor in defense of our imperiled country and of civil liberty.

10. That the one-term policy for the presidency, adopted by the people, is strengthened by the force of the existing crisis, and should be maintained by constitutional amendment.

11. That the constitution should be so amended that the President and Vice-

President shall be elected by a direct vote of the people.

12. That the question of the reconstruction of the rebellious states belongs to the people, through their representatives in Congress, and not to the Executive.

13. That the confiscation of the lands of the rebels, and their distribution among the soldiers and actual settlers, is a measure of justice.

#### 1864.—Republican Platform.

*Baltimore, June 7.*

*Resolved*, That it is the highest duty of every American citizen to maintain, against all their enemies, the integrity of the union and the paramount authority of the constitution and laws of the United States; and that, laying aside all differences of political opinions, we pledge ourselves, as Union men, animated by a common sentiment and aiming at a common object, to do everything in our power to aid the government in quelling, by force of arms, the Rebellion now raging against its authority, and in bringing to the punishment due to their crimes the rebels and traitors arrayed against it.

*Resolved*, That we approve the determination of the government of the United States not to compromise with rebels, nor to offer them any terms of peace, except such as may be based upon an "unconditional surrender" of their hostility and a return to their allegiance to the constitution and laws of the United States; and that we call upon the government to maintain this position, and to prosecute the war with the utmost possible vigor to the complete suppression of the Rebellion, in full reliance upon the self-sacrificing patriotism, the heroic valor, and the undying devotion of the American people to the country and its free institutions.

*Resolved*, That as slavery was the cause, and now constitutes the strength, of this Rebellion, and as it must be always and everywhere hostile to the principles of republican government, justice and the national safety demand its utter and complete extirpation from the soil of the Republic; and that we uphold and maintain the acts and proclamations by which the government, in its own defense, has aimed a death-blow at the gigantic evil. We are in favor, furthermore, of such an amendment to the constitution, to be made by the people in conformity with its provisions, as shall terminate and forever prohibit the existence of slavery within the limits or the jurisdiction of the United States.

*Resolved*, That the thanks of the American people are due to the soldiers and sailors of the army and navy, who have periled their lives in defense of their

country and in vindication of the honor of its flag; that the nation owes to them some permanent recognition of their patriotism and their valor, and ample and permanent provision for those of their survivors who have received disabling and honorable wounds in the service of the country; and that the memories of those who have fallen in its defense shall be held in grateful and everlasting remembrance.

*Resolved*, That we approve and applaud the practical wisdom, the unselfish patriotism, and the unswerving fidelity to the constitution and the principles of American liberty with which Abraham Lincoln has discharged, under circumstances of unparalleled difficulty, the great duties and responsibilities of the presidential office; that we approve and indorse, as demanded by the emergency and essential to the preservation of the nation, and as within the provisions of the constitution, the measures and acts which he has adopted to defend the nation against its open and secret foes; that we approve, especially, the Proclamation of Emancipation, and the employment, as Union soldiers, of men heretofore held in slavery; and that we have full confidence in his determination to carry these, and all other constitutional measures essential to the salvation of the country, into full and complete effect.

*Resolved*, That we deem it essential to the general welfare that harmony should prevail in the national councils, and we regard as worthy of public confidence and official trust those only who cordially indorse the principles proclaimed in these resolutions, and which should characterize the administration of the government.

*Resolved*, That the government owes to all men employed in its armies, without regard to distinction of color, the full protection of the laws of war; and that any violation of these laws, or of the usages of civilized nations in the time of war, by the rebels now in arms, should be made the subject of prompt and full redress.

*Resolved*, That foreign immigration, which in the past has added so much to the wealth, development of resources, and increase of power to this nation—the asylum of the oppressed of all nations—should be fostered and encouraged by a liberal and just policy.

*Resolved*, That we are in favor of the speedy construction of the railroad to the Pacific coast.

*Resolved*, That the national faith, pledged for the redemption of the public debt, must be kept inviolate; and that, for this purpose, we recommend economy and rigid responsibility in the public expenditures and a vigorous and just system of taxation; and that it is the duty of every loyal

state to sustain the credit and promote the use of the national currency.

*Resolved*, That we approve the position taken by the government, that the people of the United States can never regard with indifference the attempt of any European power to overthrow by force, or to supplant by fraud, the institutions of any republican government on the western continent, and that they will view with extreme jealousy, as menacing to the peace and independence of this, our country, the efforts of any such power to obtain new footholds for monarchical governments, sustained by a foreign military force, in near proximity to the United States.

#### 1864.—Democratic Platform.

Chicago, August 29.

*Resolved*, That in the future, as in the past, we will adhere with unswerving fidelity to the Union under the constitution, as the only solid foundation of our strength, security, and happiness as a people, and as a frame-work of government equally conducive to the welfare and prosperity of all the states, both northern and southern.

*Resolved*, That this convention does explicitly declare, as the sense of the American people, that after four years of failure to restore the Union by the experiment of war, during which, under the pretense of a military necessity of a war power higher than the constitution, the constitution itself has been disregarded in every part, and public liberty and private right alike trodden down, and the material prosperity of the country essentially impaired, justice, humanity, liberty, and the public welfare demand that immediate efforts be made for a cessation of hostilities, with a view to an ultimate convention of all the states, or other peaceable means, to the end that, at the earliest practicable moment, peace may be restored on the basis of the federal union of all the states.

*Resolved*, That the direct interference of the military authority of the United States in the recent elections held in Kentucky, Maryland, Missouri, and Delaware, was a shameful violation of the constitution; and the repetition of such acts in the approaching election will be held as revolutionary, and resisted with all the means and power under our control.

*Resolved*, That the aim and object of the Democratic party is to preserve the Federal Union and the rights of the states unimpaired; and they hereby declare that they consider the administrative usurpation of extraordinary and dangerous powers not granted by the constitution, the subversion of the civil by the military law in states not in insurrection, the arbitrary

military arrest, imprisonment, trial, and sentence of American citizens in states where civil law exists in full force, the suppression of freedom of speech and of the press, the denial of the right of asylum, the open and avowed disregard of state rights, the employment of unusual test-oaths, and the interference with and denial of the right of the people to bear arms in their defense, as calculated to prevent a restoration of the Union and the perpetuation of a government deriving its just powers from the consent of the governed.

*Resolved*, That the shameful disregard of the administration to its duty in respect to our fellow-citizens who now are, and long have been, prisoners of war, in a suffering condition, deserves the severest reprobation, on the score alike of public policy and common humanity.

*Resolved*, That the sympathy of the Democratic party is heartily and earnestly extended to the soldiery of our army and the sailors of our navy, who are and have been in the field and on the sea under the flag of their country; and, in the event of our attaining power, they will receive all the care and protection, regard and kindness, that the brave soldiers of the Republic have so nobly earned.

#### 1868. Republican Platform.

Chicago, May 20.

1. We congratulate the country on the assured success of the reconstruction policy of Congress, as evinced by the adoption, in the majority of the states lately in rebellion, of constitutions securing equal civil and political rights to all; and it is the duty of the government to sustain those institutions and to prevent the people of such states from being remitted to a state of anarchy.

2. The guarantee by Congress of equal suffrage to all loyal men at the south was demanded by every consideration of public safety, of gratitude, and of justice, and must be maintained; while the question of suffrage in all the loyal states properly belongs to the people of those states.

3. We denounce all forms of repudiation as a national crime; and the national honor requires the payment of the public indebtedness in the uttermost good faith to all creditors at home and abroad, not only according to the letter but the spirit of the laws under which it was contracted.

4. It is due to the labor of the nation that taxation should be equalized and reduced as rapidly as the national faith will permit.

5. The national debt, contracted as it

has been for the preservation of the Union for all time to come, should be extended over a fair period for redemption; and it is the duty of Congress to reduce the rate of interest thereon whenever it can be honestly done.

6. That the best policy to diminish our burden of debts is to so improve our credit that capitalists will seek to loan us money at lower rates of interest than we now pay, and must continue to pay, so long as repudiation, partial or total, open or covert, is threatened or suspected.

7. The government of the United States should be administered with the strictest economy; and the corruptions which have been so shamefully nursed and fostered by Andrew Johnson call loudly for radical reform.

8. We profoundly deplore the tragic death of Abraham Lincoln, and regret the accession to the presidency of Andrew Johnson, who has acted treacherously to the people who elected him and the cause he was pledged to support; who has usurped high legislative and judicial functions; who has refused to execute the laws; who has used his high office to induce other officers to ignore and violate the laws; who has employed his executive powers to render insecure the property, the peace, liberty, and life of the citizen; who has abused the pardoning power; who has denounced the national legislature as unconstitutional; who has persistently and corruptly resisted, by every means in his power, every proper attempt at the reconstruction of the states lately in rebellion; who has perverted the public patronage into an engine of wholesale corruption; and who has been justly impeached for high crimes and misdemeanors, and properly pronounced guilty thereof by the vote of thirty-five Senators.

9. The doctrine of Great Britain and other European powers, that because a man is once a subject he is always so, must be resisted at every hazard by the United States, as a relic of feudal times, not authorized by the laws of nations, and at war with our national honor and independence. Naturalized citizens are entitled to protection in all their rights of citizenship as though they were native-born; and no citizen of the United States, native or naturalized, must be liable to arrest and imprisonment by any foreign power for acts done or words spoken in this country; and, if so arrested and imprisoned, it is the duty of the government to interfere in his behalf.

10. Of all who were faithful in the trials of the late war, there were none entitled to more special honor than the brave soldiers and seamen who endured the hardships of campaign and cruise, and imperiled their lives in the service of the country. The



bounties and pensions provided by the laws for these brave defenders of the nation are obligations never to be forgotten; the widows and orphans of the gallant dead are the wards of the people—a sacred legacy bequeathed to the nation's protecting care.

11. Foreign immigration, which in the past has added so much to the wealth, development, and resources, and increase of power to this Republic, the asylum of the oppressed of all nations, should be fostered and encouraged by a liberal and just policy.

12. This convention declares itself in sympathy with all oppressed people who are struggling for their rights.

13. That we highly commend the spirit of magnanimity and forbearance with which men who have served in the Rebellion, but who now frankly and honestly co-operate with us in restoring the peace of the country and reconstructing the southern state governments upon the basis of impartial justice and equal rights, are received back into the communion of the loyal people; and we favor the removal of the disqualifications and restrictions imposed upon the late rebels, in the same measure as the spirit of disloyalty shall die out, and as may be consistent with the safety of the loyal people.

14. That we recognize the great principles laid down in the immortal Declaration of Independence, as the true foundation of democratic government; and we hail with gladness every effort toward making these principles a living reality on every inch of American soil.

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#### 1868.—Democratic Platform.

*New York, July 4.*

The Democratic party, in national convention assembled, reposing its trust in the intelligence, patriotism, and discriminating justice of the people, standing upon the constitution as the foundation and limitation of the powers of the government and the guarantee of the liberties of the citizen, and recognizing the questions of slavery and secession as having been settled, for all time to come, by the war or voluntary action of the southern states in constitutional conventions assembled, and never to be revived or reargued, do, with the return of peace, demand—

1. Immediate restoration of all the states to their rights in the Union under the constitution, and of civil government to the American people.

2. Amnesty for all past political offenses, and the regulation of the elective franchise in the states by their citizens.

3. Payment of all the public debt of the United States as rapidly as practicable—

all money drawn from the people by taxation, except so much as is requisite for the necessities of the government, economically administered, being honestly applied to such payment; and where the obligations of the government do not expressly state upon their face, or the law under which they were issued does not provide that they shall be paid in coin, they ought, in right and in justice, to be paid in the lawful money of the United States.

4. Equal taxation of every species of property according to its real value, including government bonds and other public securities.

5. One currency for the government and the people, the laborer and the officeholder, the pensioner and the soldier, the producer and the bondholder.

6. Economy in the administration of the government; the reduction of the standing army and navy; the abolition of the Freedmen's Bureau and all political instrumentalities designed to secure negro supremacy; simplification of the system and discontinuance of inquisitorial modes of assessing and collecting internal revenue; that the burden of taxation may be equalized and lessened, and the credit of the government and the currency made good; the repeal of all enactments for enrolling the state militia into national forces in time of peace; and a tariff for revenue upon foreign imports, and such equal taxation under the internal revenue laws as will afford incidental protection to domestic manufactures, and as will, without impairing the revenue, impose the least burden upon, and best promote and encourage, the great industrial interests of the country.

7. Reform of abuses in the administration; the expulsion of corrupt men from office; the abrogation of useless offices; the restoration of rightful authority to, and the independence of, the executive and judicial departments of the government; the subordination of the military to the civil power, to the end that the usurpations of Congress and the despotism of the sword may cease.

8. Equal rights and protection for naturalized and native-born citizens, at home and abroad; the assertion of American nationality which shall command the respect of foreign powers, and furnish an example and encouragement to people struggling for national integrity, constitutional liberty and individual rights; and the maintenance of the rights of naturalized citizens against the absolute doctrine of immutable allegiance and the claims of foreign powers to punish them for alleged crimes committed beyond their jurisdiction.

In demanding these measures and reforms, we arraign the Radical party for its

disregard of right and the unparalleled oppression and tyranny which have marked its career. After the most solemn and unanimous pledge of both Houses of Congress to prosecute the war exclusively for the maintenance of the government and the preservation of the Union under the constitution, it has repeatedly violated the most sacred pledge under which alone was rallied that noble volunteer army which carried our flag to victory. Instead of restoring the Union, it has, so far as in its power, dissolved it, and subjected ten states, in time of profound peace, to military despotism and negro supremacy. It has nullified there the right of trial by jury; it has abolished the *habeas corpus*, that most sacred writ of liberty; it has overthrown the freedom of speech and press; it has substituted arbitrary seizures and arrests, and military trials and secret star-chamber inquisitions, for the constitutional tribunals; it has disregarded, in time of peace, the right of the people to be free from searches and seizures; it has entered the post and telegraph offices, and even the private rooms of individuals, and seized their private papers and letters, without any specific charge or notice of affidavit, as required by the organic law. It has converted the American capitol into a bastille; it has established a system of spies and official espionage to which no constitutional monarchy of Europe would now dare to resort. It has abolished the right of appeal, on important constitutional questions, to the supreme judicial tribunals, and threatens to curtail or destroy its original jurisdiction, which is irrevocably vested by the constitution; while the learned Chief Justice has been subjected to the most atrocious calumnies, merely because he would not prostitute his high office to the support of the false and partisan charges preferred against the President. Its corruption and extravagance have exceeded anything known in history; and, by its frauds and monopolies, it has nearly doubled the burden of the debt created by the war. It has stripped the President of his constitutional power of appointment, even of his own cabinet. Under its repeated assaults, the pillars of the government are rocking on their base; and should it succeed in November next, and inaugurate its President, we will meet, as a subjected and conquered people, amid the ruins of liberty and the scattered fragments of the constitution.

And we do declare and resolve that ever since the people of the United States threw off all subjection to the British crown, the privilege and trust of suffrage have belonged to the several states, and have been granted, regulated, and controlled exclusively by the political power of each state respectively; and that any

attempt by Congress, on any pretext whatever, to deprive any state of this right, or interfere with its exercise, is a flagrant usurpation of power which can find no warrant in the constitution, and, if sanctioned by the people, will subvert our form of government, and can only end in a single, centralized, and consolidated, government, in which the separate existence of the states will be entirely absorbed, and an unqualified despotism be established in place of a federal union of co-equal states. And that we regard the construction acts (so called) of Congress as usurpations, and unconstitutional, revolutionary, and void.

That our soldiers and sailors, who carried the flag of our country to victory against the most gallant and determined foe, must ever be gratefully remembered, and all the guarantees given in their favor must be faithfully carried into execution.

That the public lands should be distributed as widely as possible among the people, and should be disposed of either under the pre-emption of homestead lands or sold in reasonable quantities, and to none but actual occupants, at the minimum price established by the government. When grants of public lands may be allowed, necessary for the encouragement of important public improvements, the proceeds of the sale of such lands, and not the lands themselves, should be so applied.

That the President of the United States, Andrew Johnson, in exercising the power of his high office in resisting the aggressions of Congress upon the constitutional rights of the states and the people, is entitled to the gratitude of the whole American people; and, on behalf of the Democratic party, we tender him our thanks for his patriotic efforts in that regard.

Upon this platform, the Democratic party appeal to every patriot, including all the conservative element and all who desire to support the constitution and restore the Union, forgetting all past differences of opinion, to unite with us in the present great struggle for the liberties of the people; and that to all such, to whatever party they may have heretofore belonged, we extend the right hand of fellowship, and hail all such, co-operating with us, as friends and brethren.

*Resolved*, That this convention sympathizes cordially with the workingmen of the United States in their efforts to protect the rights and interests of the laboring classes of the country.

*Resolved*, That the thanks of the convention are tendered to Chief Justice Salmon P. Chase, for the justice, dignity, and impartiality with which he presided over the court of impeachment on the trial of President Andrew Johnson.

**1872.—Labor Reform Platform.***Columbus, February 21.*

We hold that all political power is inherent in the people, and free government founded on their authority and established for their benefit; that all citizens are equal in political rights, entitled to the largest religious and political liberty compatible with the good order of society, as also the use and enjoyment of the fruits of their labor and talents; and no man or set of men is entitled to exclusive separable endowments and privileges or immunities from the government, but in consideration of public services; and any laws destructive of these fundamental principles are without moral binding force, and should be repealed. And believing that all the evils resulting from unjust legislation now affecting the industrial classes can be removed by the adoption of the principles contained in the following declaration: therefore,

*Resolved,* That it is the duty of the government to establish a just standard of distribution of capital and labor, by providing a purely national circulating medium, based on the faith and resources of the nation, issued directly to the people without the intervention of any system of banking corporations, which money shall be legal tender in the payment of all debts, public and private, and interchangeable, at the option of the holder, for government bonds bearing a rate of interest not to exceed 3.65 per cent., subject to future legislation by Congress.

2. That the national debt should be paid in good faith, according to the original contract, at the earliest option of the government, without mortgaging the property of the people or the future exigencies of labor to enrich a few capitalists at home and abroad.

3. That justice demands that the burdens of government should be so adjusted as to bear equally on all classes, and that the exemption from taxation of government bonds bearing extravagant rates of interest, is a violation of all just principles of revenue laws.

4. That the public lands of the United States belong to the people, and should not be sold to individuals nor granted to corporations, but should be held as a sacred trust for the benefit of the people, and should be granted to landless settlers only, in amounts not exceeding one hundred and sixty acres of land.

5. That Congress should modify the tariff so as to admit free such articles of common use as we can neither produce nor grow, and lay duties for revenue mainly upon articles of luxury and upon such articles of manufacture as will, we having the raw materials, assist in further developing the resources of the country.

6. That the presence in our country of Chinese laborers, imported by capitalists in large numbers for servile use is an evil entailing want and its attendant train of misery and crime on all classes of the American people, and should be prohibited by legislation.

7. That we ask for the enactment of a law by which all mechanics and day-laborers employed by or on behalf of the government, whether directly or indirectly, through persons, firms, or corporations, contracting with the state, shall conform to the reduced standard of eight hours a day, recently adopted by Congress for national employes; and also for an amendment to the acts of incorporation for cities and towns, by which all laborers and mechanics employed at their expense shall conform to the same number of hours.

8. That the enlightened spirit of the age demands the abolition of the system of contract labor in our prisons and other reformatory institutions.

9. That the protection of life, liberty, and property are the three cardinal principles of government, and the first two are more sacred than the latter; therefore, money needed for prosecuting wars should, as it is required, be assessed and collected from the wealthy of the country, and not entailed as a burden on posterity.

10. That it is the duty of the government to exercise its power over railroads and telegraph corporations, that they shall not in any case be privileged to exact such rates of freight, transportation, or charges, by whatever name, as may bear unduly or unequally upon the producer or consumer.

11. That there should be such a reform in the civil service of the national government as will remove it beyond all partisan influence, and place it in the charge and under the direction of intelligent and competent business men.

12. That as both history and experience teach us that power ever seeks to perpetuate itself by every and all means, and that its prolonged possession in the hands of one person is always dangerous to the interests of a free people, and believing that the spirit of our organic laws and the stability and safety of our free institutions are best obeyed on the one hand, and secured on the other, by a regular constitutional change in the chief of the country at each election; therefore, we are in favor of limiting the occupancy of the presidential chair to one term.

13. That we are in favor of granting general amnesty and restoring the Union at once on the basis of equality of rights and privileges to all, the impartial administration of justice being the only true bond of union to bind the states together and restore the government of the people.

14. That we demand the subjection of

the military to the civil authorities, and the confinement of its operations to national purposes alone.

15. That we deem it expedient for Congress to supervise the patent laws so as to give labor more fully the benefit of its own ideas and inventions.

16. That fitness, and not political or personal considerations, should be the only recommendation to public office, either appointive or elective; and any and all laws looking to the establishment of this principle are heartily approved.

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#### 1872.—Prohibition Platform.

*Columbus, Ohio, February 22.*

The preamble recites that protection and allegiance are reciprocal duties; and every citizen who yields obediently to the full commands of government should be protected in all enjoyment of personal security, personal liberty, and private property. That the traffic in intoxicating drinks greatly impairs the personal security and personal liberty of a great mass of citizens, and renders private property insecure. That all political parties are hopelessly unwilling to adopt an adequate policy on this question: Therefore, as a national convention, we adopt the following declaration of principles:

That while we acknowledge the pure patriotism and profound statesmanship of those patriots who laid the foundation of this government, securing at once the rights of the states severally and their inseparable union by the federal constitution, we would not merely garnish the sepulchres of our republican fathers, but we do hereby renew our pledges of solemn fealty to the imperishable principles of civil and religious liberty embodied in the Declaration of Independence and our federal constitution.

That the traffic in intoxicating beverages is a dishonor to Christian civilization, a political wrong of unequalled enormity, subversive of ordinary objects of government, not capable of being regulated or restrained by any system of license whatever, and imperatively demands, for its suppression, effective legal prohibition, both by state and national legislation.

That there can be no greater peril to a nation than existing party competition for the liquor vote. That any party not opposed to the traffic, experience shows will engage in this competition—will court the favor of criminal classes—will barter away the public morals, the purity of the ballot, and every object of good government, for party success.

That, as prohibitionists, we will individually use all efforts to persuade men from

the use of intoxicating liquors; and we invite all persons to assist in this movement.

That competence, honesty, and sobriety are indispensable qualifications for holding office.

That removals from public office for mere political differences of opinion are wrong.

That fixed and moderate salaries of public officers should take the places of fees and perquisites; and that all means should be taken to prevent corruption and encourage economy.

That the President and Vice-President should be elected directly by the people.

That we are in favor of a sound national currency, adequate to the demands of business, and convertible into gold and silver at the will of the holder, and the adoption of every measure compatible with justice and public safety to appreciate our present currency to the gold standard.

That the rates of ocean and inland postage, and railroad telegraph lines and water transportation, should be made as low as possible by law.

That we are opposed to all discrimination in favor of capital against labor, as well as all monopoly and class legislation.

That the removal of the burdens imposed in the traffic in intoxicating drinks will emancipate labor, and will practically promote labor reform.

That suffrage should be granted to all persons, without regard to sex.

That the fostering and extension of common schools is a primary duty of the government.

That a liberal policy should be pursued to promote foreign immigration.

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#### 1872.—Liberal Republican Platform.

*Cincinnati, May 1.*

We, the Liberal Republicans of the United States, in national convention assembled at Cincinnati, proclaim the following principles as essential to just government.

1. We recognize the equality of all men before the law, and hold that it is the duty of government, in its dealings with the people, to mete out equal and exact justice to all, of whatever nativity, race, color, or persuasion, religious or political.

2. We pledge ourselves to maintain the union of these states, emancipation, and enfranchisement, and to oppose any re-opening of the questions settled by the thirteenth, fourteenth, and fifteenth amendments of the constitution.

3. We demand the immediate and absolute removal of all disabilities imposed on account of the Rebellion, which was finally subdued seven years ago, believing that

universal amnesty will result in complete pacification in all sections of the country.

4. Local self-government, with impartial suffrage, will guard the rights of all citizens more securely than any centralized power. The public welfare requires the supremacy of the civil over the military authority, and the freedom of person under the protection of the *habeas corpus*. We demand for the individual the largest liberty consistent with public order, for the state self-government, and for the nation a return to the methods of peace and the constitutional limitations of power.

5. The civil service of the government has become a mere instrument of partisan tyranny and personal ambition, and an object of selfish greed. It is a scandal and reproach upon free institutions, and breeds a demoralization dangerous to the perpetuity of republican government. We, therefore, regard a thorough reform of the civil service as one of the most pressing necessities of the hour; that honesty, capacity, and fidelity constitute the only valid claims to public employment; that the offices of the government cease to be a matter of arbitrary favoritism and patronage, and that public station shall become again a post of honor. To this end, it is imperatively required that no President shall be a candidate for re-election.

6. We demand a system of federal taxation which shall not unnecessarily interfere with the industry of the people, and which shall provide the means necessary to pay the expenses of the government, economically administered, the pensions, the interest on the public debt, and a moderate reduction annually of the principal thereof; and recognizing that there are in our midst honest but irreconcilable differences of opinion with regard to the respective systems of protection and free trade, we remit the discussion of the subject to the people in their congressional districts and the decision of Congress thereon, wholly free from Executive interference or dictation.

7. The public credit must be sacredly maintained, and we denounce repudiation in every form and guise.

8. A speedy return to specie payment is demanded alike by the highest considerations of commercial morality and honest government.

9. We remember with gratitude the heroism and sacrifices of the soldiers and sailors of the Republic; and no act of ours shall ever detract from their justly earned fame or the full rewards of their patriotism.

10. We are opposed to all further grants of lands to railroads or other corporations. The public domain should be held sacred to actual settlers.

11. We hold that it is the duty of the government, in its intercourse with foreign nations, to cultivate the friendships of

peace, by treating with all on fair and equal terms, regarding it alike dishonorable either to demand what is not right or submit to what is wrong.

12. For the promotion and success of these vital principles and the support of the candidates nominated by this convention, we invite and cordially welcome the co-operation of all patriotic citizens, without regard to previous political affiliations.

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#### 1872.—Democratic Platform,

*Baltimore, July 9.*

We, the Democratic electors of the United States, in convention assembled, do present the following principles, already adopted at Cincinnati, as essential to just government:

[Here followed the "Liberal Republican Platform;" which see above.]

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#### 1872.—Republican Platform,

*Philadelphia, June 5.*

The Republican party of the United States, assembled in national convention in the city of Philadelphia, on the 5th and 6th days of June, 1872, again declares its faith, appeals to its history, and announces its position upon the questions before the country;

1. During eleven years of supremacy it has accepted, with grand courage, the solemn duties of the time. It suppressed a gigantic rebellion, emancipated four millions of slaves, decreed the equal citizenship of all, and established universal suffrage. Exhibiting unparalleled magnanimity, it criminally punished no man for political offenses, and warmly welcomed all who proved their loyalty by obeying the laws and dealing justly with their neighbors. It has steadily decreased, with firm hand, the resultant disorders of a great war, and initiated a wise and humane policy toward the Indians. The Pacific railroad and similar vast enterprises have been generously aided and successfully conducted, the public lands freely given to actual settlers, immigration protected and encouraged, and a full acknowledgment of the naturalized citizen's rights secured from European powers. A uniform national currency has been provided, repudiation frowned down, the national credit sustained under the most extraordinary burdens, and new bonds negotiated at lower rates. The revenues have been carefully collected and honestly applied. Despite annual large reductions of the rates of taxation, the public debt has been reduced during General Grant's presidency at the rate of a hundred millions a year, great financial

crises have been avoided, and peace and plenty prevail throughout the land. Menacing foreign difficulties have been peacefully and honorably compromised, and the honor and power of the nation kept in high respect throughout the world. This glorious record of the past is the party's best pledge for the future. We believe the people will not intrust the government to any party or combination of men composed chiefly of those who have resisted every step of this beneficent progress.

2. The recent amendments to the national constitution should be cordially sustained because they are right, not merely tolerated because they are law, and should be carried out according to their spirit by appropriate legislation, the enforcement of which can safely be intrusted only to the party that secured those amendments.

3. Complete liberty and exact equality in the enjoyment of all civil, political, and public rights should be established and effectually maintained throughout the Union by efficient and appropriate state and federal legislation. Neither the law nor its administration should admit any discrimination in respect to citizens by reason of race, creed, color, or previous condition of servitude.

4. The national government should seek to maintain honorable peace with all nations, protecting its citizens everywhere, and sympathizing with all peoples who strive for greater liberty.

5. Any system of civil service under which the subordinate positions of the government are considered rewards for mere party zeal is fatally demoralizing; and we, therefore, favor a reform of the system, by laws which shall abolish the evils of patronage, and make honesty, efficiency, and fidelity the essential qualifications for public positions, without practically creating a life tenure of office.

6. We are opposed to further grants of the public lands to corporations and monopolies, and demand that the national domain be set apart for free homes for the people.

7. The annual revenue, after paying current expenditures, pensions, and the interest on the public debt, should furnish a moderate balance for the reduction of the principal; and that revenue, except so much as may be derived from a tax upon tobacco and liquors, should be raised by duties upon importations, the details of which should be so adjusted as to aid in securing remunerative wages to labor, and promote the industries, prosperity, and growth of the whole country.

8. We hold in undying honor the soldiers and sailors whose valor saved the Union. Their pensions are a sacred debt of the nation, and the widows and orphans of those who died for their country are en-

titled to the care of a generous and grateful people. We favor such additional legislation as will extend the bounty of the government to all our soldiers and sailors who were honorably discharged, and who in the line of duty became disabled, without regard to the length of service or the cause of such discharge.

9. The doctrine of Great Britain and other European powers concerning allegiance—"once a subject always a subject"—having at last, through the efforts of the Republican party, been abandoned, and the American idea of the individual's right to transfer allegiance having been accepted by European nations, it is the duty of our government to guard with jealous care the rights of adopted citizens against the assumption of unauthorized claims by their former governments, and we urge continued careful encouragement and protection of voluntary immigration.

10. The franking privilege ought to be abolished, and a way prepared for a speedy reduction in the rates of postage.

11. Among the questions which press for attention is that which concerns the relations of capital and labor; and the Republican party recognizes the duty of so shaping legislation as to secure full protection and the amplest field for capital, and for labor, the creator of capital, the largest opportunities and a just share of the mutual profits of these two great servants of civilization.

12. We hold that Congress and the President have only fulfilled an imperative duty in their measures for the suppression of violence and treasonable organizations in certain lately rebellious regions, and for the protection of the ballot-box; and, therefore, they are entitled to the thanks of the nation.

13. We denounce repudiation of the public debt, in any form or disguise, as a national crime. We witness with pride the reduction of the principal of the debt, and of the rates of interest upon the balance, and confidently expect that our excellent national currency will be perfected by a speedy resumption of specie payment.

14. The Republican party is mindful of its obligations to the loyal women of America for their noble devotion to the cause of freedom. Their admission to wider fields of usefulness is viewed with satisfaction; and the honest demand of any class of citizens for additional rights should be treated with respectful consideration.

15. We heartily approve the action of Congress in extending amnesty to those lately in rebellion, and rejoice in the growth of peace and fraternal feeling throughout the land.

16. The Republican party proposes to respect the rights reserved by the people to

themselves as carefully as the powers delegated by them to the states and to the federal government. It disapproves of the resort to unconstitutional laws for the purpose of removing evils, by interference with rights not surrendered by the people to either the state or national government.

17. It is the duty of the general government to adopt such measures as may tend to encourage and restore American commerce and ship-building.

18. We believe that the modest patriotism, the earnest purpose, the sound judgment, the practical wisdom, the incorruptible integrity, and the illustrious services of Ulysses S. Grant have commended him to the heart of the American people; and with him at our head, we start to-day upon a new march to victory.

19. Henry Wilson, nominated for the Vice-Presidency, known to the whole land from the early days of the great struggle for liberty as an indefatigable laborer in all campaigns, an incorruptible legislator and representative man of American institutions, is worthy to associate with our great leader and share the honors which we pledge our best efforts to bestow upon them

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**1872.—Democratic (Straight-out) Platform,**  
*Louisville, Ky., September 3.*

*Whereas,* A frequent recurrence to first principles and eternal vigilance against abuses are the wisest provisions for liberty, which is the source of progress, and fidelity to our constitutional system is the only protection for either: therefore,

*Resolved,* That the original basis of our whole political structure is consent in every part thereof. The people of each state voluntarily created their state, and the states voluntarily formed the Union; and each state provided by its written constitution for everything a state could do for the protection of life, liberty, and property within it; and each state, jointly with the others, provided a federal union for foreign and inter-state relations.

*Resolved,* That all governmental powers, whether state or federal, are trust powers coming from the people of each state, and that they are limited to the written letter of the constitution and the laws passed in pursuance of it; which powers must be exercised in the utmost good faith, the constitution itself stating in what manner they may be altered and amended.

*Resolved,* That the interests of labor and capital should not be permitted to conflict, but should be harmonized by judicious legislation. While such a conflict continues, labor, which is the parent of wealth, is entitled to paramount consideration.

*Resolved,* That we proclaim to the world that principle is to be preferred to power; that the Democratic party is held together by the cohesion of time-honored principles, which they will never surrender in exchange for all the offices which Presidents can confer. The pangs of the minorities are doubtless excruciating; but we welcome an eternal minority, under the banner inscribed with our principles, rather than an almighty and everlasting majority, purchased by their abandonment.

*Resolved,* That, having been betrayed at Baltimore into a false creed and a false leadership by the convention, we repudiate both, and appeal to the people to approve our platform, and to rally to the polls and support the true platform and the candidates who embody it.

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**1875.—The American National Platform,**  
*Adopted in Mass Meeting, Pittsburg, June 9.*

We hold:

1. That ours is a Christian and not a heathen nation, and that the God of the Christian Scriptures is the author of civil government.

2. That God requires and man needs a Sabbath.

3. That the prohibition of the importation, manufacture, and sale of intoxicating drinks as a beverage, is the true policy on the temperance question.

4. The charters of all secret lodges granted by our federal and state legislatures should be withdrawn, and their oaths prohibited by law.

5. That the civil equality secured to all American citizens by articles 13th, 14th, and 15th of our amended constitution should be preserved inviolate.

6. That arbitration of differences with nations is the most direct and sure method of securing and perpetuating a permanent peace.

7. That to cultivate the intellect without improving the morals of men is to make mere adepts and experts: therefore, the Bible should be associated with books of science and literature in all our educational institutions.

8. That land and other monopolies should be discountenanced.

9. That the government should furnish the people with an ample and sound currency and a return to specie payment, as soon as practicable.

10. That maintenance of the public credit, protection to all loyal citizens, and justice to Indians are essential to the honor and safety of our nation.

11. And, finally, we demand for the American people the abolition of electoral colleges, and a direct vote for President and Vice-President of the United States.

[Their candidates were James B. Walker, Wheaton, Illinois, for President; and Donald Kirkpatrick, Syracuse, New York, for Vice-President.]

#### 1876.—Prohibition Reform Platform,

Cleveland, Ohio, May 17.

The Prohibition Reform party of the United States, organized in the name of the people, to revive, enforce, and perpetuate in the government the doctrines of the Declaration of Independence, submit, in this centennial year of the republic, for the suffrages of all good citizens, the following platform of national reforms and measures:

*First.* The legal prohibition in the District of Columbia, the territories, and in every other place subject to the laws of Congress, of the importation, exportation, manufacture, and traffic of all alcoholic beverages, as high crimes against society; an amendment of the national constitution, to render these prohibitory measures universal and permanent; and the adoption of treaty stipulations with foreign powers, to prevent the importation and exportation of all alcoholic beverages.

*Second.* The abolition of class legislation, and of special privileges in the government, and the adoption of equal suffrage and eligibility to office, without distinction of race, religious creed, property, or sex.

*Third.* The appropriation of the public lands, in limited quantities, to actual settlers only; the reduction of the rates of inland and ocean postage; of telegraphic communication; of railroad and water transportation and travel, to the lowest practical point, by force of laws, wisely and justly framed, with reference, not only to the interest of capital employed, but to the higher claims of the general good.

*Fourth.* The suppression, by laws, of lotteries and gambling in gold, stocks, produce, and every form of money and property, and the penal inhibition of the use of the public mails for advertising schemes of gambling and lotteries.

*Fifth.* The abolition of those foul enormities, polygamy and the social evil; and the protection of purity, peace, and happiness of homes, by ample and efficient legislation.

*Sixth.* The national observance of the Christian Sabbath, established by laws prohibiting ordinary labor and business in all departments of public service and private employment (works of necessity, charity, and religion excepted) on that day.

*Seventh.* The establishment, by mandatory provisions in national and state constitutions, and by all necessary legislation, of a system of free public schools for the universal and forced education of all the youth of the land.

*Eighth.* The free use of the Bible, not as a ground of religious creeds, but as a text-book of the purest morality, the best liberty, and the noblest literature in our public schools, that our children may grow up in its light, and that its spirit and principles may pervade our nation.

*Ninth.* The separation of the government in all its departments and institutions, including the public schools and all funds for their maintenance, from the control of every religious sect or other association, and the protection alike of all sects by equal laws, with entire freedom of religious faith and worship.

*Tenth.* The introduction into all treaties hereafter negotiated with foreign governments of a provision for the amicable settlement of international difficulties by arbitration.

*Eleventh.* The abolition of all barbarous modes and instruments of punishment; the recognition of the laws of God and the claims of humanity in the discipline of jails and prisons, and of that higher and wiser civilization worthy of our age and nation, which regards the reform of criminals as a means for the prevention of crime.

*Twelfth.* The abolition of executive and legislative patronage, and the election of President, Vice-President, United States Senators, and of all civil officers, so far as practicable, by the direct vote of the people.

*Thirteenth.* The practice of a friendly and liberal policy to immigrants from all nations, the guaranty to them of ample protection, and of equal rights and privileges.

*Fourteenth.* The separation of the money of government from all banking institutions. The national government, only, should exercise the high prerogative of issuing paper money, and that should be subject to prompt redemption on demand, in gold and silver, the only equal standards of value recognized by the civilized world.

*Fifteenth.* The reduction of the salaries of public officers in a just ratio with the decline of wages and market prices; the abolition of sinecures, unnecessary offices, and official fees and perquisites; the practice of strict economy in government expenses; and a free and thorough investigation into any and all alleged abuses of public trusts.

#### 1876.—Independent (Greenback) Platform,

Indianapolis, Ind., May 17.

The Independent party is called into existence by the necessities of the people, whose industries are prostrated, whose labor is deprived of its just reward by a



ruinous policy which the Republican and Democratic parties refuse to change; and, in view of the failure of these parties to furnish relief to the depressed industries of the country, thereby disappointing the just hopes and expectations of the suffering people, we declare our principles, and invite all independent and patriotic men to join our ranks in this movement for financial reform and industrial emancipation.

*First.* We demand the immediate and unconditional repeal of the specie resumption act of January 14, 1875, and the rescue of our industries from ruin and disaster resulting from its enforcement; and we call upon all patriotic men to organize in every congressional district of the country, with a view of electing representatives to Congress who will carry out the wishes of the people in this regard and stop the present suicidal and destructive policy of contraction.

*Second.* We believe that a United States note, issued directly by the government, and convertible, on demand, into United States obligations, bearing a rate of interest not exceeding one cent a day on each one hundred dollars, and exchangeable for United States notes at par, will afford the best circulating medium ever devised. Such United States notes should be full legal tenders for all purposes, except for the payment of such obligations as are, by existing contracts, especially made payable in coin; and we hold that it is the duty of the government to provide such a circulating medium, and insist, in the language of Thomas Jefferson, that "bank paper must be suppressed, and the circulation restored to the nation, to whom it belongs."

*Third.* It is the paramount duty of the government, in all its legislation, to keep in view the full development of all legitimate business, agricultural, mining, manufacturing, and commercial.

*Fourth.* We most earnestly protest against any further issue of gold bonds for sale in foreign markets, by which we would be made, for a long period, "hewers of wood and drawers of water" to foreigners, especially as the American people would gladly and promptly take at par all bonds the government may need to sell, provided they are made payable at the option of the holder, and bearing interest at 3.65 per cent. per annum or even a lower rate.

*Fifth.* We further protest against the sale of government bonds for the purpose of purchasing silver to be used as a substitute for our more convenient and less fluctuating fractional currency, which, although well calculated to enrich owners of silver mines, yet in operation it will still further oppress, in taxation, an already overburdened people.

### 1876.—Republican Platform,

Cincinnati, Ohio, June 14.

When, in the economy of Providence, this land was to be purged of human slavery, and when the strength of the government of the people, by the people, and for the people, was to be demonstrated, the Republican party came into power. Its deeds have passed into history, and we look back to them with pride. Incited by their memories to high aims for the good of our country and mankind, and looking to the future with unfaltering courage, hope, and purpose, we, the representatives of the party, in national convention assembled, make the following declaration of principles:

1. The United States of America is a nation, not a league. By the combined workings of the national and state governments, under their respective constitutions, the rights of every citizen are secured, at home and abroad, and the common welfare promoted.

2. The Republican party has preserved these governments to the hundredth anniversary of the nation's birth, and they are now embodiments of the great truths spoken at its cradle—"That all men are created equal; that they are endowed by their Creator with certain inalienable rights, among which are life, liberty, and the pursuit of happiness; that for the attainment of these ends governments have been instituted among men, deriving their just powers from the consent of the governed." Until these truths are cheerfully obeyed, or, if need be, vigorously enforced, the work of the Republican party is unfinished.

3. The permanent pacification of the southern section of the Union, and the complete protection of all its citizens in the free enjoyment of all their rights, is a duty to which the Republican party stands sacredly pledged. The power to provide for the enforcement of the principles embodied in the recent constitutional amendments is vested, by those amendments, in the Congress of the United States; and we declare it to be the solemn obligation of the legislative and executive departments of the government to put into immediate and vigorous exercise all their constitutional powers for removing any just causes of discontent on the part of any class, and for securing to every American citizen complete liberty and exact equality in the exercise of all civil, political, and public rights. To this end we imperatively demand a Congress and a Chief Executive whose courage and fidelity to these duties shall not falter until these results are placed beyond dispute or recall.

4. In the first act of Congress signed by President Grant, the national government assumed to remove any doubt of its pur-

pose to discharge all just obligations to the public creditors, and "solemnly pledged its faith to make provision at the earliest practicable period for the redemption of the United States notes in coin." Commercial prosperity, public morals, and national credit demand that this promise be fulfilled by a continuous and steady progress to specie payment.

5. Under the constitution, the President and heads of departments are to make nominations for office, the Senate is to advise and consent to appointments, and the House of Representatives is to accuse and prosecute faithless officers. The best interest of the public service demand that these distinctions be respected; that Senators and Representatives who may be judges and accusers should not dictate appointments to office. The invariable rule in appointments should have reference to the honesty, fidelity, and capacity of the appointees, giving to the party in power those places where harmony and vigor of administration require its policy to be represented, but permitting all others to be filled by persons selected with sole reference to the efficiency of the public service, and the right of all citizens to share in the honor of rendering faithful service to the country.

6. We rejoice in the quickened conscience of the people concerning political affairs, and will hold all public officers to a rigid responsibility, and engage that the prosecution and punishment of all who betray official trusts shall be swift, thorough, and unsparing.

7. The public school system of the several states is the bulwark of the American Republic; and, with a view to its security and permanence, we recommend an amendment to the constitution of the United States, forbidding the application of any public funds or property for the benefit of any schools or institutions under sectarian control.

8. The revenue necessary for current expenditures, and the obligations of the public debt, must be largely derived from duties upon importations, which, so far as possible, should be adjusted to promote the interests of American labor and advance the prosperity of the whole country.

9. We reaffirm our opposition to further grants of the public lands to corporations and monopolies, and demand that the national domain be devoted to free homes for the people.

10. It is the imperative duty of the government so to modify existing treaties with European governments, that the same protection shall be afforded to the adopted American citizen that is given to the native-born; and that all necessary laws should be passed to protect emigrants in

the absence of power in the states for that purpose.

11. It is the immediate duty of Congress to fully investigate the effect of the immigration and importation of Mongolians upon the moral and material interests of the country.

12. The Republican party recognizes, with approval, the substantial advances recently made towards the establishment of equal rights for women by the many important amendments effected by Republican legislatures in the laws which concern the personal and property relations of wives, mothers, and widows, and by the appointment and election of women to the superintendence of education, charities, and other public trusts. The honest demands of this class of citizens for additional rights, privileges, and immunities, should be treated with respectful consideration.

13. The constitution confers upon Congress sovereign power over the territories of the United States for their government; and in the exercise of this power it is the right and duty of Congress to prohibit and extirpate, in the territories, that relic of barbarism—polygamy; and we demand such legislation as shall secure this end and the supremacy of American institutions in all the territories.

14. The pledges which the nation has given to her soldiers and sailors must be fulfilled, and a grateful people will always hold those who imperiled their lives for the country's preservation in the kindest remembrance.

15. We sincerely deprecate all sectional feeling and tendencies. We, therefore, note with deep solicitude that the Democratic party counts, as its chief hope of success, upon the electoral vote of a united south, secured through the efforts of those who were recently arrayed against the nation; and we invoke the earnest attention of the country to the grave truth that a success thus achieved would reopen sectional strife, and imperil national honor and human rights.

16. We charge the Democratic party with being the same in character and spirit as when it sympathized with treason; with making its control of the House of Representatives the triumph and opportunity of the nation's recent foes; with reasserting and applauding, in the national capital, the sentiments of unrepentant rebellion; with sending Union soldiers to the rear, and promoting Confederate soldiers to the front; with deliberately proposing to repudiate the plighted faith of the government; with being equally false and imbecile upon the overshadowing financial questions; with thwarting the ends of justice by its partisan mismanagement and obstruction of investigation; with proving itself

through the period of its ascendancy in the lower house of Congress, utterly incompetent to administer the government; and we warn the country against trusting a party thus alike unworthy, recreant, and incapable.

17. The national administration merits commendation for its honorable work in the management of domestic and foreign affairs, and President Grant deserves the continued hearty gratitude of the American people for his patriotism and his eminent services in war and in peace.

18. We present, as our candidates for President and Vice-President of the United States, two distinguished statesmen, of eminent ability and character, and conspicuously fitted for those high offices, and we confidently appeal to the American people to intrust the administration of their public affairs to Rutherford B. Hayes and William A. Wheeler.

#### 1876.—Democratic Platform.

*St. Louis, Mo., June 27.*

We, the delegates of the Democratic party of the United States, in national convention assembled, do hereby declare the administration of the Federal government to be in urgent need of immediate reform; do hereby enjoin upon the nominees of this convention, and of the Democratic party in each state, a zealous effort and cooperation to this end; and do hereby appeal to our fellow-citizens of every former political connection to undertake, with us, this first and most pressing patriotic duty.

For the Democracy of the whole country, we do here reaffirm our faith in the permanence of the Federal Union, our devotion to the constitution of the United States, with its amendments universally accepted as a final settlement of the controversies that engendered civil war, and do here record our steadfast confidence in the perpetuity of republican self-government.

In absolute acquiescence in the will of the majority—the vital principle of republics; in the supremacy of the civil over the military authority; in the total separation of church and state, for the sake alike of civil and religious freedom; in the equality of all citizens before just laws of their own enactment; in the liberty of individual conduct, unvexed by sumptuary laws; in the faithful education of the rising generation, that they may preserve, enjoy, and transmit these best conditions of human happiness and hope—we behold the noblest products of a hundred years of changeful history; but while upholding the bond of our Union and great charter of these our rights, it behooves a free people to practice also that eternal vigilance which is the price of liberty.

Reform is necessary to rebuild and establish in the hearts of the whole people the Union, eleven years ago happily rescued from the danger of a secession of states, but now to be saved from a corrupt centralism which, after inflicting upon ten states the rapacity of carpet-bag tyranny, has honey-combed the offices of the Federal government itself, with incapacity, waste, and fraud; infected states and municipalities with the contagion of misrule; and locked fast the prosperity of an industrious people in the paralysis of "hard times."

Reform is necessary to establish a sound currency, restore the public credit, and maintain the national honor.

We denounce the failure, for all these eleven years of peace, to make good the promise of the legal tender notes, which are a changing standard of value in the hands of the people, and the non-payment of which is a disregard of the plighted faith of the nation.

We denounce the improvidence which, in eleven years of peace, has taken from the people, in federal taxes, thirteen times the whole amount of the legal-tender notes, and squandered four times their sum in useless expense without accumulating any reserve for their redemption.

We denounce the financial imbecility and immorality of that party which, during eleven years of peace, has made no advance toward resumption, no preparation for resumption, but, instead, has obstructed resumption, by wasting our resources and exhausting all our surplus income; and, while annually professing to intend a speedy return to specie payments, has annually enacted fresh hinderances thereto. As such hinderance we denounce the resumption clause of 1875, and we here demand its repeal.

We demand a judicious system of preparation, by public economies, by official retrenchments, and by wise finance, which shall enable the nation soon to assure the whole world of its perfect ability and of its perfect readiness to meet any of its promises at the call of the creditor entitled to payment. We believe such a system, well devised, and, above all, intrusted to competent hands for execution, creating, at no time, an artificial scarcity of currency, and at no time alarming the public mind into a withdrawal of that vaster machinery of credit by which ninety-five per cent. of all business transactions are performed. A system open, public, and inspiring general confidence, would, from the day of its adoption, bring healing on its wings to all our harassed industries—set in motion the wheels of commerce, manufactures, and the mechanic arts—restore employment to labor—and, renew, in all its natural sources, the prosperity of the people.

Reform is necessary in the sum and

modes of federal taxation, to the end that capital may be set free from distrust and labor lightly burdened.

We denounce the present tariff, levied upon nearly four thousand articles, as a masterpiece of injustice, inequality, and false pretence. It yields a dwindling, not a yearly rising, revenue. It has impoverished many industries to subsidize a few. It prohibits imports that might purchase the products of American labor. It has degraded American commerce from the first to an inferior rank on the high seas. It has cut down the sales of American manufactures at home and abroad, and depleted the returns of American agriculture—an industry followed by half our people. It costs the people five times more than it produces to the treasury, obstructs the processes of production, and wastes the fruits of labor. It promotes fraud, fosters smuggling, enriches dishonest officials, and bankrupts honest merchants. We demand that all custom-house taxation shall be only for revenue.

Reform is necessary in the scale of public expense—federal, state, and municipal. Our federal taxation has swolen from sixty millions gold, in 1860, to four hundred and fifty millions currency, in 1870; our aggregate taxation from one hundred and fifty-four millions gold, in 1860, to seven hundred and thirty millions currency, in 1870—or, in one decade, from less than five dollars per head to more than eighteen dollars per head. Since the peace, the people have paid to their tax-gatherers more than thrice the sum of the national debt, and more than twice that sum for the Federal government alone. We demand a rigorous frugality in every department and from every officer of the government.

Reform is necessary to put a stop to the profligate waste of public lands, and their diversion from actual settlers, by the party in power, which has squandered 200,000,000 of acres upon railroads alone, and, out of more than thrice that aggregate, has disposed of less than a sixth directly to tillers of the soil.

Reform is necessary to correct the omission of a Republican Congress, and the errors of our treaties and our diplomacy which have stripped our fellow-citizens of foreign birth and kindred race, recrossing the Atlantic, of the shield of American citizenship, and have exposed our brethren of the Pacific coast to the incursions of a race not sprung from the same great parent stock, and in fact now, by law, denied citizenship through naturalization, as being neither accustomed to the traditions of a progressive civilization nor exercised in liberty under equal laws. We denounce the policy which thus discards the liberty-loving German and tolerates a revival of the coolie trade in Mongolian women, im-

ported for immoral purposes, and Mongolian men, held to perform servile labor contracts and demand such modification of the treaty with the Chinese Empire, or such legislation within constitutional limitations, as shall prevent further importation or immigration of the Mongolian race.

Reform is necessary, and can never be effected but by making it the controlling issue of the elections, and lifting it above the two false issues with which the office-holding class and the party in power seek to smother it:

1. The false issue with which they would enkindle sectarian strife in respect to the public schools, of which the establishment and support belongs exclusively to the several states, and which the Democratic party has cherished from their foundation, and is resolved to maintain, without prejudice or preference for any class, sect, or creed, and without largesses from the treasury to any.

2. The false issue by which they seek to light anew the dying embers of sectional hate between kindred peoples once estranged, but now reunited in one indivisible republic and a common destiny.

Reform is necessary in the civil service. Experience proves that efficient, economical conduct of the governmental business is not possible if its civil service be subject to change at every election, be a prize fought for at the ballot-box, be a brief reward of party zeal, instead of posts of honor assigned for proved competency, and held for fidelity in the public employ; that the dispensing of patronage should neither be a tax upon the time of all our public men, nor the instrument of their ambition. Here, again, promises, falsified in the performance, attest that the party in power can work out no practical or salutary reform.

Reform is necessary, even more, in the higher grades of the public service. President, Vice-President, Judges, Senators, Representatives, Cabinet officers—these, and all others in authority—are the people's servants. Their offices are not a private perquisite; they are a public trust. When the annals of this Republic show the disgrace and censure of a Vice-President; a late Speaker of the House of Representatives marketing his rulings as a presiding officer; three Senators profiting secretly by their votes as law-makers; five chairmen of the leading committees of the late House of Representatives exposed in jobbery; a late Secretary of the Treasury forcing balances in the public accounts; a late Attorney-General misappropriating public funds; a Secretary of the Navy enriched, or enriching friends, by percentages levied off the profits of contractors with his department; an Ambassador to England concerned in a dishonorable speculation; the

President's private secretary barely escaping conviction upon trial for guilty complicity in frauds upon the revenue; a Secretary of War impeached for high crimes and misdemeanors—the demonstration is complete, that the first step in reform must be the people's choice of honest men from another party, lest the disease of one political organization infect the body politic, and lest by making no change of men or parties we get no change of measures and no real reform.

All these abuses, wrongs, and crimes—the product of sixteen years' ascendancy of the Republican party—create a necessity for reform, confessed by the Republicans themselves; but their reformers are voted down in convention and displaced from the cabinet. The party's mass of honest voters is powerless to resist the 80,000 office-holders, its leaders and guides.

Reform can only be had by a peaceful civic revolution. We demand a change of system, a change of administration, a change of parties, that we may have a change of measures and of men.

*Resolved*, That this convention, representing the Democratic party of the United States, do cordially indorse the action of the present House of Representatives, in reducing and curtailing the expenses of the Federal government, in cutting down salaries and extravagant appropriations, and in abolishing useless offices and places not required by the public necessities; and we shall trust to the firmness of the Democratic members of the House that no committee of conference and no misinterpretation of the rules will be allowed to defeat these wholesome measures of economy demanded by the country.

*Resolved*, That the soldiers and sailors of the Republic, and the widows and orphans of those who have fallen in battle, have a just claim upon the care, protection, and gratitude of their fellow-citizens.

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#### 1878.—National Platform.

Toledo, Ohio, February 22.

*Whereas*, Throughout our entire country the value of real estate is depreciated, industry paralyzed, trade depressed, business incomes and wages reduced, unparalleled distress inflicted upon the poorer and middle ranks of our people, the land filled with fraud, embezzlement, bankruptcy, crime, suffering, pauperism, and starvation; and

*Whereas*, This state of things has been brought about by legislation in the interest of, and dictated by, money-lenders, bankers and bondholders; and

*Whereas*, While we recognize the fact that the men in Congress connected with

the old political parties have stood up manfully for the rights of the people, and met the threats of the money power, and the ridicule of an ignorant and subsidized press, yet neither the Republican nor the Democratic parties, in their policies, propose remedies for the existing evils; and

*Whereas*, The Independent Greenback party, and other associations more or less effective, have been unable, hitherto, to make a formidable opposition to old party organizations; and

*Whereas*, The limiting of the legal-tender quality of the greenbacks, the changing of currency bonds into coin bonds, the demonetization of the silver dollar, the exempting of bonds from taxation, the contraction of the circulating medium, the proposed forced resumption of specie payments, and the prodigal waste of the public lands, were crimes against the people; and, as far as possible, the results of these criminal acts must be counteracted by judicious legislation:

*Therefore*, We assemble in national convention and make a declaration of our principles, and invite all patriotic citizens to unite in an effort to secure financial reform and industrial emancipation. The organization shall be known as the "National Party," and under this name we will perfect, without delay, national, state, and local associations, to secure the election to office of such men only as will pledge themselves to do all in their power to establish these principles:

*First*. It is the exclusive function of the general government to coin and create money and regulate its value. All bank issues designed to circulate as money should be suppressed. The circulating medium, whether of metal or paper, shall be issued by the government, and made a full legal-tender for all debts, duties, and taxes in the United States, at its stamped value.

*Second*. There shall be no privileged class of creditors. Official salaries, pensions, bonds, and all other debts and obligations, public and private, shall be discharged in the legal-tender money of the United States strictly according to the stipulations of the laws under which they were contracted.

*Third*. The coinage of silver shall be placed on the same footing as that of gold.

*Fourth*. Congress shall provide said money adequate to the full employment of labor, the equitable distribution of its products, and the requirement of business, fixing a minimum amount *per capita* of the population as near as may be, and otherwise regulating its value by wise and equitable provisions of law, so that the rate of interest will secure to labor its just reward.

*Fifth*. It is inconsistent with the genius of popular government that any species of private property should be exempt from

bearing its proper share of the public burdens. Government bonds and money should be taxed precisely as other property, and a graduated income tax should be levied for the support of the government and the payment of its debts.

*Sixth.* Public lands are the common property of the whole people, and should not be sold to speculators nor granted to railroads or other corporations, but should be donated to actual settlers, in limited quantities.

*Seventh.* The government should, by general enactments, encourage the development of our agricultural, mineral, mechanical, manufacturing, and commercial resources, to the end that labor may be fully and profitably employed; but no monopolies should be legalized.

*Eighth.* All useless offices should be abolished, the most rigid economy favored in every branch of the public service, and severe punishment inflicted upon public officers who betray the trusts reposed in them.

*Ninth.* As educated labor has devised means for multiplying productions by inventions and discoveries, and as their use requires the exercise of mind as well as body, such legislation should be had that the number of hours of daily toil will be reduced, giving to the working classes more leisure for mental improvement and their several enjoyments, and saving them from premature decay and death.

*Tenth.* The adoption of an American monetary system, as proposed herein, will harmonize all differences in regard to tariff and federal taxation, reduce and equalize the cost of transportation by land and water, distribute equitably the joint earnings of capital and labor, secure to the producers of wealth the results of their labor and skill, and muster out of service the vast army of idlers, who, under the existing system, grow rich upon the earnings of others, that every man and woman may, by their own efforts, secure a competency, so that overgrown fortunes and extreme poverty will be seldom found within the limits of our republic.

*Eleventh.* Both national and state governments should establish bureaus of labor and industrial statistics, clothed with the power of gathering and publishing the same.

*Twelfth.* That the contract system of employing labor in our prisons and reformatory institutions, works great injustice to our mechanics and artisans, and should be prohibited.

*Thirteenth.* The importation of servile labor into the United States from China is a problem of the most serious importance, and we recommend legislation looking to its suppression.

*Fourteenth.* We believe in the supremacy

of law over and above all perishable material, and in the necessity of a party of united people that will rise above old party lines and prejudices. We will not affiliate in any degree with any of the old parties, but, in all cases and localities, will organize anew, as united National men—nominate for office and official positions only such persons as are clearly believers in and identified with this our sacred cause; and, irrespective of creed, color, place of birth, or past condition of political or other servitude, vote only for men who entirely abandon old party lines and organizations.

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• **1879.—National Liberal Platform.**

*Cincinnati, Ohio, September 14.*

1. Total separation of Church and State, to be guaranteed by amendment of the United States constitution; including the equitable taxation of church property, secularization of the public schools, abrogation of Sabbatarian laws, abolition of chaplaincies, prohibition of public appropriations for religious purposes, and all measures necessary to the same general end.

2. National protection for national citizens in their equal civil, political, and religious rights, to be guaranteed by amendment of the United States constitution and afforded through the United States courts.

3. Universal education, the basis of universal suffrage in this secular Republic, to be guaranteed by amendment of the United States constitution, requiring every state to maintain a thoroughly secularized public school system, and to permit no child within its limits to grow up without a good elementary education.

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**1880.—Independent Republican Principles.**

I. Independent Republicans adhere to the republican principles of national supremacy, sound finances, and civil service reform, expressed in the Republican platform of 1876, in the letter of acceptance of President Hayes, and in his message of 1879; and they seek the realization of those principles in practical laws and their efficient administration. This requires,

1. The continuance on the statute-book of laws protecting the rights of voters at national elections. But national supremacy affords no pretext for interference with the local rights of communities; and the development of the south from its present defective civilization can be secured only under constitutional methods, such as those of President Hayes.

2. The passage of laws which shall deprive greenbacks of their legal-tender quality, as a first step toward their ulti-

mate withdrawal and cancellation, and shall maintain all coins made legal tender at such weight and fineness as will enable them to be used without discount in the commercial transactions of the world.

3. The repeal of the acts which limit the terms of office of certain government officials to four years; the repeal of the tenure-of-office acts, which limit the power of the executive to remove for cause; the establishment of a permanent civil service commission, or equivalent measures to ascertain, by open competition, and certify to the President or other appointing power the fitness of applicants for nomination or appointment to all non-political offices.

II. Independent Republicans believe that local issues should be independent of party. The words Republican and Democrat should have no weight in determining whether a school or city shall be administered on business principles by capable men. With a view to this, legislation is asked which shall prescribe for the voting for local and for state officers upon separate ballots.

III. Independent Republicans assert that a political party is a co-operation of voters to secure the practical enactment into legislation of political convictions set forth as its platform. Every voter accepting that platform is a member of that party; any representative of that party opposing the principles or evading the promises of its platform forfeits the support of its voters. No voter should be held by the action or nomination of any caucus or convention of his party against his private judgment. It is his duty to vote against bad measures and unfit men, as the only means of obtaining good ones; and if his party no longer represents its professed principles in its practical workings, it is his duty to vote against it.

IV. Independent Republicans seek good nominations through participation in the primaries and through the defeat of bad nominees; they will labor for the defeat of any local Republican candidate, and, in co-operation with those holding like views elsewhere, for the defeat of any general Republican candidate whom they do not deem fit.

#### 1880. Republican Platform.

*Chicago, Illinois, June 2.*

The Republican party, in national convention assembled, at the end of twenty years since the Federal government was first committed to its charge, submits to the people of the United States its brief report of its administration:

It suppressed a rebellion which had armed nearly a million of men to subvert the national authority. It reconstructed the union of the states with freedom, in-

stead of slavery, as its corner-stone. It transformed four million of human beings from the likeness of things to the rank of citizens. It relieved Congress from the infamous work of hunting fugitive slaves, and charged it to see that slavery does not exist.

It has raised the value of our paper currency from thirty-eight per cent. to the par of gold. It has restored, upon a solid basis, payment in coin for all the national obligations, and has given us a currency absolutely good and equal in every part of our extended country. It has lifted the credit of the nation from the point where six per cent. bonds sold at eighty-six to that where four per cent. bonds are eagerly sought at a premium.

Under its administration railways have increased from 31,000 miles in 1860, to more than 82,000 miles in 1879.

Our foreign trade has increased from \$700,000,000 to \$1,150,000,000 in the same time; and our exports, which were \$20,000,000 less than our imports in 1860, were \$264,000,000 more than our imports in 1879.

Without resorting to loans, it has, since the war closed, defrayed the ordinary expenses of government, besides the accruing interest on the public debt, and disbursed, annually, over \$30,000,000 for soldiers' pensions. It has paid \$888,000,000 of the public debt, and, by refunding the balance at lower rates, has reduced the annual interest charge from nearly \$151,000,000 to less than \$89,000,000.

All the industries of the country have revived, labor is in demand, wages have increased, and throughout the entire country there is evidence of a coming prosperity greater than we have ever enjoyed.

Upon this record, the Republican party asks for the continued confidence and support of the people; and this convention submits for their approval the following statement of the principles and purposes which will continue to guide and inspire its efforts:

1. We affirm that the work of the last twenty years has been such as to commend itself to the favor of the nation, and that the fruits of the costly victories which we have achieved, through immense difficulties, should be preserved; that the peace regained should be cherished; that the dissevered Union, now happily restored, should be perpetuated, and that the liberties secured to this generation should be transmitted, undiminished, to future generations; that the order established and the credit acquired should never be impaired; that the pensions promised should be paid; that the debt so much reduced should be extinguished by the full payment of every dollar thereof; that the reviving industries should be further promoted; and that the

commerce, already so great, should be steadily encouraged.

2. The constitution of the United States is a supreme law, and not a mere contract; out of confederate states it made a sovereign nation. Some powers are denied to the nation, while others are denied to states; but the boundary between the powers delegated and those reserved is to be determined by the national and not by the state tribunals.

3. The work of popular education is one left to the care of the several states, but it is the duty of the national government to aid that work to the extent of its constitutional ability. The intelligence of the nation is but the aggregate of the intelligence in the several states; and the destiny of the nation must be guided, not by the genius of any one state, but by the average genius of all.

4. The constitution wisely forbids Congress to make any law respecting an establishment of religion; but it is idle to hope that the nation can be protected against the influences of sectarianism while each state is exposed to its domination. We, therefore, recommend that the constitution be so amended as to lay the same prohibition upon the legislature of each state, to forbid the appropriation of public funds to the support of sectarian schools.

5. We reaffirm the belief, avowed in 1876, that the duties levied for the purpose of revenue should so discriminate as to favor American labor; that no further grant of the public domain should be made to any railway or other corporation; that slavery having perished in the states, its twin barbarity—polygamy—must die in the territories; that everywhere the protection accorded to citizens of American birth must be secured to citizens by American adoption. That we esteem it the duty of Congress to develop and improve our water-courses and harbors, but insist that further subsidies to private persons or corporations must cease. That the obligations of the republic to the men who preserved its integrity in the day of battle are undiminished by the lapse of fifteen years since their final victory—to do them perpetual honor is, and shall forever be, the grateful privilege and sacred duty of the American people.

6. Since the authority to regulate immigration and intercourse between the United States and foreign nations rests with the Congress of the United States and its treaty-making powers, the Republican party, regarding the unrestricted immigration of the Chinese as an evil of great magnitude, invoke the exercise of that power to restrain and limit that immigration by the enactment of such just, humane, and reasonable provisions as will produce that result.

That the purity and patriotism which characterized the early career of Rutherford B. Hayes in peace and war, and which guided the thoughts of our immediate predecessors to select him for a presidential candidate, have continued to inspire him in his career as chief executive, and that history will accord to his administration the honors which are due to an efficient, just, and courteous discharge of the public business, and will honor his interposition between the people and proposed partisan laws.

8. We charge upon the Democratic party the habitual sacrifice of patriotism and justice to a supreme and insatiable lust for office and patronage. That to obtain possession of the national and state governments, and the control of place and position, they have obstructed all efforts to promote the purity and to conserve the freedom of suffrage; have devised fraudulent certifications and returns; have labored to unseat lawfully-elected members of Congress, to secure, at all hazards, the vote of a majority of the states in the House of Representatives; have endeavored to occupy, by force and fraud the places of trust given to others by the people of Maine, and rescued by the courageous action of Maine's patriotic sons; have, by methods vicious in principle and tyrannical in practice, attached partisan legislation to appropriation bills, upon whose passage the very movements of government depend; have crushed the rights of the individual; have advocated the principle and sought the favor of rebellion against the nation, and have endeavored to obliterate the sacred memories of the war, and to overcome its inestimably valuable results of nationality, personal freedom, and individual equality. Equal, steady, and complete enforcement of the laws, and protection of all our citizens in the enjoyment of all privileges and immunities guaranteed by the constitution, are the first duties of the nation. The danger of a solid south can only be averted by the faithful performance of every promise which the nation made to the citizen. The execution of the laws, and the punishment of all those who violate them, are the only safe methods by which an enduring peace can be secured, and genuine prosperity established throughout the south. Whatever promises the nation makes, the nation must perform; and the nation can not with safety relegate this duty to the states. The solid south must be divided by the peaceful agencies of the ballot, and all opinions must there find free expression; and to this end honest voters must be protected against terrorism, violence, or fraud. And we affirm it to be the duty and the purpose of the Republican party to use all legitimate means to restore all the states of this Union to the most perfect harmony



which may be practicable; and we submit to the practical, sensible people of the United States to say whether it would not be dangerous to the dearest interests of our country, at this time to surrender the administration of the national government to a party which seeks to overthrow the existing policy, under which we are so prosperous, and thus bring distrust and confusion where there is now order, confidence, and hope.

9. The Republican party, adhering to a principle affirmed by its last national convention, of respect for the constitutional rule covering appointments to office, adopts the declaration of President Hayes, that the reform of the civil service should be thorough, radical, and complete. To this end it demands the co-operation of the legislative with the executive department of the government, and that Congress shall so legislate that fitness, ascertained by proper practical tests, shall admit to the public service; and that the power of removal for cause, with due responsibility for the good conduct of subordinates, shall accompany the power of appointment.

#### 1880.—National (Greenback) Platform,

Chicago, Illinois, June 9.

The civil government should guarantee the divine right of every laborer to the results of his toil, thus enabling the producers of wealth to provide themselves with the means for physical comfort, and facilities for mental, social, and moral culture; and we condemn, as unworthy of our civilization, the barbarism which imposes upon wealth-producers a state of drudgery as the price of a bare animal existence. Notwithstanding the enormous increase of productive power by the universal introduction of labor-saving machinery and the discovery of new agents for the increase of wealth, the task of the laborer is scarcely lightened, the hours of toil are but little shortened, and few producers are lifted from poverty into comfort and pecuniary independence. The associated monopolies, the international syndicates, and other income classes demand dear money, cheap labor, and a strong government, and, hence, a weak people. Corporate control of the volume of money has been the means of dividing society into hostile classes, of an unjust distribution of the products of labor, and of building up monopolies of associated capital, endowed with power to confiscate private property. It has kept money scarce; and the scarcity of money enforces debt-trade, and public and corporate loans; debt engenders usury, and usury ends in the bankruptcy of the borrower. Other results are—deranged markets, uncertainty in manufacturing enter-

prises and agriculture, precarious and intermittent employment for the laborer, industrial war, increasing pauperism and crime, and the consequent intimidation and disfranchisement of the producer, and a rapid declension into corporate feudalism. Therefore, we declare—

*First.* That the right to make and issue money is a sovereign power, to be maintained by the people for their common benefit. The delegation of this right to corporations is a surrender of the central attribute of sovereignty, void of constitutional sanction, and conferring upon a subordinate and irresponsible power an absolute dominion over industry and commerce. All money, whether metallic or paper, should be issued, and its volume controlled, by the government, and not by or through banking corporations; and, when so issued, should be a full legal tender for all debts, public and private.

*Second.* That the bonds of the United States should not be refunded, but paid as rapidly as practicable, according to contract. To enable the government to meet these obligations, legal-tender currency should be substituted for the notes of the national banks, the national banking system abolished, and the unlimited coinage of silver, as well as gold, established by law.

*Third.* That labor should be so protected by national and state authority as to equalize its burdens and insure a just distribution of its results. The eight hour law of Congress should be enforced, the sanitary condition of industrial establishments placed under the rigid control, the competition of contract convict labor abolished, a bureau of labor statistics established, factories, mines, and workshops inspected, the employment of children under fourteen years of age forbidden, and wages paid in cash.

*Fourth.* Slavery being simply cheap labor, and cheap labor being simply slavery, the importation and presence of Chinese serfs necessarily tends to brutalize and degrade American labor; therefore, immediate steps should be taken to abrogate the Burlingame treaty.

*Fifth.* Railroad land grants forfeited by reason of non-fulfillment of contract should be immediately reclaimed by the government, and, henceforth, the public domain reserved exclusively as homes for actual settlers.

*Sixth.* It is the duty of Congress to regulate inter-state commerce. All lines of communication and transportation should be brought under such legislative control as shall secure moderate, fair, and uniform rates for passenger and freight traffic.

*Seventh.* We denounce as destructive to property and dangerous to liberty the action of the old parties in fostering and sus-

taining gigantic land, railroad, and money corporations, and monopolies invested with and exercising powers belonging to the government, and yet not responsible to it for the manner of their exercise.

*Eighth.* That the constitution, in giving Congress the power to borrow money, to declare war, to raise and support armies, to provide and maintain a navy, never intended that the men who loaned their money for an interest-consideration should be preferred to the soldiers and sailors who periled their lives and shed their blood on land and sea in defense of their country; and we condemn the cruel class legislation of the Republican party, which, while professing great gratitude to the soldier, has most unjustly discriminated against him and in favor of the bondholder.

*Ninth.* All property should bear its just proportion of taxation, and we demand a graduated income tax.

*Tenth.* We denounce as dangerous the efforts everywhere manifest to restrict the right of suffrage.

*Eleventh.* We are opposed to an increase of the standing army in time of peace, and the insidious scheme to establish an enormous military power under the guise of militia laws.

*Twelfth.* We demand absolute democratic rules for the government of Congress, placing all representatives of the people upon an equal footing, and taking away from committees a veto power greater than that of the President.

*Thirteenth.* We demand a government of the people, by the people, and for the people, instead of a government of the bondholder, by the bondholder, and for the bondholder; and we denounce every attempt to stir up sectional strife as an effort to conceal monstrous crimes against the people.

*Fourteenth.* In the furtherance of these ends we ask the co-operation of all fair-minded people. We have no quarrel with individuals, wage no war on classes, but only against vicious institutions. We are not content to endure further discipline from our present actual rulers, who, having dominion over money, over transportation, over land and labor, over the press and the machinery of government, wield unwarrantable power over our institutions and over life and property.

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**1880.—Prohibition Reform Platform,**

*Cleveland, Ohio, June 17.*

The prohibition Reform party of the United States, organized, in the name of the people, to revive, enforce, and perpetuate in the government the doctrines of the Declaration of Independence, submit, for the suffrage of all good citizens, the follow-

ing platform of national reforms and measures:

In the examination and discussion of the temperance question, it has been proven, and is an accepted truth, that alcoholic drinks, whether fermented, brewed, or distilled, are poisonous to the healthy human body, the drinking of which is not only needless but hurtful, necessarily tending to form intemperate habits, increasing greatly the number, severity, and fatal termination of diseases, weakening and deranging the intellect, polluting the affections, hardening the heart and corrupting the morals, depriving many of reason and still more of its healthful exercise, and annually bringing down large numbers to untimely graves, producing, in the children of many who drink, a predisposition to intemperance, insanity, and various bodily and mental diseases, causing diminution of strength, feebleness of vision, fickleness of purpose, and premature old age, and inducing, in all future generations, deterioration of moral and physical character. Alcoholic drinks are thus the implacable foe of man as an individual.

*First.* The legalized importation, manufacture, and sale of intoxicating drinks ministers to their use, and teaches the erroneous and destructive sentiment that such use is right, thus tending to produce and perpetuate the above mentioned evils.

*Second.* To the home it is an enemy—proving itself to be a disturber and destroyer of its peace, prosperity, and happiness; taking from it the earnings of the husband; depriving the dependent wife and children of essential food, clothing, and education; bringing into it profanity, abuse, and violence; setting at naught the vows of the marriage altar; breaking up the family and sundering the children from the parents, and thus destroying one of the most beneficent institutions of our Creator, and removing the sure foundation of good government, national prosperity, and welfare.

*Third.* To the community it is equally an enemy—producing vice, demoralization, and wickedness; its places of sale being resorts of gaming, lewdness, and debauchery, and the hiding-place of those who prey upon society; counteracting the efficacy of religious effort, and of all means of intellectual elevation, moral purity, social happiness, and the eternal good of mankind, without rendering any counteracting or compensating benefits; being in its influence and effect evil and only evil, and that continually.

*Fourth.* To the state it is equally an enemy—legislative inquiries, judicial investigations, and official reports of all penal, reformatory, and dependent institutions showing that the manufacture and sale of such beverages is the promoting cause of

intemperance, crime, and pauperism, and of demands upon public and private charity, imposing the larger part of taxation, paralyzing thrift, industry, manufactures, and commercial life, which, but for it, would be unnecessary; disturbing the peace of streets and highways; filling prisons and poor-houses; corrupting politics, legislation, and the execution of the laws; shortening lives; diminishing health, industry, and productive power in manufactures and art; and is manifestly unjust, as well as injurious to the community upon which it is imposed, and is contrary to all just views of civil liberty, as well as a violation of the fundamental maxim of our common law, to use your own property or liberty so as not to injure others.

*Fifth.* It is neither right nor politic for the state to afford legal protection to any traffic or any system which tends to waste the resources, to corrupt the social habits, and to destroy the health and lives of the people; that the importation, manufacture, and sale of intoxicating beverages is proven to be inimical to the true interests of the individual home, community, and state, and destructive to the order and welfare of society, and ought, therefore, to be classed among crimes to be prohibited.

*Sixth.* In this time of profound peace at home and abroad, the entire separation of the general government from the drink-traffic, and its prohibition in the District of Columbia, territories, and in all places and ways over which, under the constitution, Congress has control and power, is a political issue of the first importance to the peace and prosperity of the nation. There can be no stable peace and protection to personal liberty, life, or property, until secured by national or state constitutional provisions, enforced by adequate laws.

*Seventh.* All legitimate industries require deliverance from the taxation and loss which the liquor traffic imposes upon them; and financial or other legislation could not accomplish so much to increase production and cause a demand for labor, and, as a result, for the comforts of living, as the suppression of this traffic would bring to thousands of homes as one of its blessings.

*Eighth.* The administration of the government and the execution of the laws are through political parties; and we arraign the Republican party, which has been in continuous power in the nation for twenty years, as being false to duty, as false to loudly-proclaimed principles of equal justice to all and special favors to none, and of protection to the weak and dependent, insensible to the mischief which the trade in liquor has constantly inflicted upon industry, trade, commerce, and the social happiness of the people; that 5,652 distilleries, 3,830 breweries, and 175,266 places for the sale of these poisonous liquors, in-

volving an annual waste to the nation of one million five hundred thousand dollars, and the sacrifice of one hundred thousand lives, have, under its legislation, grown up and been fostered as a legitimate source of revenue; that during its history, six territories have been organized and five states been admitted into the Union, with constitutions provided and approved by Congress, but the prohibition of this debasing and destructive traffic has not been provided, nor even the people given, at the time of admission, power to forbid it in any one of them. Its history further shows, that not in a single instance has an original prohibitory law been passed by any state that was controlled by it, while in four states, so governed, the laws found on its advent to power have been repealed. At its national convention in 1872, it declared, as part of its party faith, that "it disapproves of the resort to unconstitutional laws for the purpose of removing evils, by interference with rights not surrendered by the people to either the state or national government," which, the author of this plank says, was adopted by the platform committee with the full and implicit understanding that its purpose was the discountenancing of all so-called temperance, prohibitory, and Sunday laws.

*Ninth.* We arraign, also, the Democratic party as unfaithful and unworthy of reliance on this question; for, although not clothed with power, but occupying the relation of an opposition party during twenty years past, strong in numbers and organization, it has allied itself with liquor-traffickers, and become, in all the states of the Union, their special political defenders, and in its national convention in 1876, as an article of its political faith, declared against prohibition and just laws in restraint of the trade in drink, by saying it was opposed to what it was pleased to call "all sumptuary laws." The National party has been dumb on this question.

*Tenth.* Drink-traffickers, having the history and experience of all ages, climes, and conditions of men, declaring their business destructive of all good—finding no support in the Bible, morals, or reason—appeal to misapplied law for their justification, and intrench themselves behind the evil elements of political party for defense, party tactics and party inertia become battling forces, protecting this evil.

*Eleventh.* In view of the foregoing facts and history, we cordially invite all voters, without regard to former party affiliations, to unite with us in the use of the ballot for the abolition of the drinking system, under the authority of our national and state governments. We also demand, as a right, that women, having the privileges of citizens in other respects, be clothed with the

ballot for their protection, and as a rightful means for the proper settlement of the liquor question.

*Twelfth.* To remove the apprehension of some who allege that a loss of public revenue would follow the suppression of the direct trade, we confidently point to the experience of governments abroad and at home, which shows that thrift and revenue from the consumption of legitimate manufactures and commerce have so largely followed the abolition of drink as to fully supply all loss of liquor taxes.

*Thirteenth.* We recognize the good providence of Almighty God, who has preserved and prospered us as a nation; and, asking for His Spirit to guide us to ultimate success, we all look for it, relying upon His omnipotent arm.

#### 1880.—Democratic Platform,

Cincinnati, Ohio, June 22.

The Democrats of the United States, in convention assembled, declare:

*First.* We pledge ourselves anew to the constitutional doctrines and traditions of the Democratic party, as illustrated by the teachings and examples of a long line of Democratic statesmen and patriots, and embodied in the platform of the last national convention of the party.

*Second.* Opposition to centralization, and to that dangerous spirit of encroachment which tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism; no sumptuary laws; separation of the church and state for the good of each; common schools fostered and protected.

*Third.* Home rule; honest money, consisting of gold and silver, and paper, convertible into coin on demand; the strict maintenance of the public faith, state and national; and a tariff for revenue only; the subordination of the military to the civil power; and a general and thorough reform of the civil service.

*Fourth.* The right to a free ballot is a right preservative of all rights; and must and shall be maintained in every part of the United States.

*Fifth.* The existing administration is the representative of conspiracy only; and its claim of right to surround the ballot-boxes with troops and deputy marshals, to intimidate and obstruct the elections, and the unprecedented use of the veto to maintain its corrupt and despotic power, insults the people and imperils their institutions. We execrate the course of this administration in making places in the civil service a reward for political crime; and demand a reform, by statute, which shall make it for-

ever impossible for a defeated candidate to bribe his way to the seat of a usurper by billeting villains upon the people.

*Sixth.* The great fraud of 1876-7, by which, upon a false count of the electoral votes of two states, the candidate defeated at the polls was declared to be President, and, for the first time in American history, the will of the people was set aside under a threat of military violence, struck a deadly blow at our system of representative government. The Democratic party, to preserve the country from the horrors of a civil war, submitted for the time, in the firm and patriotic belief that the people would punish the crime in 1880. This issue precedes and dwarfs every other. It imposes a more sacred duty upon the people of the Union than ever addressed the consciences of a nation of freemen.

*Seventh.* The resolution of Samuel J. Tilden, not again to be a candidate for the exalted place to which he was elected by a majority of his countrymen, and from which he was excluded by the leaders of the Republican party, is received by the Democrats of the United States with deep sensibility; and they declare their confidence in his wisdom, patriotism, and integrity unshaken by the assaults of the common enemy; and they further assure him that he is followed into the retirement he has chosen for himself by the sympathy and respect of his fellow-citizens, who regard him as one who, by elevating the standard of the public morality, and adorning and purifying the public service, merits the lasting gratitude of his country and his party.

*Eighth.* Free ships, and a living chance for American commerce upon the seas; and on the land, no discrimination in favor of transportation lines, corporations, or monopolies.

*Ninth.* Amendments of the Burlingame treaty; no more Chinese immigration, except for travel, education, and foreign commerce, and, therein, carefully guarded.

*Tenth.* Public money and public credit for public purposes solely, and public land for actual settlers.

*Eleventh.* The Democratic party is the friend of labor and the laboring man, and pledges itself to protect him alike against the cormorants and the commune.

*Twelfth.* We congratulate the country upon the honesty and thrift of a Democratic Congress, which has reduced the public expenditure \$10,000,000 a year; upon the continuation of prosperity at home and the national honor abroad; and, above all, upon the promise of such a change in the administration of the government as shall insure a genuine and lasting reform in every department of the public service.

**Virginia Republican.**

[Adopted August 11.]

*Whereas*, It is proper that when the people assemble in convention they should avow distinctly the principles of government on which they stand; now, therefore, be it,

*Resolved*, That we, the Republicans of Virginia, hereby make a declaration of our allegiance and adhesion to the principles of the Republican party of the country, and our determination to stand squarely by the organization of the Republican party of Virginia, always defending it against the assaults of all persons or parties whatsoever.

*Second*. That amongst the principles of the Republican party none is of more vital importance to the welfare and interest of the country in all its parts than that which pertains to the sanctity of Government contracts. It therefore becomes the special duty and province of the Republican party of Virginia to guard and protect the credit of our time-honored State, which has been besmirched with repudiation, or received with distrust, by the gross mismanagement of various factions of the Democratic party, which have controlled the legislation of the State.

*Third*. That the Republican party of Virginia hereby pledges itself to redeem the State from the discredit that now hangs over her in regard to her just obligations for moneys loaned her for constructing her internal improvements and charitable institutions, which, permeating every quarter of the State, bring benefits of far greater value than their cost to our whole people, and we in the most solemn form pledge the Republican party of the State to the full payment of the whole debt of the State, less the one-third set aside as justly falling on West Virginia; that the industries of the country should be fostered through protective laws, so as to develop our own resources, employ our own labor, create a home market, enhance values, and promote the happiness and prosperity of the people.

*Fourth*. That the public school system of Virginia is the creature of the Republican party, and we demand that every dollar the Constitution dedicates to it shall be sacredly applied thereto as a means of educating the children of the State, without regard to condition or race.

*Fifth*. That the elective franchise as an equal right should be based on manhood qualification, and that we favor the repeal of the requirements of the prepayment of the capitation tax as a prerequisite to the franchise as opposed to the Constitution of the United States, and in violation of the condition whereby the State was readmitted as a member of our Constitutional Union, as well as against the spirit of the

Constitution; but demand the imposition of the capitation tax as a source of revenue for the support of the public schools without its disfranchising effects.

*Sixth*. That we favor the repeal of the disqualification for the elective franchise by a conviction of petty larceny, and of the infamous laws which place it in the power of a single justice of the peace (oftentimes being more corrupt than the criminal before him) to disfranchise his fellow-man.

*Seventh*. Finally, that we urge the repeal of the barbarous law permitting the imposition of stripes as degrading and inhuman, contrary to the genius of a true and enlightened people, and a relic of barbarism.

[The Convention considered it inexpedient to nominate candidates for State officers.]

**Virginia Readjuster.**

[Adopted June 2.]

*First*. We recognize our obligation to support the institution for the deaf, dumb and blind, the lunatic asylum, the public free schools and the Government out of the revenues of the State; and we deprecate and denounce that policy of ring rule and subordinated sovereignty which for years borrowed money out of banks at high rates of interest for the discharge of these paramount trusts, while our revenues were left the prey of commercial exchanges, available to the State only at the option of speculators and syndicates.

*Second*. We reassert our purpose to settle and adjust our State obligations on the principles of the "Bill to re-establish public credit," known as the "Riddleberger bill," passed by the last General Assembly and vetoed by the Governor. We maintain that this measure recognizes the just debt of Virginia, in this, that it assumes two-thirds of all the money Virginia borrowed, and sets aside the other third to West Virginia to be dealt with by her in her own way and at her own pleasure; that it places those of her creditors who have received but 6 per cent. instalments of interest in nine years upon an exact equality with those who by corrupt agencies were enabled to absorb and monopolize our means of payment; that it agrees to pay such rate of interest on our securities as can with certainty be met out of the revenues of the State, and that it contains all the essential features of finality.

*Third*. We reassert our adherence to the Constitutional requirements for the "equal and uniform" taxation of property, exempting none except that specified by the Constitution and used exclusively for "religious, charitable and educational purposes."

*Fourth.* We reassert that the paramount obligation of the various works of internal improvement is to the people of the State, by whose authority they were created, by whose money they were constructed and by whose grace they live; and it is enjoined upon our representative and executive officers to enforce the discharge of that duty; to insure to our people such rates, facilities and connections as will protect every industry and interest against discrimination, tend to the development of our agricultural and mineral resources, encourage the investment of active capital in manufactures and the profitable employment of labor in industrial enterprises, grasp for our city and our whole State those advantages to which by their geographical position they are entitled, and fulfil all the great public ends for which they were designed.

*Fifth.* The Readjusters hold the right to a free ballot to be the right preservative of all rights, and that it should be maintained in every State in the Union. We believe the capitation tax restriction upon the suffrage in Virginia to be in conflict with the XIVth Amendment to the Constitution of the United States. We believe that it is a violation of that condition of reconstruction wherein the pledge was given not so to amend our State Constitution as to deprive any citizen or class of citizens of a right to vote, except as punishment for such crimes as are felony at common law. We believe such a prerequisite to voting to be contrary to the genius of our institutions, the very foundation of which is representation as antecedent to taxation. We know that it has been a failure as a measure for the collection of revenue, the pretended reason for its invention in 1876, and we know the base, demoralizing and dangerous uses to which it has been prostituted. We know it contributes to the increase of monopoly power, and to corrupting the voter. For these and other reasons we adhere to the purpose hitherto expressed to provide more effectual legislation for the collection of this tax, dedicated by the Constitution to the public free schools, and to abolish it as a qualification for and restriction upon suffrage.

*Sixth.* The Readjusters congratulate the whole people of Virginia on the progress of the last few years in developing mineral resources and promoting manufacturing enterprises in the State, and they declare their purpose to aid these great and growing industries by all proper and essential legislation, State and Federal. To this end they will continue their efforts in behalf of more cordial and fraternal relations between the sections and States, and especially for that concord and harmony which will make the country to know how earnestly and sincerely Virginia invites all men

into her borders as visitors or to become citizens without fear of social or political ostracism; that every man, from whatever section of country, shall enjoy the fullest freedom of thought, speech, politics and religion, and that the State which first formulated these principles as fundamental in free government is yet the citadel for their exercise and protection.

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#### Virginia Democratic.

[Adopted August 4.]

The Conservative Democratic party of Virginia—Democratic in its Federal relations and Conservative in its State policy— assembled in convention, in view of the present condition of the Union and of this Commonwealth, for the clear and distinct assertion of its political principles, doth declare that we adopt the following articles of political faith:

*First.* Equality of right and exact justice to all men, special privileges to none; freedom of religion, freedom of the press, and freedom of the person under the protection of the habeas corpus; of trial by juries impartially selected, and of a pure, upright and non-partisan judiciary; elections by the people, free from force or fraud of citizens or of the military and civil officers of Government; and the selection for public offices of those who are honest and best fitted to fill them; the support of the State governments in all their rights as the most competent administrations of our domestic concerns and the surest bulwarks against anti-republican tendencies; and the preservation of the General Government in its whole constitutional vigor as the best sheet-anchor of our peace at home and our safety abroad.

*Second.* That the maintenance of the public credit of Virginia is an essential means to the promotion of her prosperity. We condemn repudiation in every shape and form as a blot upon her honor, a blow at her permanent welfare, and an obstacle to her progress in wealth, influence and power; and that we will make every effort to secure a settlement of the public debt, with the consent of her creditors, which is consistent with her honor and dictated by justice and sound public policy; that it is eminently desirable and proper that the several classes of the debt now existing should be unified, so that equality, which is equity, may control in the annual payment of interest and the ultimate redemption of principal; that, with a view of securing such equality, we pledge our party to use all lawful authority to secure a settlement of the State debt so that there shall be but one class of the public debt; that we will use all lawful and constitutional means in our power to secure a settlement

of the State debt upon the basis of a 3 per cent. bond, and that the Conservative-Democratic party pledges itself, as a part of its policy, not to increase the present rate of taxation.

*Third.* That we will uphold, in its full constitutional integrity and efficiency, our public-school system for the education of both white and colored children—a system inaugurated by the Constitution of the State and established by the action of the Conservative party years before it was required by the Constitution; and will take the most effectual means for the faithful execution of the same by applying to its support all the revenues set apart for that object by the Constitution or otherwise.

*Fourth.* Upon this declaration of principles we cordially invite the co-operation of all Conservative Democrats, whatever may have been or now are their views upon the public debt, in the election of the nominees of this Convention and in the maintenance of the supremacy of the Democratic party in this State.

*Resolved, further,* That any intimation, coming from any quarter, that the Conservative-Democratic party of Virginia has been, is now, or proposes to be, opposed to an honest ballot and a fair count, is a calumny upon the State of Virginia as unfounded in fact as it is dishonorable to its authors.

That special efforts be made to foster and encourage the agricultural, mechanical, mining, manufacturing and other industrial interests of the State.

That, in common with all good citizens of the Union, we reflect with deep abhorrence upon the crime of the man who aimed a blow at the life of the eminent citizen who was called by the constitutional voice of fifty millions of people to be the President of the United States; and we tender to him and to his friends the sympathy and respect of this Convention and of those we represent, in this great calamity, and our hearty desire for his complete restoration to health and return to the discharge of his important duties, for the welfare and honor of our common country.

COMPARISON OF PLATFORM PLANKS ON GREAT POLITICAL QUESTIONS.

General Party Doctrines.

DEMOCRATIC.

1856—That the liberal principles embodied by Jefferson in the Declaration of Independence, and sanctioned in the Constitution, which makes ours

REPUBLICAN.

1856—That the maintenance of the principles promulgated in the Declaration of Independence and embodied in the Federal Constitution, is essential

DEMOCRATIC.

the land of liberty and the *asylum of the oppressed* of every nation, have ever been cardinal principles in the Democratic faith; and every attempt to abridge the present privilege of becoming citizens and the owners of soil among us ought to be resisted with the same spirit which swept the alien and sedition laws from our statute books.

[Plank 8.

1860—Reaffirmed.

REPUBLICAN.

to the preservation of our Republican institutions, and that the Federal Constitution, the rights of the States, and the union of the States shall be preserved; that with our Republican fathers, we hold it to be a self-evident truth that all men are endowed with the inalienable rights to life, liberty, and the pursuit of happiness, and that the primary object and ulterior design of our Federal Government were to secure these rights to all persons within its exclusive jurisdiction. [Plank 1.

1860—That the maintenance of the principles promulgated in the Declaration of Independence and embodied in the Federal Constitution. "That all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed," is essential to the preservation of our Republican institutions; and that the Federal Constitution, the rights of the States, and the Union of the States must and shall be preserved.

[Plank 2.

1864—

1868—

1872—We recognize the equality of all men before the law, and hold that

1864—

1868—

1872—Complete liberty and exact equality in the enjoyment of all civil,

## DEMOCRATIC.

it is the duty of Government in its dealings with the people to mete out equal and exact justice to all, of whatever nativity, race, color, or persuasion, religious or political. [Plank 1.]

1876—

1880—Opposition to centralization, and to that dangerous spirit of encroachment which tends to consolidate the powers of all the departments in one, and thus to create, whatever be the form of Government, a real despotism.

[Plank 2.]

## REPUBLICAN.

political and public rights should be established and effectually maintained throughout the Union by efficient and appropriate State and Federal Legislation. Neither the law nor its administration should admit any discrimination in respect of citizens by reasons of race, creed, color or previous condition of servitude.

[Plank 3.]

1876—*The United States of America is a Nation not a league.* By the combined workings of the National and State Governments, under their respective constitutions, the rights of every citizen are secured at home or abroad, and the common welfare promoted.

1880—*The constitution of the United States is a supreme law and not a mere contract.* Out of confederate States it made a sovereign nation. Some powers are denied to the nation, while others are denied to the States, but the boundary between the powers delegated and those reserved is to be determined by the National, and not by the State tribunal.

[Cheers.]

[Plank 2.]

## DEMOCRATIC.

*periment of war*, during which, under the pretense of a military necessity or war-power higher than the Constitution, the Constitution itself has been disregarded in every part, and public liberty and private right alike trodden down, and the material prosperity of the country essentially impaired, justice, humanity, liberty, and the public welfare demand that *immediate efforts be made for a cessation of hostilities*, with a view to the ultimate convention of the States, or other peaceable means, to the end that, at the earliest practicable moment peace may be restored on the basis of the Federal Union of the States.

[1st resolution.]

## REPUBLICAN.

authority of the Constitution and laws of the United States; and that laying aside all differences of political opinions, we pledge ourselves as Union men, animated by a common sentiment, and aiming at a common object, to do everything in our power to aid the Government, in quelling by force of arms the rebellion now raging against its authority, and in bringing to the punishment due to their crimes the rebels and traitors arrayed against it.

That we approve the determination of the Government of the United States not to compromise with rebels, or to offer them any terms of peace, except such as may be based upon an unconditional surrender of their hostility and a return to their just allegiance to the Constitution and laws of the United States; and that we call upon the Government to maintain this position and to prosecute the war with the utmost possible vigor to the complete suppression of the rebellion, in full reliance upon the self-sacrificing patriotism, the heroic valor, and the undying devotion of the American people to the country and its free institutions.

[1st and 2d resolutions.]

**The Rebellion.**

## DEMOCRATIC.

1864—That this convention does *explicitly declare*, as the sense of the American people, that *after four years of failure to restore the Union by the ex-*

## REPUBLICAN.

1864—That it is the highest duty of every American citizen to maintain against all their enemies the integrity of the Union and the paramount

**Home Rule.**

## DEMOCRATIC.

1856—That we recognize the right

## REPUBLICAN.

1856— \* \* \*  
The dearest consti-



## DEMOCRATIC.

of the people in all the Territories, including Kansas and Nebraska, acting through the legally and fairly expressed will of a majority of actual residents, and wherever the number of their inhabitants justifies it, to form a constitution \* \* \* and be admitted into the Union upon terms of perfect equality with the other States.

## REPUBLICAN.

tutional rights of the people of Kansas have been fraudulently and violently taken from them; their territory has been invaded by an armed force; spurious and pretended legislative, judicial, and executive officers have been set over them, by whose usurped authority, sustained by the military power of the Government, tyrannical and unconstitutional laws have been enacted and enforced; the right of the people to keep and bear arms has been infringed; test-oaths of an extraordinary and entangling nature have been imposed as a condition of exercising the right of suffrage and holding office; the right of an accused person to a speedy and public trial by an impartial jury has been denied; the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, has been violated; they have been deprived of life, liberty, and property without due process of law; that the freedom of speech and of the press has been abridged; the right to choose their representatives has been made of no effect; murders, robberies, and arsons have been instigated and encouraged, and the offenders have been allowed to go unpunished; that all these things have been done

## DEMOCRATIC.

1860—That when the settlers in a Territory, having an adequate population, form a State Constitution, the right of sovereignty commences, and, being consummated by admission into the Union, they stand on an equal footing with the people of other States; and the State thus organized ought to be admitted into the Federal Union, whether its constitution prohibits or recognizes the institution of slavery. [Plank 3, Breckinridge, Dem.]

1864—

1868—After the most solemn and unanimous pledge of both Houses of Congress to prosecute the war exclusively for the maintenance of the Government and the preservation of the Union under the Constitution, it [the Republican party] has repeatedly vio-

## REPUBLICAN.

with the knowledge, sanction, and procurement of the present Administration, and that for this high crime against the Constitution, the Union, and humanity, we arraign the Administration, the President, his advisers, agents, supporters, apologists, and accessories, either *before* or *after* the fact, before the country and before the world; and that it is our fixed purpose to bring the actual perpetrators of these atrocious outrages and their accomplices to a sure and condign punishment. [Plank 3.]

1860—That the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political fabric depends; and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter under what pretext, as among the gravest of crimes.

[Plank 4.]

1864—

1868—We congratulate the country on the assured success of the reconstruction policy of Congress, as evinced by the adoption, in the majority of the States lately in rebellion, of constitutions securing equal civil and political rights to all; and it

## DEMOCRATIC.

lated that most sacred pledge under which alone was rallied that noble volunteer army which carried our flag to victory. Instead of restoring the Union, it has, so far as in its power, dissolved it, and subjected ten States, in time of profound peace, to military despotism and negro supremacy. It has nullified there the right of trial by jury; it has abolished the *habeas corpus*, that most sacred writ of liberty; it has overthrown the freedom of speech and the press; it has substituted arbitrary seizures and arrests, and military trials and secret star-chamber inquisitions for the constitutional tribunals; it has disregarded in time of peace the right of the people to be free from searches and seizures; it has entered the post and telegraph offices, and even the private rooms of individuals, and seized their private papers and letters without any specific charge or notice of affidavit, as required by the organic law; it has converted the American Capitol into a bastille; it has established a system of spies and official espionage to which no constitutional monarchy of Europe would now dare to resort; it has abolished the right of appeal on important constitutional questions to the supreme judicial tribunals, and threatens to curtail or destroy its original jurisdiction, which is irrevocably

## REPUBLICAN.

is the duty of the Government to sustain those institutions and prevent the people of such States from being remitted to a state of anarchy.

## DEMOCRATIC.

vested by the Constitution, while the learned Chief Justice has been subjected to the most atrocious calumnies, merely because he would not prostitute his high office to the support of the false and partisan charges preferred against the President. \* \* \* Under its repeated assaults the pillars of the Government are rocking on their base, and should it succeed in November next and inaugurate its President, we will meet as a subjected and conquered people, amid the ruins of liberty and the scattered fragments of the Constitution.

1872—Local self-government, with impartial suffrage, will guard the rights of all citizens more securely than any centralized power. The public welfare requires the supremacy of the civil over the military authority, and freedom of persons under the protection of the *habeas corpus*. We demand for the individual the largest liberty consistent with public order; for the State self-government, and for the nation a return to the methods of peace and the constitutional limitations of power.

[Plank 4.

1880—\* \* “Home Rule.” [Plank 3.

## REPUBLICAN.

1872—We hold that Congress and the President have only fulfilled an imperative duty in their measures for the suppression of violent and treasonable organizations in certain lately rebellious regions, and for the protection of the ballot-box; and, therefore, they are entitled to the thanks of the nation.

[Plank 12.

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**Internal Improvements.**

## DEMOCRATIC.

1856—That the Constitution does not confer upon the general Government the power to com-

## REPUBLICAN.

1856—That appropriations by congress for the improvement of rivers and harbors of a na-



## DEMOCRATIC.

which shall provide the means necessary to pay the expenses of the Government, economically administered, the pensions, the interest on the public debt, and a moderate reduction annually of the principal thereof. \* \* \*

The public credit must be sacredly maintained, and we denounce repudiation in every form and guise. [Plank 7.]

1876—Reform is necessary to establish a sound currency, restore the public credit, and maintain the national honor.

1880—\* \* \* Honest money—the strict maintenance of the public faith—consisting of gold and silver, and paper convertible into coin on demand; the strict maintenance of the public faith, State and national. [Plank 3.]

## REPUBLICAN.

most extraordinary burdens, and new bonds negotiated at lower rates. \* \*

[Plank 1.]

We denounce repudiation of the public debt, in any form of disguise, as a national crime. We witness with pride the reduction of the principal of the debt, and of the rates of interest upon the balance.

[Plank 13.]

1876—In the first act of Congress signed by President Grant, the National Government assumed to remove any doubts of its purpose to discharge all just obligations to the public creditors, and “solemnly pledged its faith to make provision at the earliest practicable period for the redemption of the United States notes in coin.” Commercial prosperity, public morals, and national credit demand that this promise be fulfilled by a continuance and steady progress to specie payment. [Plank 4.]

1880—It [the Republican party] has raised the value of our paper currency from 38 per cent. to the par of gold [applause]; it has restored, upon a solid basis, payment in coin of all national obligations, and has given us a currency absolutely good and equal in every part of our extended country [applause]; it has lifted the credit of the nation from the point of where 6 per cent. bonds sold at 86, to that where 4 per

## DEMOCRATIC.

**Resumption.**

## DEMOCRATIC.

1872—A speedy return to specie payment is demanded alike by the highest considerations of commercial morality and honest government.

[Plank 8.]

1876—We denounce the financial imbecility and immorality of that party, which, during eleven years of peace, has made no advance toward resumption, no preparation for resumption, but instead has obstructed resumption, by wasting our resources and exhausting all our surplus income; and, while annually professing to intend a speedy return to specie payments, has annually enacted fresh hindrances thereto. As such hindrance we denounce the resumption clause of the act of 1875, and we here demand its repeal.

1880—\* \* \* Honest money, \* \* \* consisting of gold, and silver, and paper convertible into coin on demand.

## REPUBLICAN.

cent. bonds are eagerly sought at a premium.

[Preamble.]

## REPUBLICAN.

1872—\* \* \* Our excellent national currency will be perfected by a speedy resumption of specie payment.

[Plank 13.]

1876—In the first act of Congress signed by President Grant, the National Government assumed to remove any doubts of its purpose to discharge all just obligations to the public creditors, and solemnly pledged its faith to make provision at the “earliest practicable period for the redemption of the United States notes in coin.” Commercial prosperity, public morals and national credit demand that this promise be fulfilled by a continuous and steady progress to specie payment.

1880—\* \* \* It [the Republican party] has restored, upon a solid basis, payment in coin of all National obligations, and has given us a currency absolutely good and equal in every part of our extended country.

**Capital and Labor.**

## DEMOCRATIC.

1868—*Resolved*, That this convention sympathize cordially with the working men of the United States in

## REPUBLICAN.

1868—

DEMOCRATIC.

their efforts to protect the rights and interests of the laboring classes of the country.

1872—

REPUBLICAN.

1872—Among the questions which press for attention is that which concerns the relations of capital and labor, and the Republican party recognizes the duty of so shaping legislation as to secure full protection and the amplest field for capital, and for labor, the creator of capital the largest opportunities and a just share of the mutual profits of these two great servants of civilization.

[Plank 11.

1880—

1880—The Democratic party is the friend of labor and the laboring man, and pledges itself to protect him alike against the cormorant and the commune. [Plank 13.

Tariff.

DEMOCRATIC.

1856 — The time has come for the people of the United States to declare themselves in favor of \* \* \* progressive free trade throughout the world, by solemn manifestations, to place their moral influence at the side of their successful example.

[Resolve I.

That justice and sound policy forbid the Federal Government to foster one branch of industry to the detriment of any other, or to cherish the interests of one portion to the injury of another portion of our common country.

[Plank 4.

REPUBLICAN.

1856—

DEMOCRATIC.

1860—Reaffirmed.

1864—  
1868— \* \* \* A tariff for revenue upon foreign imports, and such equal taxation under the Internal Revenue laws as will afford incidental protection to domestic manufactures, and as will, without impairing the revenue, impose the least burden upon and best promote and encourage the great industrial interests of the country.

[Plank 6.

1872— \* \* \* \* Recognizing that there are in our midst honest but irreconcilable differences of opinion with regard to the respective systems of protection and free trade, we remit the discussion of the subject to the people in their Congressional districts, and to the decision of the Congress thereon, wholly free from executive in-

REPUBLICAN.

1860—That, while providing revenue for the support of the general Government by duties upon imports, sound policy requires such an adjustment of these imposts as to encourage the development of the industrial interests of the whole country; and we commend that policy of national exchanges which secures to the workmen liberal wages, to agriculture remunerative prices, to mechanics and manufacturers an adequate reward for their skill, labor, and enterprise, and to the nation commercial prosperity and independence.

[Plank 12.

1864—  
1868—

1872— \* \* \* \* Revenue except so much as may be derived from a tax upon tobacco and liquors, should be raised by duties upon importations, the details of which should be so adjusted as to aid in securing remunerative wages to labor, and promote the industries, prosperity, and growth of the whole country. [Plank 7.

## DEMOCRATIC.

terference or dictation. [Plank 6.]

1876—\* \* \* \* We demand that all custom-house taxation shall be only for revenue.

[Plank 11.]

1880—\* \* \* \* A tariff for revenue only. [Plank 3.]

## REPUBLICAN.

1876—The revenue necessary for current expenditures and the obligations of the public debt must be largely derived from duties upon importations, which so far as possible, should be adjusted to promote the interests of American labor and advance the prosperity of the whole country. [Plank 8.]

1880—Reaffirmed.

**Education.**

## DEMOCRATIC.

1876—The false issue with which they [the Republicans] would enkindle sectarian strife in respect to the public schools, of which the establishment and support belong exclusively to the several States, and which *the Democratic party has cherished from their foundation*, and is resolved to maintain without prejudice or preference for any class, sect, or creed, and without largesses from the Treasury to any.

1880—\* \* \* Common Schools fostered and protected. [Plank 2.]

## REPUBLICAN.

1876—The public school system of the several States is the bulwark of the American Republic, and with a view to its security and permanence we recommend an Amendment to the Constitution of the United States, forbidding the application of any public funds or property for the benefit of any schools or institutions under sectarian control. [Plank 4.]

1880—The work of popular education is one left to the care of the several States, but it is the duty of the National Government to aid that work to the extent of its constitutional ability. The intelligence of the nation is but the aggregate of the intelligence in the several States, and the destiny of the Nation must be

## DEMOCRATIC.

**Duty to Union Soldiers and Sailors.**

## DEMOCRATIC.

1864 — That the sympathy of the Democratic party is heartily and earnestly extended to the soldiery of our army and sailors of our navy, who are and have been in the field and on the sea under the flag of our country, and, in the event of its attaining power, they will receive all the care, protection, and regard that the brave soldiers and sailors of the Republic so nobly earned. [Plank 6.]

1868—\* \* \* \* \* That our soldiers and sailors, who carried the flag of our country to victory, against a most gallant and determined foe, must ever be gratefully remembered, and all the guarantees given in their favor must be faithfully carried into execution.

## REPUBLICAN.

guided, not by the genius of any one State, but by the average genius of all. [Plank 3.]

## REPUBLICAN.

1864—That the thanks of the American people are due to the soldiers and sailors of the army and navy, who have periled their lives in defense of the country and in vindication of the honor of its flag; that the nation owes to them some permanent recognition of their patriotism and their valor, and ample and permanent provision for those of their survivors who have received disabling and honorable wounds in the service of the country; and that the memories of those who have fallen in its defence shall be held in grateful and everlasting remembrance. [Plank 4.]

1868—Of all who were faithful in the trials of the late war, there were none entitled to more especial honor than the brave soldiers and seamen who endured the hardships of campaign and cruise and imperiled their lives in the service of their country; the bounties and pensions provided by the laws for these brave defenders of the nation are obligations never to be forgotten; the widows and orphans of the gallant dead are the wards of the people—a sacred legacy bequeathed to the nation's care.

[Plank 10.]

## DEMOCRATIC.

1872—\* We remember with gratitude the heroism and sacrifices of the soldiers and sailors of the Republic, and no act of ours shall ever detract from their justly earned fame for the full reward of their patriotism [Plank 9.

1876—\*\*\* The soldiers and sailors of the Republic, and the widows and orphans of those who have fallen in battle, have a just claim upon the care, protection, and gratitude of their fellow-citizens.

[Last resolution.

1880—

## REPUBLICAN.

1872—We hold in undying honor the soldiers and sailors whose valor saved the Union. Their pensions are a sacred debt of the nation, and the widows and orphans of those who died for their country are entitled to the care of a generous and grateful people. We favor such additional legislation as will extend the bounty of the Government to all our soldiers and sailors who were honorably discharged, and who in the line of duty became disabled, without regard to the length of service or the cause of such discharge.

[Plank 8.

1876—The pledges which the nation has given to her soldiers and sailors must be fulfilled, and a grateful people will always hold those who imperiled their lives for the country's preservation, in the kindest remembrance.

[Plank 14.

1880—That the obligations of the Republic to the men who preserved its integrity in the day of battle are undiminished by the lapse of fifteen years since their final victory. To do them honor is and shall forever be the grateful privilege and sacred duty of the American people.

## DEMOCRATIC.

duty of this Government to protect the naturalized citizen in all his rights, whether at home or in foreign lands, to the same extent as its native-born citizens. [Plank 6.

1864—

1868 — Equal rights and protection for naturalized and native-born citizens at home and abroad, the assertion of American nationality which shall command the respect of foreign powers, and furnish an example and encouragement to people struggling for national integrity, constitutional liberty, and individual rights and the maintenance of the rights of naturalized citizens against the absolute doctrine of immutable allegiance, and the claims of foreign powers to punish them for alleged crime committed beyond their jurisdiction.

[Plank 8.

1872—

## REPUBLICAN.

turalization laws, or any State legislation by which the rights of citizenship hitherto accorded to immigrants from foreign lands shall be abridged or impaired; and in favor of giving a full and efficient protection to the right of all classes of citizens, whether native or naturalized, both home and abroad.

[Plank 14.

1864—

1868—The doctrine of Great Britain and other European Powers, that because a man is once a subject he is always so, must be resisted at every hazard by the United States, as a relic of feudal times, not authorized by the laws of nations, and at war with our national honor and independence. Naturalized citizens are entitled to protection in all their rights of citizenship as though they were native-born; and no citizen of the United States, native or naturalized, must be liable to arrest and imprisonment by any foreign power for acts done or words spoken in this country; and, if so arrested and imprisoned, it is the duty of the Government to interfere in his behalf.

[Plank 9.

1872—The doctrine of Great Britain and other European Powers concerning allegiance—"once a subject always a subject"—*having at last, through the efforts of the Republican party, been aban-*

### Naturalization and Allegiance.

## DEMOCRATIC.

1860—That the Democracy of the United States recognize it as the imperative

## REPUBLICAN.

1860—The Republican party is opposed to any change in our na-

## DEMOCRATIC.

## REPUBLICAN.

## DEMOCRATIC.

## REPUBLICAN.

1876—

done, and the American idea of the individual's right to transfer allegiance having been accepted by European nations, it is the duty of our Government to guard with jealous care the rights of adopted citizens against the assumption of unauthorised claims by their former Governments, and we urge continued careful encouragement and protection of voluntary immigration. [Plank 9.]

1876—It is the imperative duty of the Government so to modify existing treaties with European governments, that the same protection shall be afforded to the adopted American citizen that is given to the native-born, and that all necessary laws should be passed to protect emigrants in the absence of power in the State for that purpose.

[Plank 10.]

1880—

1880— \* \* \* \*  
Everywhere the protection accorded to a citizen of American birth must be secured to citizens by American adoption.

[Plank 5.]

**The Chinese.**

## DEMOCRATIC.

1876—Reform is necessary to correct the omissions of a Republican Congress, and the errors of our treaties and our diplomacy, which have stripped our fellow-citizens of foreign birth and kindred race recrossing the Atlantic, of the shield of American citizen-

## REPUBLICAN.

1876—It is the immediate duty of Congress to fully investigate the effect of the immigration and importation of Mongolians upon the moral and material interests of the country.

[Plank 11.]

ship, and have exposed our brethren of the Pacific coast to the incursions of a race not sprung from the same great parent stock, and in fact now by law denied citizenship through naturalization as being neither accustomed to the traditions of a progressive civilization nor exercised in liberty under equal laws. We denounce the policy which thus discards the liberty-loving German and tolerates a revival of the coolie trade in Mongolian women imported for immoral purposes, and Mongolian men held to perform servile labor contracts, and demand such modification of the treaty with the Chinese Empire, or such legislation within constitutional limitations, as shall prevent further importation or immigration of the Mongolian race.

1880 — Amendment of the Burlingame Treaty. No more Chinese immigration, except for travel, education, and foreign commerce, and therein carefully guarded.

[Plank 11.]

1880—Since the authority to regulate immigration and intercourse between the United States and foreign nations rests with the Congress of the United States and the treaty-making power, the Republican party, regarding the unrestricted immigration of Chinese as a matter of grave concernment under the exercise of both these powers, would limit and restrict that immigration by the enactment of such just, humane, and reasonable laws and treaties as will produce that result.

[Plank 6.]



**Civil Service.****DEMOCRATIC.**

1872—The civil service of the government has become a mere instrument of partisan tyranny and personal ambition and an object of selfish greed. It is a scandal and reproach upon free institutions and breeds a demoralization dangerous to the perpetuity of Republican Government. We therefore regard a thorough reform of the civil service as one of the most pressing necessities of the hour; that honesty, capacity and fidelity constitute the only valid claim to public employment; and the offices of the Government cease to be a matter of arbitrary favoritism and patronage, and public station become again a post of honor. To this end it is imperatively required that no President shall be a candidate for re-election.

1876—Reform is necessary in the civil service. Experience that proves efficient, economical conduct of Governmental business is not possible if the civil service be subject to change at every election, be a prize fought for at the ballot-box, be a brief reward of party zeal, instead of posts of honor assigned for proved competency, and held for fidelity in the public em-

**REPUBLICAN.**

1872—Any system of the civil service, under which the subordinate positions of the Government are considered rewards for mere party zeal is fatally demoralizing, and we therefore favor a reform of the system by laws which shall abolish the evils of patronage and make honesty, efficiency and fidelity the essential qualifications for public positions, without practically creating a life tenure of office.

[Plank 5.]

1876—Under the Constitution the President and heads of Departments are to make nominations for office; the Senate is to advise and consent to appointments, and the House of Representatives to accuse and prosecute faithless officers. The best interest of the public service demands that these distinctions be respected; that Senators and Representatives

**DEMOCRATIC.**

ploy; that the dispensing of patronage should neither be a tax upon the time of all our public men, nor the instrument of their ambition.

1880—\* \* Thorough reform in the civil service.

**REPUBLICAN.**

who may be judges and accusers should not dictate appointments to office. The invariable rule in appointments should have reference to the honesty, fidelity and capacity of the appointees, giving to the party in power those places where harmony and vigor of administration require its policy to be represented, but permitting all others to be filled by persons selected with sole reference to the efficiency of the public service, and the right of all citizens to share in the honor of rendering faithful service to the country.

[Plank 5.]

1880—The Republican party, adhering to the principles affirmed by its last National Convention of respect for the Constitutional rules governing appointments to office, adopts the declaration of President Hayes, that the reform of the civil service should be thorough, radical and complete. To this end it demands the co-operation of the legislative with the executive departments of the Government, and that Congress shall so legislate that fitness, ascertained by proper practical tests, shall admit to the public service.



AMERICAN POLITICS.

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BOOK III.

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GREAT SPEECHES ON GREAT ISSUES.



# AMERICAN POLITICS.

## BOOK III.

### GREAT SPEECHES ON GREAT ISSUES.

#### Speech of James Wilson,

January, 1775, in the Convention for the Province of Pennsylvania,

#### IN VINDICATION OF THE COLONIES.

"A most daring spirit of resistance and disobedience still prevails in Massachusetts, and has broken forth in fresh violences of a criminal nature. The most proper and effectual methods have been taken to prevent these mischiefs; and the parliament may depend upon a firm resolution to withstand every attempt to weaken or impair the supreme authority of parliament over all the dominions of the crown."—*Speech of the King of Great Britain to Parliament, Nov., 1774.*

MR. CHAIRMAN:—Whence, sir, proceeds all the invidious and ill-grounded clamor against the colonists of America? Why are they stigmatized in Britain as licentious and ungovernable? Why is their virtuous opposition to the illegal attempts of their governors, represented under the falsest colors, and placed in the most ungracious point of view? This opposition, when exhibited in its true light, and when viewed, with unjaundiced eyes, from a proper situation, and at a proper distance, stands confessed the lovely offspring of freedom. It breathes the spirit of its parent. Of this ethereal spirit, the whole conduct, and particularly the late conduct, of the colonists has shown them eminently possessed. It has animated and regulated every part of their proceedings. It has been recognized to be genuine, by all those symptoms and effects by which it has been distinguished in other ages and other countries. It has been calm and regular: it has not acted without occasion: it has not acted disproportionably to the occasion. As the attempts, open or secret, to undermine or to destroy it, have been repeated or enforced, in a just degree, its vigilance and its vigor have been exerted to defeat or to disappoint them. As its exertions have been sufficient for those purposes hitherto, let us hence draw a joy-

ful prognostic, that they will continue sufficient for those purposes hereafter. It is not yet exhausted: it will still operate irresistibly whenever a necessary occasion shall call forth its strength.

Permit me, sir, by appealing, in a few instances, to the spirit and conduct of the colonists, to evince that what I have said of them is just. Did they disclose any uneasiness at the proceedings and claims of the British parliament, before those claims and proceedings afforded a reasonable cause for it? Did they even disclose any uneasiness, when a reasonable cause for it was first given? Our rights were invaded by their regulations of our internal policy. We submitted to them: we were unwilling to oppose them. The spirit of liberty was slow to act. When those invasions were renewed; when the efficacy and malignancy of them were attempted to be redoubled by the stamp act; when chains were formed for us; and preparations were made for riveting them on our limbs, what measures did we pursue? The spirit of liberty found it necessary now to act; but she acted with the calmness and decent dignity suited to her character. Were we rash or seditious? Did we discover want of loyalty to our sovereign? Did we betray want of affection to our brethren in Britain? Let our dutiful and reverential petitions to the throne; let our respectful, though firm, remonstrances to the parliament; let our warm and affectionate addresses to our brethren and (we will still call them) our friends in Great Britain,—let all those, transmitted from every part of the continent, testify the truth. By their testimony let our conduct be tried.

As our proceedings, during the existence and operation of the stamp act, prove fully and incontestably the painful sensations that tortured our breasts from the prospect of disunion with Britain; the

peals of joy, which burst forth universally, upon the repeal of that odious statute, loudly proclaim the heartfelt délight produced in us by a reconciliation with her. Unsuspicious, because undesigning, we buried our complaints, and the causes of them, in oblivion, and returned, with eagerness, to our former unreserved confidence. Our connection with our parent country, and the reciprocal blessings resulting from it to her and to us, were the favorite and pleasing topics of our public discourses and our private conversations. Lulled into delightful security, we dreamed of nothing but increasing fondness and friendship, cemented and strengthened by a kind and perpetual communication of good offices. Soon, however, too soon, were we awakened from the soothing dreams! Our enemies renewed their designs against us, not with less malice, but with more art. Under the plausible pretence of regulating our trade, and, at the same time, of making provision for the administration of justice, and the support of government, in some of the colonies, they pursued their scheme of depriving us of our property without our consent. As the attempts to distress us, and to degrade us to a rank inferior to that of freemen, appeared now to be reduced into a regular system, it became proper, on our part, to form a regular system for counteracting them. We ceased to import goods from Great Britain. Was this measure dictated by selfishness or by licentiousness? Did it not injure ourselves, while it injured the British merchants and manufacturers? Was it inconsistent with the peaceful demeanor of subjects to abstain from making purchases, when our freedom and our safety rendered it necessary for us to abstain from them? A regard for our freedom and our safety was our only motive; for no sooner had the parliament, by repealing part of the revenue laws, inspired us with the flattering hopes, that they had departed from their intentions of oppressing and of taxing us, than we forsook our plan for defeating those intentions, and began to import as formerly. Far from being peevish or captious, we took no public notice even of their declaratory law of dominion over us: our candor led us to consider it as a decent expedient of retreating from the actual exercise of that dominion.

But, alas! the root of bitterness still remained. The duty on tea was reserved to furnish occasion to the ministry for a new effort to enslave and to ruin us; and the East India Company were chosen, and consented to be the detested instruments of ministerial despotism and cruelty. A cargo of their tea arrived at Boston. By a low artifice of the governor, and by the wicked activity of the tools of government, it was

rendered impossible to store it up, or to send it back, as was done at other places. A number of persons, unknown, destroyed it.

Let us here make a concession to our enemies: let us suppose, that the transaction deserves all the dark and hideous colors in which they have painted it: let us even suppose (for our cause admits of an excess of candor) that all their exaggerated accounts of it were confined strictly to the truth: what will follow? Will it follow, that every British colony in America, or even the colony of Massachusetts Bay, or even the town of Boston, in that colony, merits the imputation of being factious and seditious? Let the frequent mobs and riots, that have happened in Great Britain upon much more trivial occasions, shame our calumniators into silence. Will it follow, because the rules of order and regular government were, in that instance, violated by the offenders, that, for this reason, the principles of the constitution, and the maxims of justice, must be violated by their punishment? Will it follow, because those who were guilty could not be known, that, therefore, those who were known not to be guilty must suffer? Will it follow, that even the guilty should be condemned without being heard—that they should be condemned upon partial testimony, upon the representations of their avowed and embittered enemies? Why were they not tried in courts of justice known to their constitution, and by juries of their neighborhood? Their courts and their juries were not, in the case of captain Preston, transported beyond the bounds of justice by their resentment: why, then, should it be presumed, that, in the case of those offenders, they would be prevented from doing justice by their affection? But the colonists, it seems, must be stripped of their judicial, as well as of their legislative powers. They must be bound by a legislature, they must be tried by a jurisdiction, not their own. Their constitutions must be changed: their liberties must be abridged: and those who shall be most infamously active in changing their constitutions and abridging their liberties, must, by an express provision, be exempted from punishment.

I do not exaggerate the matter, sir, when I extend these observations to all the colonists. The parliament meant to extend the effects of their proceedings to all the colonists. The plan, on which their proceedings are formed, extends to them all. From an incident of no very uncommon or atrocious nature, which happened in one colony, in one town in that colony, and in which only a few of the inhabitants of that town took a part, an occasion has been taken by those, who probably intended it, and who

certainly prepared the way for it, to impose upon that colony, and to lay a foundation and a precedent for imposing upon all the rest, a system of statutes, arbitrary, unconstitutional, oppressive, in every view, and in every degree subversive of the rights, and inconsistent with even the name, of freemen.

Were the colonists so blind as not to discern the consequences of these measures? Were they so supinely inactive, as to take no steps for guarding against them? They were not. They ought not to have been so. We saw a breach made in those barriers, which our ancestors, British and American, with so much care, with so much danger, with so much treasure, and with so much blood, had erected, cemented and established for the security of their liberties, and—with filial piety let us mention it—of ours. We saw the attack actually begun upon one part: ought we to have folded our hands in indolence, to have lulled our eyes in slumbers, till the attack was carried on, so as to become irresistible, in every part? Sir, I presume to think not. We were roused; we were alarmed, as we had reason to be. But still our measures have been such as the spirit of liberty and of loyalty directed; not such as the spirit of sedition or of disaffection would pursue. Our counsels have been conducted without rashness and faction: our resolutions have been taken without phrensy or fury.

That the sentiments of every individual concerning that important object, his liberty, might be known and regarded, meetings have been held, and deliberations carried on, in every particular district. That the sentiments of all those individuals might gradually and regularly be collected into a single point, and the conduct of each inspired and directed by the result of the whole united, county committees, provincial conventions, a continental congress, have been appointed, have met and resolved. By this means, a chain—more inestimable, and, while the necessity for it continues, we hope, more indissoluble than one of gold—a chain of freedom has been formed, of which every individual in these colonies, who is willing to preserve the greatest of human blessings, his liberty, has the pleasure of beholding himself a link.

Are these measures, sir, the brats of disloyalty, of disaffection? There are miscreants among us, wasps that suck poison from the most salubrious flowers, who tell us they are. They tell us that all those assemblies are unlawful, and unauthorized by our constitutions; and that all their deliberations and resolutions are so many transgressions of the duty of subjects. The utmost malice brooding over the utmost baseness, and nothing but such a hated commixture, must have hatched this

calumny. Do not those men know—would they have others not to know—that it was impossible for the inhabitants of the same province, and for the legislatures of the different provinces, to communicate their sentiments to one another in the modes appointed for such purposes, by their different constitutions? Do not they know—would they have others not to know—that all this was rendered impossible by those very persons, who now, or whose minions now, urge this objection against us? Do not they know—would they have others not to know—that the different assemblies, who could be dissolved by the governors, were in consequence of ministerial mandates, dissolved by them, whenever they attempted to turn their attention to the greatest objects, which, as guardians of the liberty of their constituents, could be presented to their view? The arch enemy of the human race torments them only for those actions to which he has tempted, but to which he has not necessarily obliged them. Those men refine even upon infernal malice: they accuse, they threaten us, (superlative impudence!) for taking those very steps, which we were laid under the disagreeable necessity of taking by themselves, or by those in whose hateful service they are enlisted. But let them know, that our counsels, our deliberations, our resolutions, if not authorized by the forms, because that was rendered impossible by our enemies, are nevertheless authorized by that which weighs much more in the scale of reason—by the spirit of our constitutions. Was the convention of the barons at Runnymede, where the tyranny of John was checked, and *magna charta* was signed, authorized by the forms of the constitution? Was the convention parliament, that recalled Charles the Second, and restored the monarchy, authorized by the forms of the constitution? Was the convention of lords and commons, that placed king William on the throne, and secured the monarchy and liberty likewise, authorized by the forms of the constitution? I cannot conceal my emotions of pleasure, when I observe, that the objections of our adversaries cannot be urged against us, but in common with those venerable assemblies, whose proceedings formed such an accession to British liberty and British renown.

\* \* \* \* \*

We can be at no loss in resolving, that the king cannot, by his prerogative, alter the charter or constitution of the colony of Massachusetts Bay. Upon what principle could such an exertion of prerogative be justified? On the acts of parliament? They are already proved to be void. On the discretionary power which the king has of acting where the laws are

silent? That power must be subservient to the interest and happiness of those concerning whom it operates. But I go further. Instead of being supported by law, or the principles of prerogative, such an alteration is totally and absolutely repugnant to both. It is contrary to express law. The charter and constitution, we speak of, are confirmed by the only legislative power capable of confirming them; and no other power, but that which can ratify, can destroy. If it is contrary to express law, the consequence is necessary, that it is contrary to the principles of prerogative; for prerogative can operate only when the law is silent.

In no view can this alteration be justified, or so much as excused. It cannot be justified or excused by the acts of parliament; because the authority of parliament does not extend to it; it cannot be justified or excused by the operation of prerogative; because this is none of the cases in which prerogative can operate: it cannot be justified or excused by the legislative authority of the colony; because that authority never has been, and, I presume, never will be given for any such purpose.

If I have proceeded hitherto, as I am persuaded I have, upon safe and sure ground, I can, with great confidence, advance a step further, and say that all attempts to alter the charter or constitution of that colony, unless by the authority of its own legislature, are violations of its rights, and illegal.

If those attempts are illegal, must not all force, employed to carry them into execution, be force employed against law, and without authority? The conclusion is unavoidable.

Have not British subjects, then, a right to resist such force—force acting without authority—force employed contrary to law—force employed to destroy the very existence of law and of liberty? They have, sir, and this right is secured to them both by the letter and the spirit of the British constitution, by which the measures and the conditions of their obedience are appointed. The British liberties, sir, and the means and the right of defending them, are not the grants of princes; and of what our princes never granted they surely can never deprive us.

\* \* \* \* \*

“*Id rex potest,*” says the law, “*quod de jure potest.*” The king’s power is a power according to law. His commands, if the authority of lord chief justice Hale may be depended upon, are under the directive power of the law; and consequently invalid, if unlawful. “Commissions,” says my lord Coke, “are legal; and are like the king’s writs; and none are lawful, but such as are allowed by the common law, or warranted by some act of parliament.”

And now, sir, let me appeal to the impartial tribunal of reason and truth; let me appeal to every unprejudiced and judicious observer of the laws of Britain, and of the constitution of the British government; let me appeal, I say, whether the principles on which I argue, or the principles on which alone my arguments can be opposed, are those which ought to be adhered to and acted upon; which of them are most consonant to our laws and liberties; which of them have the strongest, and are likely to have the most effectual tendency to establish and secure the royal power and dignity.

Are we deficient in loyalty to his majesty? Let our conduct convict, for it will fully convict, the insinuation that we are, of falsehood. Our loyalty has always appeared in the true form of loyalty; in obeying our sovereign according to law; let those, who would require it in any other form, know, that we call the persons who execute his commands, when contrary to law, disloyal and traitors. Are we enemies to the power of the crown? No, sir, we are its best friends: this friendship prompts us to wish, that the power of the crown may be firmly established on the most solid basis: but we know, that the constitution alone will perpetuate the former, and securely uphold the latter. Are our principles irreverent to majesty? They are quite the reverse: we ascribe to it perfection almost divine. We say, that the king can do no wrong: we say, that to do wrong is the property, not of power, but of weakness. We feel oppression, and will oppose it; but we know, for our constitution tells us, that oppression can never spring from the throne. We must, therefore, search elsewhere for its source: our infallible guide will direct us to it. Our constitution tells us, that all oppression springs from the ministers of the throne. The attributes of perfection, ascribed to the king, are, neither by the constitution, nor in fact, communicable to his ministers. They may do wrong; they have often done wrong; they have been often punished for doing wrong.

Here we may discern the true cause of all the impudent clamor and unsupported accusations of the ministers and of their minions, that have been raised and made against the conduct of the Americans. Those ministers and minions are sensible, that the opposition is directed, not against his majesty, but against them; because they have abused his majesty’s confidence, brought discredit upon his government, and derogated from his justice. They see the public vengeance collected in dark clouds around them: their consciences tell them, that it should be hurled, like a thunderbolt, at their guilty heads. Appalled with guilt and fear, they skulk be-



hind the throne. Is it disrespectful to drag them into public view, and make a distinction between them and his majesty, under whose venerable name they daringly attempt to shelter their crimes? Nothing can more effectually contribute to establish his majesty on the throne, and to secure to him the affections of his people, than this distinction. By it we are taught to consider all the blessings of government as flowing from the throne; and to consider every instance of oppression as proceeding, which, in truth, is oftenest the case, from the ministers.

If, now, it is true, that all force employed for the purposes so often mentioned, is force unwarranted by any act of parliament; unsupported by any principle of the common law; unauthorized by any commission from the crown; that, instead of being employed for the support of the constitution and his majesty's government, it must be employed for the support of oppression and ministerial tyranny; if all this is true (and I flatter myself it appears to be true), can any one hesitate to say, that to resist such force is lawful; and that both the letter and the spirit of the British constitution justify such resistance?

Resistance, both by the letter and the spirit of the British constitution, may be carried further, when necessity requires it, than I have carried it. Many examples in the English history might be adduced, and many authorities of the greatest weight might be brought to show, that when the king, forgetting his character and his dignity, has stepped forth, and openly avowed and taken a part in such iniquitous conduct as has been described; in such cases, indeed, the distinction above mentioned, wisely made by the constitution for the security of the crown, could not be applied; because the crown had unconstitutionally rendered the application of it impossible. What has been the consequence? The distinction between him and his ministers has been lost; but they have not been raised to his situation: he has sunk to theirs.

#### Speech of Patrick Henry,

March 23, 1775, in the Convention of Delegates of Virginia,  
On the following resolutions, introduced by himself:

- \* Resolved, That a well-regulated militia, composed of gentlemen and yeomen, is the natural strength and only security of a free government; that such a militia in this colony, would forever render it unnecessary for the mother country to keep among us, for the purpose of our defence, any standing army of mercenary soldiers, always subversive of the quiet, and dangerous to the liberties of the people, and would obviate the pretext of taxing us for their support.
- \* That the establishment of such a militia is, at this time, peculiarly necessary, by the state of our laws for the protection and defence of the country, some of which are already expired, and others will shortly be so; and that the known remissness of government in calling us together in legislative capacity, renders it too insecure, in this time of danger and distress, to rely, that oppor-

tunity will be given of renewing them, in general assembly, or making any provision to secure our inestimable rights and liberties from those further violations with which they are threatened.

"Resolved, therefore, That this colony be immediately put into a state of defence, and that <sup>be a</sup> committee to prepare a plan for embodying, arming and disciplining such a number of men as may be sufficient for that purpose."

MR. PRESIDENT:—No man thinks more highly than I do of the patriotism, as well as abilities, of the very worthy gentlemen who have just addressed the house. But different men often see the same subject in different lights; and, therefore, I hope it will not be thought disrespectful to those gentlemen, if, entertaining, as I do, opinions of a character very opposite to theirs, I shall speak forth my sentiments freely and without reserve. This is no time for ceremony. The question before the house is one of awful moment to this country. For my own part, I consider it as nothing less than a question of freedom or slavery; and in proportion to the magnitude of the subject ought to be the freedom of the debate. It is only in this way that we can hope to arrive at truth, and fulfil the great responsibility which we hold to God and our country. Should I keep back my opinions at such a time, through fear of giving offence, I should consider myself as guilty of treason towards my country, and of an act of disloyalty towards the Majesty of Heaven, which I revere above all earthly kings.

Mr. President, it is natural to man to indulge in the illusions of hope. We are apt to shut our eyes against a painful truth, and listen to the song of that siren, till he transforms us into beasts. Is this the part of wise men, engaged in a great and arduous struggle for liberty? Are we disposed to be of the number of those, who, having eyes, see not, and, having ears, hear not, the things which so nearly concern their temporal salvation? For my part, whatever anguish of spirit it may cost, I am willing to know the whole truth; to know the worst, and to provide for it.

I have but one lamp by which my feet are guided; and that is the lamp of experience. I know of no way of judging of the future but by the past. And judging by the past, I wish to know what there has been in the conduct of the British ministry for the last ten years, to justify those hopes with which gentlemen have been pleased to solace themselves and the house? Is it that insidious smile with which our petition has been lately received? Trust it not, sir; it will prove a snare to your feet. Suffer not yourselves to be betrayed with a kiss. Ask yourselves how this gracious reception of our petition comports with those warlike preparations which cover our waters and darken our land. Are fleets and armies necessary to a work of love and reconciliation? Have we shown ourselves so unwilling to be reconciled, that force must be

called in to win back our love? Let us not deceive ourselves, sir. These are the implements of war and subjugation; the last arguments to which kings resort. I ask gentlemen, sir, what means this martial array, if its purpose be not to force us to submission? Can gentlemen assign any other possible motive for it? Has Great Britain any enemy, in this quarter of the world, to call for all this accumulation of navies and armies? No, sir, she has none. They are meant for us: they can be meant for no other. They are sent over to bind and rivet upon us those chains, which the British ministry have been so long forging. And what have we to oppose to them? Shall we try argument? Sir, we have been trying that for the last ten years. Have we any thing new to offer upon the subject? Nothing. We have held the subject up in every light of which it is capable; but it has been all in vain. Shall we resort to entreaty and humble supplication? What terms shall we find, which have not been already exhausted? Let us not, I beseech you, sir, deceive ourselves longer. Sir, we have done every thing that could be done, to avert the storm which is now coming on. We have petitioned; we have remonstrated; we have supplicated; we have prostrated ourselves before the throne, and have implored its interposition to arrest the tyrannical hands of the ministry and parliament. Our petitions have been slighted; our remonstrances have produced additional violence and insult; our supplications have been disregarded; and we have been spurned, with contempt, from the foot of the throne! In vain, after these things, may we indulge the fond hope of peace and reconciliation. There is no longer any room for hope. If we wish to be free—if we mean to preserve inviolate those inestimable privileges for which we have been so long contending—if we mean not basely to abandon the noble struggle in which we have been so long engaged, and which we have pledged ourselves never to abandon, until the glorious object of our contest shall be obtained—we must fight! I repeat it, sir, we must fight! An appeal to arms and to the God of Hosts is all that is left us!

They tell us, sir, that we are weak; unable to cope with so formidable an adversary. But when shall we be stronger? Will it be the next week, or the next year? Will it be when we are totally disarmed, and when a British guard shall be stationed in every house? Shall we gather strength by irresolution and inaction? Shall we acquire the means of effectual resistance, by lying supinely on our backs, and hugging the delusive phantom of hope, until our enemies shall have bound us hand and foot? Sir, we are not weak, if we make a proper use of those means which the God

of nature hath placed in our power. Three millions of people, armed in the holy cause of liberty, and in such a country as that which we possess, are invincible by any force which our enemy can send against us. Besides, sir, we shall not fight our battles alone. There is a just God who presides over the destinies of nations, and who will raise up friends to fight our battles for us. The battle, sir, is not to the strong alone; it is to the vigilant, the active, the brave. Besides, sir, we have no election. If we were base enough to desire it, it is now too late to retire from the contest. There is no retreat, but in submission and slavery! Our chains are forged! Their clanking may be heard on the plains of Boston! The war is inevitable—and let it come! I repeat it, sir, let it come.

It is in vain, sir, to extenuate the matter. Gentlemen may cry, Peace, peace—but there is no peace. The war is actually begun! The next gale, that sweeps from the north, will bring to our ears the clash of resounding arms! Our brethren are already in the field! Why stand we here idle? What is it that gentlemen wish? What would they have? Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take; but as for me, give me liberty, or give me death!

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**Supposed Speech of John Adams in favor of the Declaration of Independence.**

*As given by Daniel Webster.*

Sink or swim, live or die, survive or perish, I give my hand and my heart to this vote. It is true, indeed, that in the beginning we aimed not at independence. But there's a divinity which shapes our ends. The injustice of England has driven us to arms; and, blinded to her own interest for our good, she has obstinately persisted, till independence is now within our grasp. We have but to reach forth to it, and it is ours.

Why then should we defer the declaration? Is any man so weak as now to hope for a reconciliation with England, which shall leave either safety to the country and its liberties, or safety to his own life and his own honor? Are not you, sir, who sit in that chair, is not he, our venerable colleague near you, are you not both already the proscribed and predestined objects of punishment and of vengeance? Cut off from all hope of royal clemency, what are you, what can you be, while the power of England remains, but outlaws?

If we postpone independence, do we mean to carry on, or to give up the war?

Do we mean to submit to the measures of parliament, Boston port bill and all? Do we mean to submit, and consent that we ourselves shall be ground to powder, and our country and its rights trodden down in the dust? I know we do not mean to submit. We never shall submit.

Do we intend to violate that most solemn obligation ever entered into by men, that plighting, before God, of our sacred honor to Washington, when putting him forth to incur the dangers of war, as well as the political hazards of the times, we promised to adhere to him, in every extremity, with our fortunes and our lives? I know there is not a man here, who would not rather see a general conflagration sweep over the land, or an earthquake sink it, than one jot or tittle of that plighted faith fall to the ground.

For myself, having, twelve months ago, in this place, moved you that George Washington be appointed commander of the forces, raised or to be raised, for defence of American liberty, may my right hand forget her cunning, and my tongue cleave to the roof of my mouth, if I hesitate or waver in the support I give him. The war, then, must go on. We must fight it through. And if the war must go on, why put off longer the declaration of independence? That measure will strengthen us. It will give us character abroad.

The nations will then treat with us, which they never can do while we acknowledge ourselves subjects, in arms against our sovereign. Nay, I maintain that England, herself, will sooner treat for peace with us on the footing of independence, than consent, by repealing her acts, to acknowledge that her whole conduct toward us has been a course of injustice and oppression. Her pride will be less wounded by submitting to that course of things which now predestinates our independence, than by yielding the points in controversy to her rebellious subjects. The former she would regard as the result of fortune; the latter she would feel as her own deep disgrace. Why then, why then, sir, do we not as soon as possible change this from a civil to a national war? And since we must fight it through, why not put ourselves in a state to enjoy all the benefits of victory, if we gain the victory?

If we fail, it can be no worse for us. But we shall not fail. The cause will raise up armies; the cause will create navies. The people, the people, if we are true to them, will carry us, and will carry themselves, gloriously, through this struggle. I care not how fickle other people have been found. I know the people of these colonies, and I know that resistance to British aggression is deep and settled in their hearts and cannot be eradicated. Every colony, indeed, has expressed its willing-

ness to follow, if we but take the lead. Sir, the declaration will inspire the people with increased courage. Instead of a long and bloody war for restoration of privileges, for redress of grievances, for chartered immunities, held under a British king, set before them the glorious object of entire independence, and it will breathe into them anew the breath of life.

Read this declaration at the head of the army; every sword will be drawn from its scabbard, and the solemn vow uttered to maintain it, or to perish on the bed of honor. Publish it from the pulpit; religion will approve it, and the love of religious liberty will cling round it, resolved to stand with it, or fall with it. Send it to the public halls; proclaim it there; let them hear it, who heard the first roar of the enemy's cannon; let them see it, who saw their brothers and their sons fall on the field of Bunker hill, and in the streets of Lexington and Concord, and the very walls will cry out in its support.

Sir, I know the uncertainty of human affairs, but I see, I see clearly through this day's business. You and I, indeed, may rue it. We may not live to the time when this declaration shall be made good. We may die; die, colonists; die, slaves; die, it may be, ignominiously and on the scaffold. Be it so. Be it so. If it be the pleasure of Heaven that my country shall require the poor offering of my life, the victim shall be ready, at the appointed hour of sacrifice, come when that hour may. But while I do live, let me have a country, or at least the hope of a country, and that a free country.

But whatever may be our fate, be assured, be assured, that this declaration will stand. It may cost treasure, and it may cost blood; but it will stand, and it will richly compensate for both. Through the thick gloom of the present, I see the brightness of the future, as the sun in heaven. We shall make this a glorious, an immortal day. When we are in our graves, our children will honor it. They will celebrate it with thanksgiving, with festivity, with bonfires and illuminations. On its annual return they will shed tears, copious, gushing tears, not of subjection and slavery, not of agony and distress, but of exultation, of gratitude, and of joy.

Sir, before God, I believe the hour is come. My judgment approves this measure, and my whole heart is in it. All that I have, and all that I am, and all that I hope, in this life, I am now ready here to stake upon it; and I leave off as I begun, that live or die, survive or perish, I am for the declaration. It is my living sentiment, and by the blessing of God it shall be my dying sentiment; independence *now*; and

INDEPENDENCE FOR EVER.

**Speech of Patrick Henry,**

*On the expediency of adopting the Federal Constitution delivered in the convention of Virginia, June 24, 1788.\* Enumerating views which have ever since been accepted by the Democratic party.*

MR. CHAIRMAN:—The proposal of ratification is premature. The importance of the subject requires the most mature deliberation. The honorable member must forgive me for declaring my dissent from it, because, if I understand it rightly, it admits that the new system is defective, and most capitally; for, immediately after the proposed ratification, there comes a declaration, that the paper before you is not intended to violate any of these three great rights—the liberty of religion, liberty of the press, and the trial by jury. What is the inference, when you enumerate the rights which you are to enjoy? That those not enumerated are relinquished. There are only three things to be retained—religion, freedom of the press, and jury trial. Will not the ratification carry every thing, without excepting these three things? Will not all the world pronounce, that we intended to give up all the rest? Every thing it speaks of, by way of rights, is comprised in these three things. Your subsequent amendments only go to these three amendments. I feel myself distressed, because the necessity of securing our personal rights seems not to have pervaded the minds of men; for many other valuable things are omitted. For instance: general warrants, by which an officer may search suspected places without evidence of the commission of a fact, or seize any person without evidence of his crime, ought to be prohibited. As these are admitted, any man may be seized; any property may be taken, in the most arbitrary manner, without any evidence or reason. Every thing, the most sacred, may be searched and ransacked by the strong hand of power. We have infinitely more reason to dread general warrants here, than they have in England; because there, if a person be confined, liberty may be quickly obtained by the writ of *habeas corpus*. But here, a man living many hundred miles from the judges may rot in prison before he can get that writ.

Another most fatal omission is, with respect to standing armies. In your bill of rights of Virginia, they are said to be dangerous to liberty; and it tells you, that the proper defence of a free state consists in militia; and so I might go on to ten or eleven things of immense consequence secured in your bill of rights, concerning

\* Upon the resolution of Mr. Wythe, which proposed, "That the committee should ratify the constitution, and that whatsoever amendments might be deemed necessary should be recommended to the consideration of the congress, which should first assemble under the constitution, to be acted upon according to the mode prescribed therein."

which that proposal is silent. Is that the language of the bill of rights in England? Is it the language of the American bill of rights, that these three rights, and these only, are valuable? Is it the language of men going into a new government? Is it not necessary to speak of those things before you go into a compact? How do these three things stand? As one of the parties, we declare we do not mean to give them up. This is very dictatorial; much more so than the conduct which proposes alterations as the condition of adoption. In a compact, there are two parties—one accepting, and another proposing. As a party, we propose that we shall secure these three things; and before we have the assent of the other contracting party, we go into the compact, and leave these things at their mercy. What will be the consequence? Suppose the other states will call this dictatorial: they will say, Virginia has gone into the government, and carried with her certain propositions, which, she says, ought to be concurred in by the other states. They will declare, that she has no right to dictate to other states the conditions on which they shall come into the union. According to the honorable member's proposal, the ratification will cease to be obligatory unless they accede to these amendments. We have ratified it. You have committed a violation, they will say. They have not violated it. We say we will go out of it. You are then reduced to a sad dilemma—to give up these three rights, or leave the government. This is worse than our present confederation, to which we have hitherto adhered honestly and faithfully. We shall be told we have violated it, because we have left it for the infringement and violation of conditions, which they never agreed to be a part of the ratification. The ratification will be complete. The proposal is made by one party. We, as the other, accede to it, and propose the security of these three great rights; for it is only a proposal. In order to secure them, you are left in that state of fatal hostility, which I shall as much deplore as the honorable gentleman. I exhort gentlemen to think seriously before they ratify this constitution, and persuade themselves that they will succeed in making a feeble effort to get amendments after adoption. With respect to that part of the proposal which says that every power not granted remains with the people, it must be previous to adoption, or it will involve this country in inevitable destruction. To talk of it is a thing subsequent, not as one of your inalienable rights, is leaving it to the casual opinion of the congress who shall take up the consideration of the matter. They will not reason with you about the effect of this constitution. They will not take the opinion of this com-

mittee concerning its operation. They will construe it as they please. If you place it subsequently, let me ask the consequences. Among ten thousand implied powers which they may assume, they may, if we be engaged in war, liberate every one of your slaves, if they please. And this must and will be done by men, a majority of whom have not a common interest with you. They will, therefore, have no feeling for your interests.

It has been repeatedly said here that the great object of a national government is national defence. That power which is said to be intended for security and safety, may be rendered detestable and oppressive. If you give power to the general government to provide for the general defence, the means must be commensurate to the end. All the means in the possession of the people must be given to the government which is intrusted with the public defence. In this state there are two hundred and thirty-six thousand blacks, and there are many in several other states; but there are few or none in the Northern States; and yet, if the Northern States shall be of opinion that our numbers are numberless, they may call forth every national resource. May congress not say, that every black man must fight? Did we not see a little of this in the last war? We were not so hard pushed as to make emancipation general: but acts of assembly passed, that every slave who would go to the army should be free. Another thing will contribute to bring this event about: slavery is detested; we feel its fatal effects; we deplore it with all the pity of humanity. Let all these considerations, at some future period, press with full force on the minds of congress. Let that urbanity, which I trust will distinguish America, and the necessity of national defence—let all these things operate on their minds, and they will search that paper, and see if they have power of manumission. And have they not, sir? Have they not power to provide for the general defence and welfare? May they not think that these call for the abolition of slavery? May they not pronounce all slaves free, and will they not be warranted by that power? There is no ambiguous implication, or logical deduction. The paper speaks to the point. They have the power in clear, unequivocal terms, and will clearly and certainly exercise it. As much as I deplore slavery, I see that prudence forbids its abolition. I deny that the general government ought to set them free, because a decided majority of the states have not the ties of sympathy and fellow-feeling for those whose interest would be affected by their emancipation. The majority of congress is to the north, and the slaves are to the south. In this situation, I see a great deal of the property of the

people of Virginia in jeopardy, and their peace and tranquillity gone away. I repeat it again, that it would rejoice my very soul that every one of my fellow-beings was emancipated. As we ought with gratitude to admire that decree of Heaven which has numbered us among the free, we ought to lament and deplore the necessity of holding our fellow-men in bondage. But is it practicable, by any human means, to liberate them, without producing the most dreadful and ruinous consequences? We ought to possess them in the manner we have inherited them from our ancestors, as their manumission is incompatible with the felicity of the country. But we ought to soften, as much as possible, the rigor of their unhappy fate. I know that in a variety of particular instances, the legislature, listening to complaints, have admitted their emancipation. Let me not dwell on this subject. I will only add, that this, as well as every other property of the people of Virginia, is in jeopardy, and put in the hands of those who have no similarity of situation with us. This is a local matter, and I can see no propriety in subjecting it to congress.

[Here Mr. Henry informed the committee, that he had a resolution prepared, to refer a declaration of rights, with certain amendments to the most exceptionable parts of the constitution, to the other states in the confederacy, for their consideration, previous to its ratification. The clerk then read the resolution, the declaration of rights, and amendments, which were nearly the same as those ultimately proposed by the convention, for the consideration of congress. He then resumed the subject.] I have thus candidly submitted to you, Mr. Chairman, and this committee, what occurred to me as proper amendments to the constitution, and the declaration of rights containing those fundamental, inalienable privileges, which I conceive to be essential to liberty and happiness. I believe, that, on a review of these amendments, it will still be found, that the arm of power will be sufficiently strong for national purposes, when these restrictions shall be a part of the government. I believe no gentleman, who opposes me in sentiments, will be able to discover that any one feature of a strong government is altered; and at the same time your inalienable rights are secured by them. The government unaltered may be terrible to America, but can never be loved, till it be amended. You find all the resources of the continent may be drawn to a point. In danger, the president may concentrate to a point every effort of the continent. If the government be constructed to satisfy the people and remove their apprehensions, the wealth and strength of the continent will go where

public utility shall direct. This government, with these restrictions, will be a strong government united with the privileges of the people. In my weak judgment, a government is strong, when it applies to the most important end of all governments—the rights and privileges of the people. In the honorable member's proposal, jury trial, the press, and religion, and other essential rights, are not to be given up. Other essential rights—what are they? The world will say, that you intended to give them up. When you go into an enumeration of your rights, and stop that enumeration, the inevitable conclusion is, that what is omitted is intended to be surrendered.

Anxious as I am to be as little troublesome as possible, I cannot leave this part of the subject without adverting to one remark of the honorable gentleman. He says, that, rather than bring the union into danger, he will adopt it with its imperfections. A great deal is said about disunion, and consequent dangers. I have no claim to a greater share of fortitude than others; but I can see no kind of danger. I form my judgment on a single fact alone, that we are at peace with all the world; nor is there any apparent cause of a rupture with any nation in the world. Is it among the American states that the cause of disunion is to be feared? Are not the states using all their efforts for the promotion of union? New England sacrifices local prejudices for the purposes of union. We hear the necessity of the union, and predilection for the union, re-echoed from all parts of the continent; and all at once disunion is to follow! If gentlemen dread disunion, the very thing they advocate will inevitably produce it. A previous ratification will raise insurmountable obstacles to union. New York is an insurmountable obstacle to it, and North Carolina also. They will never accede to it till it be amended. A great part of Virginia is opposed, most decidedly, to it, as it stands. This very spirit which will govern us in these three states, will find a kindred spirit in the adopting states. Give me leave to say, that it is very problematical whether the adopting states can stand on their own legs. I hear only on one side, but as far as my information goes, there are heart-burnings and animosities among them. Will these animosities be cured by subsequent amendments?

Turn away from American, and consider European politics. The nations there, which can trouble us, are France, England, and Spain. But at present we know for a certainty, that those nations are engaged in a very different pursuit from American conquests. We are told by our intelligent ambassador, that there is no such danger as has been apprehended.

Give me leave then to say, that dangers from beyond the Atlantic are imaginary. From these premises, then, it may be concluded, that, from the creation of the world to this time, there never was a more fair and proper opportunity than we have at this day to establish such a government as will permanently establish the most transcendent political felicity. Since the revolution there has not been so much experience. Since then, the general interests of America have not been better understood, nor the union more ardently loved, than at this present moment. I acknowledge the weakness of the old confederation. Every man says, that something must be done. Where is the moment more favorable than this? During the war, when ten thousand dangers surrounded us, America was magnanimous. What was the language of the little state of Maryland? "I will have time to consider. I will hold out three years. Let what may come I will have time to reflect." Magnanimity appeared everywhere. What was the upshot?—America triumphed. Is there any thing to forbid us to offer these amendments to the other states? If this moment goes away unimproved, we shall never see its return. We now act under a happy system, which says, that a majority may alter the government when necessary. But by the paper proposed, a majority will forever endeavor in vain to alter it. Three fourths may. Is not this the most promising time for securing the necessary alterations? Will you go into that government, where it is a principle, that a contemptible minority may prevent an alteration? What will be the language of the majority?—Change the government—Nay, seven eighths of the people of America may wish the change; but the minority may come with a Roman *Veto*, and object to the alteration. The language of a magnanimous country and of freemen is, Till you remove the defects, we will not accede. It would be in vain for me to show, that there is no danger to prevent our obtaining those amendments, if you are not convinced already. If the other states will not agree to them, it is not an inducement to union. The language of this paper is not dictatorial, but merely a proposition for amendments. The proposition of Virginia met with a favorable reception before. We proposed that convention which met at Annapolis. It was not called dictatorial. We proposed that at Philadelphia. Was Virginia thought dictatorial? But Virginia is now to lose her pre-eminence. Those rights of equality, to which the meanest individual in the community is entitled, are to bring us down infinitely below the Delaware people. Have we not a right to say, Hear our propositions? Why, sir, your slaves have a right to make

their humble requests. Those who are in the meanest occupations of human life, have a right to complain. What do we require? Not pre-eminence, but safety; that our citizens may be able to sit down in peace and security under their own fig-trees. I am confident that sentiments like these will meet with unison in every state; for they will wish to banish discord from the American soil. I am certain that the warmest friend of the constitution wishes to have fewer enemies—fewer of those who pester and plague him with opposition. I could not withhold from my fellow-citizens anything so reasonable. I fear you will have no union, unless you remove the cause of opposition. Will you sit down contented with the name of union without any solid foundation?

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### Speech of John Randolph

*Against the Tariff Bill, delivered in the House of Representatives of the United States, April 15, 1824.*

I AM, Mr. Speaker, practising no deception upon myself, much less upon the house, when I say, that if I had consulted my own feelings and inclinations, I should not have troubled the house, exhausted as it is, and as I am, with any further remarks upon this subject. I come to the discharge of this task, not merely with reluctance, but with disgust; jaded, worn down, abraded, I may say, as I am by long attendance upon this body, and continued stretch of the attention upon this subject. I come to it, however, at the suggestion, and in pursuance of the wishes of those, whose wishes are to me, in all matters touching my public duty, paramount law; I speak with those reservations, of course, which every moral agent must be supposed to make to himself.

It was not more to my surprise, than to my disappointment, that on my return to the house, after a necessary absence of a few days, on indispensable business, I found it engaged in discussing the general principle of the bill, when its details were under consideration. If I had expected such a turn in the debate, I would, at any private sacrifice, however great, have remained a spectator and auditor of that discussion. With the exception of the speech, already published, of my worthy colleague on my right (Mr. P. P. Barbour), I have been nearly deprived of the benefit of the discussion which has taken place. Many weeks have been occupied with this bill (I hope the house will pardon me for saying so) before I took the slightest part in the deliberations of the details; and I now sincerely regret that I had not firmness enough to adhere to the resolution which I had laid down to myself, in the early

stage of the debate, not to take any part in the discussion of the details of the measure. But, as I trust, what I now have to say upon this subject, although more and better things have been said by others, may not be the same that they have said, or may not be said in the same manner. I here borrow the language of a man who has been heretofore conspicuous in the councils of the country; of one who was unrivalled for readiness and dexterity in debate; who was long without an equal on the floor of this body; who contributed as much to the revolution of 1801, as any man in this nation, and derived as little benefit from it; as, to use the words of that celebrated man, what I have to say is not that which has been said by others, and will not be said in their manner, the house will, I trust, have patience with me during the time that my strength will allow me to occupy their attention. And I beg them to understand, that the notes which I hold in my hand are not the notes on which I mean to speak, but of what others have spoken, and from which I will make the smallest selection in my power.

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Sir, when are we to have enough of this tariff question? In 1816 it was supposed to be settled. Only three years thereafter, another proposition for increasing it was sent from this house to the senate, *baited* with a tax of four cents per pound on brown sugar. It was fortunately rejected in that body. In what manner *this bill* is baited, it does not become me to say; but I have too distinct a recollection of the vote in committee of the whole, on the duty upon molasses, and afterwards of the vote in the house on the same question; of the votes of more than one of the states on that question, not to mark it well. I do not say that the change of the vote on that question was affected by any man's *voting* against his own motion; but I do not hesitate to say that it was effected by one man's electioneering against his own motion. I am very glad, Mr. Speaker, that old Massachusetts Bay, and the province of Maine and Sagadahock, by whom we stood in the days of the revolution, now stand by the south, and will not aid in fixing on us this system of taxation, compared with which the taxation of Mr. Grenville and Lord North was as nothing. I speak with knowledge of what I say, when I declare, that this bill is an attempt to reduce the country, south of Mason and Dixon's line and east of the Alleghany mountains, to a state of worse than colonial bondage; a state to which the domination of Great Britain was, in my judgment, far preferable; and I trust I shall always have the fearless integrity to utter any political sentiment which the head sanctions and the heart ratifies; for the British parlia-

ment never would have dared to lay such duties on our imports, or their exports to us, either "at home" or here, as is now proposed to be laid upon the imports from abroad. At that time we had the command of the market of the vast dominions then subject, and we should have had those which have since been subjected, to the British empire; we enjoyed a free trade eminently superior to any thing that we can enjoy, if this bill shall go into operation. It is a sacrifice of the interests of a part of this nation to the ideal benefit of the rest. It marks us out as the victims of a worse than Egyptian bondage. It is a barter of so much of our rights, of so much of the fruits of our labor, for political power to be transferred to other hands. It ought to be met, and I trust it will be met, in the southern country, as was the stamp act, and by all those measures, which I will not detain the house by recapitulating, which succeeded the stamp act, and produced the final breach with the mother country, which it took about ten years to bring about, as I trust, in my conscience, it will not take as long to bring about similar results from this measure, should it become a law.

Sir, events now passing elsewhere, which plant a thorn in my pillow and a dagger in my heart, admonish me of the difficulty of governing with sobriety any people who are over head and ears in debt. That state of things begets a temper which sets at nought every thing like reason and common sense. This country is unquestionably laboring under great distress; but we cannot legislate it out of that distress. We may, by your legislation, reduce all the country south and east of Mason and Dixon's line, the whites as well as the blacks, to the condition of Helots: you can do no more. We have had placed before us, in the course of this discussion, foreign examples and authorities; and among other things, we have been told, as an argument in favor of this measure, of the prosperity of Great Britain. Have gentlemen taken into consideration the peculiar advantages of Great Britain? Have they taken into consideration that, not excepting Mexico, and that fine country which lies between the Orinoco and Caribbean sea, England is decidedly superior, in point of physical advantages, to every country under the sun? This is unquestionably true. I will enumerate some of those advantages. First, there is her climate. In England, such is the temperature of the air, that a man can there do more days' work in the year, and more hours' work in the day, than in any other climate in the world; of course I include Scotland and Ireland in this description. It is in such a climate only, that the human animal can bear without extirpation the corrupted air,

the noisome exhalations, the incessant labor of these accursed manufactories. Yes, sir, accursed; for I say it is an accursed thing, which I will neither taste, nor touch, nor handle. If we were to act here on the English system, we should have the yellow fever at Philadelphia and New York, not in August merely, but from June to January, and from January to June. The climate of *this* country alone, were there no other natural obstacle to it, says aloud, You shall not manufacture! Even our tobacco factories, admitted to be the most wholesome of any sort of factories, are known to be, where extensive, the very nidus (if I may use the expression) of yellow fever and other fevers of similar type. In another of the advantages of Great Britain, so important to her prosperity, we are almost on a par with her, if we know how properly to use it. *Fortunatos nimium sua si bona norint*—for, as regards defence, we are, to all intents and purposes, almost as much an island as England herself. But *one* of her insular advantages we can never acquire. Every part of that country is accessible from the sea. There, as you recede from the sea, you do not get further from the sea. I know that a great deal will be said of our majestic rivers, about the father of floods, and his tributary streams; but, with the Ohio, frozen up all the winter and dry all the summer, with a long tortuous, difficult, and dangerous navigation thence to the ocean, the gentlemen of the west may rest assured that they will never derive one particle of advantage from even a total prohibition of foreign manufactures. You may succeed in reducing *us* to your own level of misery; but if we were to *agree* to become your slaves, you never can derive one farthing of advantage from this bill. What parts of this country can derive any advantage from it? Those parts only, where there is a water power in immediate contact with navigation, such as the vicinities of Boston, Providence, Baltimore, and Richmond. Petersburg is the last of these as you travel south. You take a bag of cotton up the river to Pittsburg, or to Zanesville, to have it manufactured and sent down to New Orleans for a market, and before your bag of cotton has got to the place of manufacture, the manufacturer of Providence has received his returns for the goods made from his bag of cotton purchased at the same time that you purchased yours. No, sir, gentlemen may as well insist that because the Chesapeake bay, *mare nostrum*, our Mediterranean sea, gives us every advantage of navigation, we shall exclude from it every thing but steam-boats and those boats called *κατ' ἑξοχήν*, *per emphasin*, *par excellence*, Kentucky boats—a sort of huge square, clumsy, wooden box. And why not insist upon it? Hav'n't you "the



power to REGULATE COMMERCE"? Would not that too be a "REGULATION OF COMMERCE?" It would, indeed, and a pretty regulation it is; and so is this bill. And, sir, I marvel that the representation from the great commercial state of New York should be in favor of this bill. If operative—and if inoperative why talk of it?—if operative, it must, like the embargo of 1807—1809, transfer no small portion of the wealth of the London of America, as New York has been called, to Quebec and Montreal. She will receive the most of her imports from abroad, down the river. I do not know any bill that could be better calculated for Vermont than this bill; because, through Vermont, from Quebec, Montreal, and other positions on the St. Lawrence, we are, if it passes, unquestionably to receive our supplies of foreign goods. It will, no doubt, suit the Niagara frontier.

But, sir, I must not suffer myself to be led too far astray from the topic of the peculiar advantages of England as a manufacturing country. Her vast beds of coal are inexhaustible; there are daily discoveries of quantities of it, greater than ages past have yet consumed; to which beds of coal her manufacturing establishments have been transferred, as any man may see who will compare the present population of her towns with what it was formerly. It is to these beds of coal that Birmingham, Manchester, Wolverhampton, Sheffield, Leeds, and other manufacturing towns, owe their growth. If you could destroy her coal in one day, you would cut at once the sinews of her power. Then, there are her metals, and particularly tin, of which she has the exclusive monopoly. Tin, I know, is to be found in Japan, and perhaps elsewhere; but, in practice, England has now the monopoly of that article. I might go further, and I might say, that England possesses an advantage, *quoad hoc*, in her institutions; for *there* men are compelled to pay their debts. But *here*, men are not only not compelled to pay their debts, but they are protected in the refusal to pay them, in the scandalous evasion of their legal obligations; and, after being convicted of embezzling the public money, and the money of others, of which they were appointed guardians and trustees, they have the impudence to obtrude their unblushing fronts into society, and elbow honest men out of their way. There, though all men are on a footing of equality on the high way, and in the courts of law, at will and at market, yet the castes in Hindoostan are not more distinctly separated, one from the other, than the different classes of society are in England. It is true that it is practicable for a wealthy merchant or manufacturer, or his descendants, after having, through two or

three generations, washed out, what is considered the stain of their original occupation, to emerge, by slow degrees, into the higher ranks of society; but this rarely happens. Can you find men of vast fortune, in this country, content to move in the lower circles—content as the ox under the daily drudgery of the yoke? It is true that, in England, some of these wealthy people take it into their heads to buy seats in parliament. But, when they get there, unless they possess great talents, they are mere nonentities; their existence is only to be found in the red book which contains a list of the members of parliament. Now, sir, I wish to know if, in the western country, where any man may get beastly drunk for three pence sterling—in England, you cannot get a small wine-glass of spirits under twenty-five cents; one such drink of grog as I have seen swallowed in this country, would there cost a dollar—in the western country, where every man can get as much meat and bread as he can consume, and yet spend the best part of his days, and nights too, perhaps, on the tavern benches, or loitering at the cross roads asking the news, can you expect the people of such a country, with countless millions of wild land and wild animals besides, can be cooped up in manufacturing establishments, and made to work sixteen hours a day, under the superintendence of a driver, yes, a driver, compared with whom a southern overseer is a gentleman and man of refinement; for, if they do not work, these work people in the manufactories, they cannot eat; and, among all the punishments that can be devised (put death even among the number), I defy you to get as much work out of a man by any of them, as when he knows that he must work before he can eat.

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In the course of this discussion, I have heard, I will not say with surprise, because *nil admirari* is my motto—no doctrine that can be broached on this floor, can ever, hereafter, excite surprise in my mind—I have heard the names of Say, Ganilh, Adam Smith, and Ricardo, pronounced not only in terms, but in a tone of sneering contempt, visionary theorists, destitute of practical wisdom, and the whole clan of Scotch and Quarterly Reviewers lugged in to boot. This, sir, is a sweeping clause of proscription. With the names of Say, Smith, and Ganilh, I profess to be acquainted, for I, too, am versed in *title-pages*; but I did not expect to hear, in this house, a name, with which I am a little further acquainted, treated with so little ceremony; and by whom? I leave Adam Smith to the simplicity, the majesty, and strength of his own native genius, which has canonized his name—a name which will be pronounced with veneration, when

not one in this house will be remembered. But one word as to Ricardo, the last mentioned of these writers—a new authority, though the grave has already closed upon him, and set its seal upon his reputation. I shall speak of him in the language of a man of as great a genius as this, or perhaps any, age has ever produced; a man remarkable for the depth of his reflections and the acumen of his penetration. “I had been led,” says this man, “to look into loads of books—my understanding had for too many years been intimate with severe thinkers, with logic, and the great masters of knowledge, not to be aware of the utter feebleness of the herd of modern economists. I sometimes read chapters from more recent works, or part of parliamentary debates. I saw that these [ominous words!] were generally the very dregs and rinsings of the human intellect.” [I am very glad, sir, he did not read *our* debates. What would he have said of ours?] “At length a friend sent me Mr. Ricardo’s book, and, recurring to my own prophetic anticipation of the advent of some legislator on this science, I said, Thou art the man. Wonder and curiosity had long been dead in me; yet I wondered once more. Had this profound work been really written in England during the 19th century? Could it be that an Englishman, and he not in academic bowers, but oppressed by mercantile and senatorial cares, had accomplished what all the universities and a century of thought had failed to advance by one hair’s breadth? All other writers had been crushed and overlaid by the enormous weight of facts and documents: Mr. Ricardo had deduced, *a priori*, from the understanding itself, laws which first gave a ray of light into the unwieldy chaos of materials, and had constructed what had been but a collection of tentative discussions, into a science of regular proportions, now first standing on an eternal basis.”

I pronounce no opinion of my own on Ricardo; I recur rather to the opinion of a man inferior, in point of original and native genius, and that highly cultivated, too, to none of the moderns, and few of the ancients. Upon this subject, what shall we say to the following fact? Butler, who is known to gentlemen of the profession of the law, as the annotator, with Hargrave, on lord Coke, speaking with Fox as to political economy—that most extraordinary man, unrivalled for his powers of debate, excelled by no man that ever lived, or probably ever will live, as a public debater, and of the deepest political erudition, fairly confessed that he had never read Adam Smith. Butler said to Mr. Fox, “that he had never read Adam Smith’s work on the Wealth of Nations.” “To tell you the truth,” replied Mr. Fox,

“nor I neither. There is something in all these subjects that passes my comprehension—something so wide that I could never embrace them myself, or find any one who did.” And yet we see how we, with our little dividers, undertake to lay off the scale, and with our pack-thread to take the soundings, and speak with a confidence peculiar to quacks (in which the regular-bred professor never indulges) on this abstruse and perplexing subject. Confidence is one thing, knowledge another; of the want of which, overweening confidence is notoriously the indication. What of that? Let Ganilh, Say, Ricardo, Smith, all Greek and Roman fame be against us; we appeal to Dionysius in support of our doctrines; and to him, not on the throne of Syracuse, but at Corinth—not in absolute possession of the most wonderful and enigmatical city, as difficult to comprehend as the abstrusest problem of political economy which furnished not only the means but the men for supporting the greatest wars—a kingdom within itself, under whose ascendant the genius of Athens, in her most high and palmy state, quailed, and stood rebuked. No; we follow the pedagogue to the schools—dictating in the classic shades of Longwood—(*lucus a non lucendo*)—to his disciples. \* \* \*

But it is said, a measure of this sort is necessary to create employment for the people. Why, sir, where are the handles of the plough? Are they unfit for *young gentlemen* to touch? Or will they rather choose to enter your military academies, where the sons of the rich are educated at the expense of the poor, and where so many political janissaries are every year turned out, always ready for war, and to support the powers that be—equal to the strelitzes of Moscow or St. Petersburg. I do not speak now of individuals, of course, but of the tendency of the system—the hounds follow the huntsman because he feeds them, and bears the whip. I speak of the system. I concur most heartily, sir, in the censure which has been passed upon the greediness of office, which stands a stigma on the present generation. Men from whom we might expect, and from whom I did expect, better things, crowd the ante-chamber of the palace, for every vacant office; nay, even before men are dead, their shoes are wanted for some barefooted office-seeker. How mistaken was the old Roman, the old consul, who, whilst he held the plough by one hand, and death held the other, exclaimed, “*Diis immortalibus sero!*”

Our fathers, how did they acquire their property? By straightforward industry, rectitude, and frugality. How did they become dispossessed of their property? By indulging in speculative hopes and designs; seeking the shadow whilst they lost the substance; and now, instead of being, as

they were, men of respectability, men of substance, men capable and willing to live independently and honestly, and hospitably too—for who so parsimonious as the prodigal who has nothing to give?—what have we become? A nation of sharks, preying on one another through the instrumentality of this paper system, which, if Lycurgus had known of it, he would unquestionably have adopted, in preference to his iron money, if his object had been to make the Spartans the most accomplished knaves as well as to keep them poor.

The manufacturer of the east may carry his woollens or his cottons, or his coffins, to what market he pleases—I do not buy of him. Self-defence is the first law of nature. You drive us into it. You create heats and animosities among this great family, who ought to live like brothers; and, after you have got this temper of mind roused among the southern people, do you expect to come among us to trade, and expect us to buy your wares? Sir, not only shall we not buy them, but we shall take such measures (I will not enter into the detail of them now) as shall render it impossible for you to sell them. Whatever may be said here of the “misguided counsels,” as they have been termed, “of the theorists of Virginia,” they have, so far as regards this question, the confidence of united Virginia. We are asked—Does the south lose any thing by this bill—why do you cry out? I put it, sir, to any man from any part of the country, from the gulf of Mexico, from the Balize, to the eastern shore of Maryland—which, I thank Heaven, is not yet under the government of Baltimore, and will not be, unless certain theories should come into play in that state, which we have lately heard of, and a majority of men, told by the head, should govern—whether the whole country between the points I have named, is not unanimous in opposition to this bill. Would it not be unexampled, that we should thus complain, protest, resist, and that all the while nothing should be the matter? Are our understandings (however low mine may be rated, much sounder than mine are engaged in this resistance), to be rated so low, as that we are to be made to believe that we are children affrighted by a bugbear? We are asked, however, why do you cry out? it is all for your good. Sir, this reminds me of the mistresses of George II., who, when they were insulted by the populace on arriving in London (as all such creatures deserve to be, by every mob), put their heads out of the window, and said to them in their broken English, “*Goot people, we be come for your goots;*” to which one of the mob rejoined—“Yes, and for our chattels too, I fancy.” Just so it is with the oppressive exactions proposed

and advocated by the supporters of this bill, on the plea of the good of those who are its victims. \* \* \* \*

I had more to say, Mr. Speaker, could I have said it, on this subject. But I cannot sit down without asking those, who were once my brethren of the church, the elders of the young family of this good old republic of the thirteen states, if they can consent to rivet upon us this system, from which no benefit can possibly result to themselves. I put it to them as descendants of the renowned colony of Virginia; as children sprung from her loins; if for the sake of all the benefits, with which this bill is pretended to be freighted to them, granting such to be the fact for argument's sake, they could consent to do such an act of violence to the unanimous opinion, feelings, prejudices, if you will, of the whole Southern States, as to pass it? I go farther. I ask of them what is there in the condition of the nation at this time, that calls for the immediate adoption of this measure? Are the Gauls at the gate of the capitol? If they are, the cacklings of the Capitoline geese will hardly save it. What is there to induce us to plunge into the vortex of those evils so severely felt in Europe from this very manufacturing and paper policy? For it is evident that, if we go into this system of policy, we must adopt the European institutions also. We have very good materials to work with; we have only to make our elective king president for life, in the first place, and then to make the succession hereditary in the family of the first that shall happen to have a promising son. For a king we can be at no loss—*ex quovis ligno*—any block will do for him. The senate may, perhaps, be transmuted into a house of peers, although we should meet with more difficulty than in the other case; for Bonaparte himself was not more hardly put to it, to recruit the ranks of his mushroom nobility, than we should be to furnish a house of peers. As for us, we are the faithful commons, ready made to hand; but with all our loyalty, I congratulate the house—I congratulate the nation—that, although this body is daily degraded by the sight of members of Congress manufactured into placemen, we have not yet reached such a point of degradation as to suffer executive minions to be manufactured into members of congress. We have shut *that* door; I wish we could shut the other also. I wish we could have a perpetual call of the house in this view, and suffer no one to get out from its closed doors. The time is peculiarly inauspicious for the change in our policy which is proposed by this bill. We are on the eve of an election that promises to be the most distracted that this nation has ever yet undergone. It may turn out to be a Polish election. At such a time, ought any

measure to be brought forward which is supposed to be capable of being demonstrated to be extremely injurious to one great portion of this country, and beneficial in proportion to another? Sufficient for the day is the evil thereof. There are firebrands enough in the land, without this apple of discord being cast into this assembly. Suppose this measure is not what it is represented to be; that the fears of the south are altogether illusory and visionary; that it will produce all the good predicted of it—an honorable gentleman from Kentucky said yesterday—and I was sorry to hear it, for I have great respect for that gentleman, and for other gentlemen from that state—that the question was not whether a bare majority should pass the bill, but whether the majority or the minority should rule. The gentleman is wrong, and, if he will consider the matter rightly, he will see it. Is there no difference between the patient and the actor? We are passive: we do not call them to act or to suffer, but we call upon them not so to act as that we must necessarily suffer; and I venture to say, that in any government, properly constituted, this very consideration would operate conclusively, that if the burden is to be laid on 102, it ought not to be laid by 105. We are the eel that is being flayed, while the cook-maid pats us on the head, and cries, with the clown in King Lear, "Down, wantons, down." There is but one portion of the country which can profit by this bill, and from that portion of the country comes this bare majority in favor of it. I bless God that Massachusetts and old Virginia are once again rallying under the same banner, against oppressive and unconstitutional taxation; for, if all the blood be drawn from out the body, I care not whether it be by the British parliament or the American congress; by an emperor or a king abroad, or by a president at home.

Under these views, and with feelings of mortification and shame at the very weak opposition I have been able to make to this bill, I entreat gentlemen to consent that it may lie over, at least, until the next session of congress. We have other business to attend to, and our families and affairs need our attention at home; and indeed I, sir, would not give one farthing for any man who prefers being here to being at home; who is a good public man and a bad private one. With these views and feelings, I move you, sir, that the bill be indefinitely postponed.

—  
Edward Everett.

*The example of the Northern to the Southern Republics of America*

THE great triumphs of constitutional freedom, to which our independence has fur-

nished the example, have been witnessed in the southern portion of our hemisphere. Sunk to the last point of colonial degradation, they have risen at once into the organization of three republics. Their struggle has been arduous; and eighteen years of checkered fortune have not yet brought it to a close. But we must not infer, from their prolonged agitation, that their independence is uncertain; that they have prematurely put on the *toga virilis* of freedom. They have not begun too soon; they have more to do. Our war of independence was shorter;—happily we were contending with a government, that could not, like that of Spain, pursue an interminable and hopeless contest, in defiance of the people's will. Our transition to a mature and well adjusted constitution was more prompt than that of our sister republics; for the foundations had long been settled, the preparation long made. And when we consider that it is our example, which has aroused the spirit of independence from California to Cape Horn; that the experiment of liberty, if it had failed with us, most surely would not have been attempted by them; that even now our counsels and acts will operate as powerful precedents in this great family of republics, we learn the importance of the post which Providence has assigned us in the world. A wise and harmonious administration of the public affairs,—a faithful, liberal, and patriotic exercise of the private duties of the citizen,—while they secure our happiness at home, will diffuse a healthful influence through the channels of national communication, and serve the cause of liberty beyond the Equator and the Andes. When we show a united, conciliatory, and imposing front to their rising states we show them, better than sounding eulogies can do, the true aspect of an independent republic; we give them a living example that the fireside policy of a people is like that of the individual man. As the one, commencing in the prudence, order, and industry of the private circle, extends itself to all the duties of social life, of the family, the neighborhood, the country; so the true domestic policy of the republic, beginning in the wise organization of its own institutions, pervades its territories with a vigilant, prudent, temperate administration; and extends the hand of cordial interest to all the friendly nations, especially to those which are of the household of liberty.

It is in this way that we are to fulfil our destiny in the world. The greatest engine of moral power, which human nature knows, is an organized, prosperous state. All that man, in his individual capacity, can do—all that he can effect by his fraternities—by his ingenious discoveries and wonders of art,—or by his influence

over others—is as nothing, compared with the collective, perpetuated influence on human affairs and human happiness of a well constituted, powerful commonwealth. It blesses generations with its sweet influence;—even the barren earth seems to pour out its fruits under a system where property is secure, while her fairest gardens are blighted by despotism;—men, thinking, reasoning men, abound beneath its benignant sway;—nature enters into a beautiful accord, a better, purer *asiento* with man, and guides an industrious citizen to every rood of her smiling wastes;—and we see, at length, that what has been called a state of nature, has been most falsely, calumniously so denominated; that the nature of man is neither that of a savage, a hermit, nor a slave; but that of a member of a well-ordered family, that of a good neighbor, a free citizen, a well informed, good man, acting with others like him. This is the lesson which is taught in the charter of our independence; this is the lesson which our example is to teach the world.

The epic poet of Rome—the faithful subject of an absolute prince—in unfolding the duties and destinies of his countrymen, bids them look down with disdain on the polished and intellectual arts of Greece, and deem their arts to be

To rule the nations with imperial sway;  
To spare the tribes that yield; fight down the proud;  
And force the mood of peace upon the world.

A nobler counsel breathes from the charter of our independence; a happier province belongs to our republic. Peace we would extend, but by persuasion and example,—the moral force, by which alone it can prevail among the nations. Wars we may encounter, but it is in the sacred character of the injured and the wronged; to raise the trampled rights of humanity from the dust; to rescue the mild form of liberty from her abode among the prisons and the scaffolds of the elder world, and to seat her in the chair of state among her adoring children; to give her beauty for ashes; a healthful action for her cruel agony; to put at last a period to her warfare on earth; to tear her star-spangled banner from the perilous ridges of battle, and plant it on the rock of ages. There be it fixed for ever,—the power of a free people slumbering in its folds, their peace reposing in its shade!

#### Close of the Speech of Daniel Webster

*On the Greek question, in the House of Representatives of the United States, January, 1824.*

The house had gone into committee of the whole, Mr. Taylor in the chair, on the resolution offered by Mr. Webster, which is in the words following:

“Resolved, That provision ought to be made by law for

defraying the expense incident to the appointment of an agent, or commissioner, to Greece, whenever the President shall deem it expedient to make such appointment.”

MR. CHAIRMAN,—It may be asked, will this resolution do the Greeks any good? Yes, it will do them much good. It will give them courage and spirit, which is better than money. It will assure them of the public sympathy, and will inspire them with fresh constancy. It will teach them that they are not forgotten by the civilized world, and to hope one day to occupy, in that world, an honorable station.

A farther question remains. Is this measure pacific? It has no other character. It simply proposes to make a pecuniary provision for a mission, when the president shall deem such mission expedient. It is a mere reciprocation to the sentiments of his message; it imposes upon him no new duty; it gives him no new power; it does not hasten or urge him forward; it simply provides, in an open and avowed manner, the means of doing, what would else be done out of the contingent fund. It leaves him at the most perfect liberty, and it reposes the whole matter in his sole discretion. He might do it without this resolution, as he did in the case of South America,—but it merely answers the query, whether on so great and interesting a question as the condition of the Greeks, this house holds no opinion which is worth expressing? But, suppose a commissioner is sent, the measure is pacific still. Where is the breach of neutrality? Where a just cause of offence? And besides, Mr. Chairman, is all the danger in this matter on one side? may we not inquire, whose fleets cover the Archipelago? may we not ask, what would be the result to our trade should Smyrna be blockaded? A commissioner could at least procure for us what we do not now possess—that is, authentic information of the true state of things. The document on your table exhibits a meagre appearance on this point—what does it contain? Letters of Mr. Luriottis and paragraphs from a French paper. My personal opinion is, that an agent ought immediately to be sent; but the resolution I have offered by no means goes so far.

Do gentlemen fear the result of this resolution in embroiling us with the Porte? Why, sir, how much is it ahead of the whole nation, or rather let me ask how much is the nation ahead of it? Is not this whole people already in a state of open and avowed excitement on this subject? Does not the land ring from side to side with one common sentiment of sympathy for Greece, and indignation toward her oppressors? nay, more, sir—are we not giving money to this cause? More still, sir—is not the secretary of state in open correspondence with the president of the Greek committee in London? The nation

has gone as far as it can go, short of an official act of hostility. This resolution adds nothing beyond what is already done—nor can any of the European governments take offence at such a measure. But if they would, should we be withheld from an honest expression of liberal feelings in the cause of freedom, for fear of giving umbrage to some member of the holy alliance? We are not, surely, yet prepared to purchase their smiles by a sacrifice of every manly principle. Dare any Christian prince even ask us not to sympathize with a Christian nation struggling against Tartar tyranny? We do not interfere—we break no engagements—we violate no treaties; with the Porte we have none.

Mr. Chairman, there are some things which, to be well done, must be promptly done. If we even determine to do the thing that is now proposed, we may do it too late. Sir, I am not of those who are for withholding aid when it is most urgently needed, and when the stress is past, and the aid no longer necessary, overwhelming the sufferers with caresses. I will not stand by and see my fellow man drowning without stretching out a hand to help him, till he has by his own efforts and presence of mind reached the shore in safety, and then encumber him with aid. With suffering Greece now is the crisis of her fate,—her great, it may be, her last struggle. Sir, while we sit here deliberating, her destiny may be decided. The Greeks, contending with ruthless oppressors, turn their eyes to us, and invoke us by their ancestors, slaughtered wives and children, by their own blood, poured out like water, by the hecatombs of dead they have heaped up as it were to heaven, they invoke, they implore us for some cheering sound, some look of sympathy, some token of compassionate regard. They look to us as the great republic of the earth—and they ask us by our common faith, whether we can forget that they are struggling, as we once struggled, for what we now so happily enjoy? I cannot say, sir, that they will succeed; that rests with heaven. But for myself, sir, if I should to-morrow hear that they have failed—that their last phalanx had sunk beneath the Turkish cimeter, that the flames of their last city had sunk in its ashes, and that naught remained but the wide melancholy waste where Greece once was, I should still reflect, with the most heartfelt satisfaction, that I have asked you in the name of seven millions of freemen, that you would give them at least the cheering of one friendly voice.

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**John Randolph on the other side of  
Same Question.**

MR. CHAIRMAN,—It is with serious concern and alarm, that I have heard doc-

trines broached in this debate, fraught with consequences more disastrous to the best interests of this people than any that I have ever heard advanced during the five-and-twenty years that I have been honored with a seat on this floor. They imply, to my apprehension, a total and fundamental change of the policy pursued by this government, *ab urbe condita*—from the foundation of the republic, to the present day. Are we, sir, to go on a crusade, in another hemisphere, for the propagation of two objects—objects as dear and delightful to *my* heart as to that of any gentleman in this, or in any other assembly—liberty and religion—and, in the name of these holy words—by this powerful spell, is this nation to be conjured and persuaded out of the highway of heaven—out of its present comparatively happy state, into all the disastrous conflicts arising from the policy of European powers, with all the consequences which flow from them?

Liberty and religion, sir! I believe that nothing similar to this proposition is to be found in modern history, unless in the famous decree of the French national assembly, which brought combined Europe against them, with its united strength, and, after repeated struggles, finally effected the downfall of the French power. Sir, I am wrong—there is another example of like doctrine; and you find it among that strange and peculiar people—in that mysterious book, which is of the highest authority with them, (for it is at once their gospel and their law,) the Koran, which enjoins it to be the duty of all good Moslems to propagate its doctrines at the point of the sword—by the edge of the cimeter. The character of that people is a peculiar one: they differ from every other race. It has been said, here, that it is four hundred years since they encamped in Europe. Sir, they were encamped, on the spot where we now find them, before this country was discovered, and their title to the country which they occupy is at least as good as ours. They hold their possessions there by the same title by which all other countries are held—possession, obtained at first by a successful employment of force, confirmed by time, usage, prescription—the best of all possible titles. Their policy has been not tortuous, like that of other states of Europe, but straightforward: they had invariably appealed to the sword, and they held by the sword. The Russ had, indeed, made great encroachments on their empire, but the ground had been contested inch by inch; and the acquisitions of Russia on the side of Christian Europe—Livonia, Ingria, Courland—Finland, to the Gulf of Bothnia—Poland!—had been greater than that of the Mahometans. And, in consequence of this straightfor-

ward policy to which I before referred, this peculiar people could boast of being the only one of the continental Europe, whose capital had never been insulted by the presence of a foreign military force. It was a curious fact, well worthy of attention, that Constantinople was the only capital in continental Europe—for Moscow was the true capital of Russia—that had never been in possession of an enemy. It is, indeed, true, that the Empress Catharine did inscribe over the gate of one of the cities that she had won in the Krimea, (Cherson, I think,) “the road to Byzantium;” but, sir, it has proved—perhaps too low a word for the subject—but a *stumpy road* for Russia. Who, at that day, would have been believed, had he foretold to that august (for so she was) and illustrious woman that her Cossacks of the Ukraine, and of the Don, would have encamped in Paris before they reached Constantinople? Who would have been believed, if he had foretold that a French invading force—such as the world never saw before, and, I trust, will never again see—would lay Moscow itself in ashes? These are considerations worthy of attention, before we embark in the project proposed by this resolution, the consequences of which no human eye can divine.

I would respectfully ask the gentleman from Massachusetts, whether in his very able and masterly argument—and he has said all that could be said upon the subject, and more than I supposed could be said by any man in favor of his resolution—whether he himself has not furnished an answer to his speech—I had not the happiness myself to hear his speech, but a friend has read it to me. In one of the arguments in that speech, toward the conclusion, I think, of his speech, the gentleman lays down, from Puffendorf, in reference to the honeyed words and pious professions of the holy alliance, that these are all surplusage; because nations are always supposed to be ready to do what justice and national law require. Well, sir, if this be so, why may not the Greeks presume—why are they not, on this principle, bound to presume, that this government is disposed to do all, in reference to them, that they ought to do, without any formal resolutions to that effect? I ask the gentleman from Massachusetts, whether the doctrine of Puffendorf does not apply as strongly to the resolution as to the declaration of the allies—that is, if the resolution of the gentleman be indeed that almost nothing he would have us suppose, if there be not something *behind* this nothing which divides this house (not *horizontally*, as the gentleman has ludicrously said—but *vertically*) into two unequal parties, one the advocate of a splendid system of crusades, the other the friends of peace and

harmony; the advocates of a *fireside policy*—for, as had been truly said, as long as all is right at the fireside, there cannot be much wrong elsewhere—whether, I repeat, does not the doctrine of Puffendorf apply as well to the words of the resolution as to the words of the holy alliance?

But, sir, we have already done more than this. The president of the United States, the only organ of communication which the people have seen fit to establish between us and foreign powers, has already expressed all, in reference to Greece, that the resolution goes to express *actum est*—it is done—it is finished—there is an end. Not, that I would have the house to infer, that I mean to express any opinion as to the policy of such a declaration—the practice of responding to presidential addresses and messages had gone out for, now, these two or three-and-twenty years.

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**Extract from Mr. Hayne's Speech against the Tariff Bill, in Congress,**

January, 1832.

MR. PRESIDENT,—The plain and seemingly obvious truth, that in a fair and equal exchange of commodities all parties gained, is a noble discovery of modern times. The contrary principle naturally led to commercial rivalries, wars, and abuses of all sorts. The benefits of commerce being regarded as a stake to be won, or an advantage to be wrested from others by fraud or by force, governments naturally strove to secure them to their own subjects; and when they once set out in this wrong direction, it was quite natural that they should not stop short till they ended in binding, in the bonds of restriction, not only the whole country, but all of its parts. Thus we are told that England first protected by her restrictive policy, her whole empire against all the world, then Great Britain against the colonies, then the British islands against each other, and ended by vainly attempting to protect all the great interests and employment of the state by balancing them against each other. Sir, such a system, carried fully out, is not confined to rival nations, but protects one town against another, considers villages, and even families as rivals; and cannot stop short of “Robinson Crusoe in his goat skins.” It takes but one step further to make every man his own lawyer, doctor, farmer, and shoemaker—and, if I may be allowed an Irishism, his own seamstress and washerwoman. The doctrine of free trade, on the contrary, is founded on the true social system. It looks on all mankind as children of a common parent—and the great family of nations as linked together by mutual interests. Sir, as there is a religion, so I believe there is a *politics of nature*. Cast your eyes over

this various earth—see its surface diversified by hills and valleys, rocks, and fertile fields. Notice its different productions—its infinite varieties of soil and climate. See the mighty rivers winding their way to the very mountain's base, and thence guiding man to the vast ocean, dividing, yet connecting nations. Can any man who considers these things with the eye of a philosopher, not read the design of the great Creator (written legibly in his works) that his children should be drawn together in a free commercial intercourse, and mutual exchanges of the various gifts with which a bountiful Providence has blessed them. Commerce, sir, restricted even as she has been, has been the great source of civilization and refinement all over the world. Next to the Christian religion, I consider free trade in its largest sense as the greatest blessing that can be conferred upon any people. Hear, sir, what Patrick Henry, the great orator of Virginia, whose soul was the very temple of freedom, says on this subject:—

“Why should we fetter commerce? If a man is in chains, he droops and bows to the earth, because his spirits are broken, but let him *twist the fetters from his legs*, and he will stand erect. Fetter not commerce! Let her be as free as the air. She will range the whole creation, and return on the four winds of heaven to bless the land with plenty.”

But, it has been said, that free trade would do very well, if all nations would adopt it; but as it is, every nation must protect itself from the effect of restrictions by countervailing measures. I am persuaded, sir, that this is a great, a most fatal error. If retaliation is resorted to for the honest purpose of producing a redress of the grievance, and while adhered to no longer than there is a hope of success, it may, like war itself, be sometimes just and necessary. But if it have no such object, “it is the unprofitable combat of seeing which can do the other the most harm.” The case can hardly be conceived in which permanent restrictions, as a measure of retaliation, could be profitable. In every possible situation, a trade, whether more or less restricted, is profitable, or it is not. This can only be decided by experience, and if the trade be left to regulate itself, ~~water~~ would not more naturally seek its level, than the intercourse adjust itself to the true interest of the parties. Sir, as to this idea of the regulation by government of the pursuits of men, I consider it as a remnant of barbarism disgraceful to an enlightened age, and inconsistent with the first principles of rational liberty. I hold government to be utterly incapable, from its position, of exercising such a power wisely, prudently, or justly. Are the rulers of the world the depositaries of its

collected wisdom? Sir, can we forget the advice of a great statesman to his son—“Go, see the world, my son, that you may learn with how little wisdom mankind is governed.” And is our own government an exception to this rule, or do we not find here, as every where else, that

“Man, proud man,  
Robed in a little brief authority,  
Plays such fantastic tricks before high heaven,  
As make the angels weep?”

The gentleman has appealed to the example of other nations. Sir, they are all against him. They have had restrictions enough, to be sure; but they are getting heartily sick of them, and in England, particularly, would willingly get rid of them if they could. We have been assured, by the declaration of a minister of the crown, from his place in parliament, “that there is a growing conviction, among all men of sense and reflection in that country, that the true policy of all nations is to be found in unrestricted industry. Sir, in England they are now retracing their steps, and endeavoring to relieve themselves of the system as fast as they can. Within a few years past, upwards of three hundred statutes, imposing restrictions in that country, have been repealed; and a case has recently occurred there, which seems to leave no doubt that, if Great Britain has grown great, it is, as Mr. Huskisson has declared, “not in consequence of, but in spite of their restrictions.” The silk manufacture, protected by enormous bounties, was found to be in such a declining condition, that the government was obliged to do something to save it from total ruin. And what did they do? They considerably reduced the duty on foreign silks, both on the raw material and the manufactured article. The consequence was the immediate revival of the silk manufacture, which has since been nearly doubled.

Sir, the experience of France is equally decisive. Bonaparte's effort to introduce cotton and sugar has cost that country millions; and, but the other day, a foolish attempt to protect the iron mines spread devastation through half of France, and nearly ruined the wine trade, on which one fifth of her citizens depend for subsistence. As to Spain, unhappy Spain, “fenced round with restrictions,” her experience, one would suppose, would convince us, if anything could, that the protecting system in politics, like bigotry in religion, was utterly at war with sound principles and a liberal and enlightened policy. Sir, I say, in the words of the philosophical statesman of England, “leave a generous nation free to seek their own road to perfection.” Thank God, the night is passing away, and we have lived to see the dawn of a glorious day. The cause of free trade must and will prosper, and finally triumph. The politi-



cal economist is abroad; light has come into the world; and, in this instance at least, men will not "prefer darkness rather than light." Sir, let it not be said, in after times, that the statesmen of America were behind the age in which they lived—that they initiated this young and vigorous country into the enervating and corrupting practices of European nations—and that, at the moment when the whole world were looking to us for an example, we arrayed ourselves in the cast-off follies and exploded errors of the old world, and, by the introduction of a vile system of artificial stimulants and political gambling, impaired the healthful vigor of the body politic, and brought on a decrepitude and premature dissolution.

**Mr. Clay's Speech on his Public Lands Bill.**

MR. PRESIDENT,—Although I find myself borne down by the severest affliction with which Providence has ever been pleased to visit me, I have thought that my private griefs ought not longer to prevent me from attempting, ill as I feel qualified, to discharge my public duties. And I now rise, in pursuance of the notice which has been given, to ask leave to introduce a bill to appropriate, for a limited time, the proceeds of the sales of the public lands of the United States, and for granting land to certain states.

I feel it incumbent on me to make a brief explanation of the highly important measure which I have now the honor to propose. The bill which I desire to introduce, provides for the distribution of the proceeds of the public lands in the years 1833, 1834, 1835, 1836 and 1837, among the twenty-four states of the union, and conforms substantially to that which passed in 1833. It is therefore of a temporary character; but if it shall be found to have salutary operation, it will be in the power of a future congress to give it an indefinite continuance; and if otherwise, it will expire by its own terms. In the event of war unfortunately breaking out with any foreign power, the bill is to cease, and the fund which it distributes is to be applied to the prosecution of the war. The bill directs that ten per cent. of the net proceeds of the public lands sold within the limits of the seven new states, shall be first set apart for them, in addition to the five per cent. reserved by their several compacts with the United States; and that the residue of the proceeds, whether from sales made in the states or territories, shall be divided among the twenty-four states in proportion to their respective federal population. In this respect the bill conforms to that which was introduced in 1832. For one, I should have been willing to have

allowed the new states twelve and a half instead of ten per cent.; but as that was objected to by the president, in his veto message, and has been opposed in other quarters, I thought it best to restrict the allowance to the more moderate sum. The bill also contains large and liberal grants of land to several of the new states, to place them upon an equality with others to which the bounty of congress has been heretofore extended, and provides that, when other new states shall be admitted into the union, they shall receive their share of the common fund.

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Mr. President, I have ever regarded, with feelings of the profoundest regret, the decision which the president of the United States felt himself induced to make on the bill of 1833. If the bill had passed, about twenty millions of dollars would have been, during the last three years, in the hands of the several states, applicable by them to the beneficent purposes of internal improvement, education or colonization. What immense benefits might not have been diffused throughout the land by the active employment of that large sum? What new channels of commerce and communication might not have been opened? What industry stimulated, what labor rewarded? How many youthful minds might have received the blessings of education and knowledge, and been rescued from ignorance, vice, and ruin? How many descendants of Africa might have been transported from a country where they never can enjoy political or social equality, to the native land of their fathers, where no impediment exists to their attainment of the highest degree of elevation, intellectual, social and political! where they might have been successful instruments, in the hands of God, to spread the religion of His Son, and to lay the foundation of civil liberty.

But, although we have lost three precious years, the secretary of the treasury tells us that the principal of this vast sum is yet safe; and much good may still be achieved with it. The spirit of improvement pervades the land in every variety of form, active, vigorous and enterprising, wanting pecuniary aid as well as intelligent direction. The states are strengthening the union by various lines of communication thrown across and through the mountains. New York has completed one great chain. Pennsylvania another, bolder in conception and more arduous in the execution. Virginia has a similar work in progress, worthy of all her enterprise and energy. A fourth, further south, where the parts of the union are too loosely connected, has been projected, and it can certainly be executed with the supplies which this bill affords, and perhaps not without them.

This bill passed, and these and other si-

milar undertakings completed, we may indulge the patriotic hope that our union will be bound by ties and interests that render it indissoluble. As the general government withholds all direct agency from these truly national works, and from all new objects of internal improvement, ought it not to yield to the states, what is their own, the amount received from the public lands? It would thus but execute faithfully a trust expressly created by the original deeds of cession, or resulting from the treaties of acquisition. With this ample resource, every desirable object of improvement, in every part of our extensive country, may in due time be accomplished.—Placing this exhaustless fund in the hands of the several members of the confederacy, their common federal head may address them in the glowing language of the British bard, and,

Bid harbors open, public ways extend,  
 Bid temples worthier of the God ascend.  
 Bid the broad arch the dangerous flood contain,  
 The mole projecting break the roaring main.  
 Back to his bounds their subject sea command,  
 And roll obedient rivers through the land.

I confess I feel anxious for the fate of this measure, less on account of any agency I have had in proposing it, as I hope and believe, than from a firm, sincere and thorough conviction, that no one measure ever presented to the councils of the nation, was fraught with so much unmixed good, and could exert such powerful and enduring influence in the preservation of the union itself and upon some of its highest interests. If I can be instrumental, in any degree, in the adoption of it, I shall enjoy, in that retirement into which I hope shortly to enter, a heart-feeling satisfaction and a lasting consolation. I shall carry there no regrets, no complaints, no reproaches on my own account. When I look back upon my humble origin, left an orphan too young to have been conscious of a father's smiles and caresses; with a widowed mother, surrounded by a numerous offspring, in the midst of pecuniary embarrassments; without a regular education, without fortune, without friends, without patrons, I have reason to be satisfied with my public career. I ought to be thankful for the high places and honors to which I have been called by the favor and partiality of my countrymen, and I am thankful and grateful. And I shall take with me the pleasing consciousness that in whatever station I have been placed, I have earnestly and honestly labored to justify their confidence by a faithful, fearless, and zealous discharge of my public duties. Pardon these personal allusions.

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**Speech of John C. Calhoun,**

*Against the Public Lands Bill, January 23, 1841.*

“Whether the government can constitutionally distribute the revenue from the

public lands among the states must depend on the fact whether they belong to them in their united federal character, or individually and separately. If in the former, it is manifest that the government, as their common agent or trustee, can have no right to distribute among them, for their individual, separate use, a fund derived from property held in their united and federal character, without a special power for that purpose which is not pretended. A position so clear of itself and resting on the established principles of law, when applied to individuals holding property in like manner, needs no illustration. If, on the contrary, they belong to the states in their individual and separate character, then the government would not only have the right but would be bound to apply the revenue to the separate use of the states. So far is incontrovertible, which presents the question: In which of the two characters are the lands held by the state?

“To give a satisfactory answer to this question, it will be necessary to distinguish between the lands that have been ceded by the states, and those that have been purchased by the government out of the common funds of the Union.

“The principal cessions were made by Virginia and Georgia. The former of all the tract of country between the Ohio, the Mississippi, and the lakes, including the states of Ohio, Indiana, Illinois, and Michigan, and the territory of Wisconsin; and the latter, of the tract included in Alabama and Mississippi. I shall begin with the cession of Virginia, as it is on that the advocates for the distribution mainly rely to establish the right.

“I hold in my hand an extract of all that portion of the Virginia deed of cession which has any bearing on the point at issue, taken from the volume lying on the table before me, with the place marked, and to which any one desirous of examining the deed may refer. The cession is ‘to the United States in Congress assembled, for the benefit of said states.’ Every word implies the states in their united federal character. That is the meaning of the phrase United States. It stands in contradistinction to the states taken separately and individually; and if there could be, by possibility, any doubt on that point, it would be removed by the expression ‘in Congress assembled’—an assemblage which constituted the very knot that united them. I regard the execution of such a deed to the United States, so assembled, so conclusive that the cession was to them in their united and aggregate character, in contradistinction to their individual and separate character, and, by necessary consequence, that the lands so ceded belonged to them in their former and not in their

latter character, that I am at a loss for words to make it clearer. To deny it, would be to deny that there is any truth in language.

“But strong as this is, it is not all. The deed proceeds and says, that all the lands so ceded ‘shall be considered a common fund for the use and benefit of such of the United States as have become, or shall become, members of the confederation or federal alliance of said states, Virginia inclusive, and concludes by saying, ‘and shall be faithfully and bona fide disposed of for that purpose, and for no other use or purpose whatever.’ If it were possible to raise a doubt before, those full, clear, and explicit terms would dispel it. It is impossible for language to be clearer. To be ‘considered a common fund’ is an expression directly in contradistinction to separate or individual, and is, by necessary implication, as clear a negative of the latter as if it had been positively expressed. This common fund to ‘be for the use and benefit of such of the United States as have become, or shall become, members of the confederation or federal alliance.’ That is as clear as language can express it, for their common use in their united federal character, Virginia being included as the grantor, out of abundant caution.”

“The Senator from Kentucky (Mr. Clay), and, as I now understand, the Senator from Massachusetts (Mr. Webster), agree, that the revenue from taxes can be applied only to the objects specifically enumerated in the Constitution. Thus repudiating the general welfare principle, as applied to the money power, so far as the revenue may be derived from that source. To this extent they profess to be good State Rights Jeffersonian Republicans. Now, sir, I would be happy to be informed by either of the able senators, by what political alchemy the revenue from taxes, by being vested in land, or other property, can, when again turned into revenue by sales, be entirely freed from all the constitutional restrictions to which they were liable before the investment, according to their own confessions. A satisfactory explanation of so curious and apparently incomprehensible a process would be a treat.

“When I look, Mr. President, to what induced the states, and especially Virginia, to make this magnificent cession to the Union, and the high and patriotic motives urged by the old Congress to induce them to do it, and turn to what is now proposed, I am struck with the contrast and the great mutation to which human affairs are subject. The great and patriotic men of former times regarded it as essential to the consummation of the Union and the preservation of the public faith that the lands should be ceded as a common fund; but now, men distinguished for their

ability and influence are striving with all their might to undo their holy work. Yes, sir; distribution and cession are the very reverse, in character and effect; the tendency of one is to union, and the other to disunion. The wisest of modern statesmen, and who had the keenest and deepest glance into futurity (Edmund Burke), truly said that the revenue is the state; to which I add, that to distribute the revenue, in a confederated community, amongst its members, is to dissolve the community—that is, with us, the Union—as time will prove, if ever this fatal measure should be adopted.”

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**Speech of Hon. Robt. Y. Hayne**

*Senator from South Carolina, delivered in the Senate Chamber  
January 21, 1830, on Mr. Foot's resolution relating  
to the sales of the public lands.*

Mr. Hayne said, when he took occasion, two days ago, to throw out some ideas with respect to the policy of the government, in relation to the public lands, nothing certainly could have been further from his thoughts, than that he should have been compelled again to throw himself upon the indulgence of the Senate. Little did I expect, said Mr. H., to be called upon to meet such an argument as was yesterday urged by the gentleman from Massachusetts (Mr. Webster.) Sir, I questioned no man's opinions; I impeached no man's motives; I charged no party, or state, or section of country with hostility to any other, but ventured, as I thought, in a becoming spirit to put forth my own sentiments in relation to a great national question of public policy. Such was my course. The gentleman from Missouri, (Mr. Benton,) it is true, had charged upon the Eastern States an early and continued hostility towards the west, and referred to a number of historical facts and documents in support of that charge. Now, sir, how have these different arguments been met? The honorable gentleman from Massachusetts, after deliberating a whole night upon his course, comes into this chamber to vindicate New England; and instead of making up his issue with the gentleman from Missouri, on the charges which *he had preferred*, chooses to consider me as the author of those charges, and losing sight entirely of that gentleman, selects me as his adversary, and pours out all the vials of his mighty wrath upon my devoted head. Nor is he willing to stop there. He goes on to assail the institutions and policy of the south, and calls in question the principles and conduct of the state which I have the honor to represent. When I find a gentleman of mature age and experience, of acknowledged talents and profound sagacity, pursuing a course like this, declining the contest offered from the west, and making

war upon the unoffending south, I must believe, I am bound to believe, he has some object in view which he has not ventured to disclose. Mr. President, why is this? Has the gentleman discovered in former controversies with the gentleman from Missouri, that he is overmatched by that senator? And does he hope for an easy victory over a more feeble adversary? Has the gentleman's distempered fancy been disturbed by gloomy forebodings of "new alliances to be formed," at which he hinted? Has the ghost of the murdered COALITION come back, like the ghost of Bauquo, to "sear the eyeballs of the gentleman," and will it not down at his bidding? Are dark visions of broken hopes, and honors lost forever, still floating before his heated imagination? Sir, if it be his object to thrust me between the gentleman from Missouri and himself, in order to rescue the east from the contest it has provoked with the west, he shall not be gratified. Sir, I will not be dragged into the defence of my friend from Missouri. The south shall not be forced into a conflict not its own. The gentleman from Missouri is able to fight his own battles. The gallant west needs no aid from the south to repel any attack which may be made on them from any quarter. Let the gentleman from Massachusetts controvert the facts and arguments of the gentleman from Missouri, if he can—and if he win the victory, let him wear the honors; I shall not deprive him of his laurels.

The gentleman from Massachusetts, in reply to my remarks on the injurious operations of our land system on the prosperity of the west, pronounced an extravagant eulogium on the paternal care which the government had extended towards the west, to which he attributed all that was great and excellent in the present condition of the new states. The language of the gentleman on this topic fell upon my ears like the almost forgotten tones of the tory leaders of the British Parliament, at the commencement of the American revolution. They, too, discovered that the colonies had grown great under the fostering care of the mother country; and I must confess, while listening to the gentleman, I thought the appropriate reply to his argument was to be found in the remark of a celebrated orator, made on that occasion: "They have grown great in spite of your protection."

The gentleman, in commenting on the policy of the government in relation to the new states, has introduced to our notice a certain *Nathan Dane*, of Massachusetts, to whom he attributes the celebrated ordinance of '87, by which he tells us, "*slavery* was forever excluded from the new states north of the Ohio." After eulogizing the wisdom of this provision in terms of the

most extravagant praise, he breaks forth in admiration of the greatness of *Nathan Dane*—and great indeed he must be, if it be true, as stated by the senator from Massachusetts, that "he was greater than Solon and Lysurgus, Minos, Numa Pompilius, and all the legislators and philosophers of the world," ancient and modern. Sir, to such high authority it is certainly my duty, in a becoming spirit of humility, to submit. And yet, the gentleman will pardon me, when I say, that it is a little unfortunate for the fame of this great legislator, that the gentleman from Missouri should have proved that he was not the author of the ordinance of '87, on which the senator from Massachusetts has reared so glorious a monument to his name. Sir, I doubt not the senator will feel some compassion for our ignorance, when I tell him, that so little are we acquainted with the modern great men of New England, that until he informed us yesterday that we possessed a Solon and a Lysurgus in the person of *Nathan Dane*, he was only known to the south as a member of a celebrated assembly, called and known by the name of the "Hartford Convention." In the proceedings of that assembly, which I hold in my hand, (at p. 19,) will be found in a few lines, the history of *Nathan Dane*; and a little farther on, there is conclusive evidence of that ardent devotion to the interest of the new states, which, it seems, has given him a just claim to the title of "Father of the West." By the 2d resolution of the "Hartford Convention," it is declared, "that it is expedient to attempt to make provision for restraining Congress in the exercise of an unlimited power to make new states, and admitting them into the Union." So much for *Nathan Dane*, of Beverly, Massachusetts.

In commenting upon my views in relation to the public lands, the gentleman insists, that it being one of the conditions of the grants that these lands should be applied to "the common benefit of all the states, they must always remain a fund for revenue;" and adds, "they must be treated as so much treasure." Sir, the gentleman could hardly find language strong enough to convey his disapprobation of the policy which I had ventured to recommend to the favorable consideration of the country. And what, sir, was that policy, and what is the difference between that gentleman and myself on that subject? I threw out the idea that the public lands ought not to be reserved forever, as "a great fund for revenue;" that they ought not to be "treated as a great treasure;" but that the course of our policy should rather be directed toward the creation of new states, and building up great and flourishing communities.

Now, sir, will it be believed, by those

who now hear me,—and who listened to the gentleman's denunciation of my doctrines yesterday,—that a book then lay open before him—nay, that he held it in his hand, and read from it certain passages of his own speech, delivered to the House of Representatives in 1825, in which speech he himself contended for the very doctrine I had advocated, and almost in the same terms? Here is the speech of the Hon. Daniel Webster, contained in the first volume of Gales and Seaton's Register of Debates, (p. 251,) delivered in the House of Representatives on the 18th of January, 1825, in a debate on the *Cumberland road*—the very debate from which the senator read yesterday. I shall read from the celebrated speech two passages, from which it will appear that both as to *the past* and the *future policy* of the government in relation to the public lands, the gentleman from Massachusetts maintained, in 1825, substantially the same opinions which I have advanced, but which he now so strongly reprobates. I said, sir, that the system of *credit sales* by which the west had been kept constantly in debt to the United States, and by which their wealth was drained off to be expended elsewhere, had operated injuriously on their prosperity. On this point the gentleman from Massachusetts, in January, 1825, expressed himself thus: "There could be no doubt, if gentlemen looked at the money received into the treasury from the sale of the public lands to the west, and then looked to the whole amount expended by government, (even including the whole amount of what was laid out for the army,) the latter must be allowed to be very inconsiderable, and *there must be a constant drain of money from the west to pay for the public lands.*" It might indeed be said that this was no more than the reflux of capital which had previously gone over the mountains. Be it so. Still its practical effect was to produce inconvenience, *if not distress, by absorbing the money of the people.*

I contended that the public lands ought not to be treated merely as "a fund for revenue;" that they ought not to be hoarded "as a great treasure." On this point the senator expressed himself thus: "Government, he believed, had received eighteen or twenty millions of dollars from the public lands, and it was with the greatest satisfaction he adverted to the change which had been introduced in the mode of paying for them; *yet he could never think the national domain was to be regarded as any great source of revenue.* The great object of the government, in respect of these lands, was not so much *the money derived from their sale*, as it was *the getting them settled.* What he meant to say was, *he did not think they ought to hug that domain AS A GREAT TREASURE, to enrich the Exchequer.*"

Now, Mr. President, it will be seen that the very doctrines which the gentleman so indignantly abandons were urged by him in 1825; and if I had actually borrowed my sentiments from those which he then avowed, I could not have followed more closely in his footsteps. Sir, it is only since the gentleman quoted this book, yesterday, that my attention has been turned to the sentiments he expressed in 1825; and if I had remembered them, I might possibly have been deterred from uttering sentiments here, which, it might well be supposed, I had borrowed from that gentleman.

In 1825, the gentleman told the world that the public lands "ought not to be treated as a treasure." He now tells us that "they must be treated as so much treasure." What the deliberate opinion of the gentleman on this subject may be, belongs not to me to determine; but I do not think he can, with the shadow of justice or propriety, impugn my sentiments, while his own recorded opinions are identical with my own. When the gentleman refers to the conditions of the grants under which the United States have acquired these lands, and insists that, as they are declared to be "for the common benefit of all the states," they can only be treated as so much treasure, I think he has applied a rule of construction too narrow for the case. If in the deeds of cession it has been declared that the grants were intended for "the common benefit of all the states," it is clear, from other provisions, that they were not intended merely as *so much property*; for it is expressly declared, that the object of the grants is the erection of new states; and the United States, in accepting this trust, bind themselves to facilitate the foundation of these states, to be admitted into the Union with all the rights and privileges of the original states. This, sir, was the great end to which all parties looked, and it is by the fulfillment of this high trust that "the common benefit of all the states" is to be best promoted. Sir, let me tell the gentleman, that in the part of the country in which I live, we do not measure political benefits by the *money standard*. We consider as more valuable than gold liberty, principle, and justice. But, sir, if we are bound to act on the narrow principles contended for by the gentleman, I am wholly at a loss to conceive how he can reconcile his principles with his own practice. The lands are, it seems, to be treated "as so much treasure," and must be applied to the "common benefit of all the states." Now, if this be so, whence does he derive the right to appropriate them for partial and local objects? How can the gentleman consent to vote away immense bodies of these lands for canals in Indiana

and Illinois, to the Louisville and Portland Canal, to Kenyon College in Ohio, to Schools for the Deaf and Dumb, and other objects of a similar description? If grants of this character can fairly be considered as made "for the common benefit of all the states," it can only be, because all the states are interested in the welfare of each—a principle which, carried to the full extent, destroys all distinction between local and national objects, and is certainly *broad enough* to embrace the principles for which I have ventured to contend. Sir, the true difference between us I take to be this: the gentleman wishes to treat the public lands as a great treasure, just as so much money in the treasury, to be applied to all objects, constitutional and unconstitutional, to which the public money is constantly applied. I consider it as a sacred trust which we ought to fulfil, on the principles for which I have contended.

The senator from Massachusetts has thought proper to present, in strong contrast, the friendly feelings of the east towards the west, with sentiments of an opposite character displayed by the south in relation to appropriations for *internal improvements*. Now, sir, let it be recollected that the south have made no professions; I have certainly made none in their behalf, of regard for the west. It has been reserved for the gentleman from Massachusetts, while he vaunts over his own personal devotion to western interests, to claim for the entire section of country to which he belongs an ardent friendship for the west, as manifested by their support of the system of internal improvement, while he casts in our teeth the reproach that the south has manifested hostility to western interests in opposing appropriations for such objects. That gentleman, at the same time, acknowledged that the south entertains *constitutional scruples* on this subject. Are we then, sir, to understand that the gentleman considers it a just subject of reproach that we respect our oaths, by which we are bound "to preserve, protect, and defend the constitution of the U. States?" Would the gentleman have us manifest our love to the west by trampling under foot our constitutional scruples? Does he not perceive, if the south is to be *reproached* with unkindness to the west, in voting against appropriations which the gentleman admits they could not vote for without doing violence to their constitutional opinions, that he exposes himself to the question, whether, if he was in our situation, he could vote for these appropriations, regardless of his scruples? No, sir, I will not do the gentleman so great injustice. He has fallen into this error from not having duly weighed the force and effect of the reproach which he was

endeavoring to cast upon the south. In relation to the other point, the friendship manifested by New England towards the west, in their support of the system of internal improvement, the gentleman will pardon me for saying, that I think he is equally unfortunate in having introduced that topic. As that gentleman has forced it upon us, however, I cannot suffer it to pass unnoticed. When the gentleman tells us that the appropriations for internal improvement in the west would, in almost every instance, have failed but for New England votes, he has forgotten to tell us the *when*, the *how*, and the *wherefore* this new-born zeal for the west sprung up in the bosom of New England. If we look back only a few years, we will find in both houses of Congress a uniform and steady opposition on the part of the members from the Eastern States, generally, to all appropriations of this character. At the time I became a member of this house, and for some time afterwards, a decided majority of the New England senators were opposed to the very measures which the senator from Massachusetts tells us they now cordially support. Sir, the Journals are before me, and an examination of them will satisfy every gentleman of that fact.

It must be well known to every one whose experience dates back as far as 1825, that up to a certain period, New England was generally opposed to appropriations for internal improvements in the west. The gentleman from Massachusetts may be himself an exception, but if he went for the system before 1825, it is certain that his colleagues did not go with him.

In the session of 1824 and '25, however, (a memorable era in the history of this country,) a wonderful change took place in New England, in relation to western interests. Sir, an extraordinary union of sympathies and of interests was then effected, which brought the east and the west into close alliance. The book from which I have before read contains the first public annunciation of that happy reconciliation of conflicting interests, personal and political, which brought the east and west together and locked in a fraternal embrace the two great orators of the east and the west. Sir, it was on the 18th of January, 1825, while the result of the presidential election, in the House of Representatives, was still doubtful, while the whole country was looking with intense anxiety to that legislative hall where the mighty drama was so soon to be acted, that we saw the leaders of two great parties in the house and in the nation, "taking sweet counsel together," and in a celebrated debate on the *Cumberland road*, fighting side by side for *western interests*.

It was on that memorable occasion that the senator from Massachusetts *held out the white flag to the west*, and uttered those liberal sentiments which he yesterday so indignantly repudiated. Then it was, that that happy union between the two members of the celebrated *coalition* was consummated, whose immediate issue was a president from *one quarter of the Union*, with the succession (as it was supposed) *secured to another*. The "American system," before a rude, disjointed, and misshapen mass, now assumed form and consistency. Then it was that it became "the settled policy of the government," that this system should be so administered as to create a reciprocity of interests and a reciprocal distribution of government favors, east and west, (the tariff and internal improvements,) while the south—yes, sir, the impracticable south—was to be "out of your protection." The gentleman may boast as much as he pleases of the friendship of New England for the west, as displayed in their support of internal improvement; but when he next introduces that topic, I trust that he will tell us *when* that friendship commenced, *how* it was brought about, and *why* it was established. Before I leave this topic, I must be permitted to say that the true character of the policy now pursued by the gentleman from Massachusetts and his friends, in relation to appropriations of land and money, for the benefit of the west, is in my estimation very similar to that pursued by Jacob of old towards his brother Esau: "it robs them of their birthright for a mess of pottage."

The gentleman from Massachusetts, in alluding to a remark of mine, that before any disposition could be made of the public lands, the *national debt*, for which they stand pledged, must be first paid, took occasion to intimate "that the *extraordinary fervor* which seems to exist in a *certain quarter*, (meaning the south, sir,) for the payment of the debt, arises from a disposition to *weaken the ties which bind the people to the Union*." While the gentleman deals us this blow, he professes an ardent desire to see the debt speedily extinguished. He must excuse me, however, for feeling some distrust on that subject until I find this disposition manifested by something stronger than professions. I shall look for acts, decided and unequivocal acts; for the performance of which an opportunity will very soon (if I am not greatly mistaken) be afforded. Sir, if I were at liberty to judge of the course which that gentleman would pursue, from the principles which he has laid down in relation to this matter, I should be bound to conclude that he will be found acting with those with whom it is a darling object to pre-

vent the payment of the public debt. He tells us he is desirous of paying the debt, "because we are under an obligation to discharge it." Now, sir, suppose it should happen that the public creditors, with whom we have contracted the obligation, should release us from it, so far as to declare their willingness to wait for payment for fifty years to come, provided only the interest shall be punctually discharged. The gentleman from Massachusetts will then be released from the obligation which now makes him desirous of paying the debt; and, let me tell the gentleman, the holders of the stock will not only release us from this obligation, but they will implore, nay, they will even *pay us* not to pay them. But, adds the gentleman, so far as the debt may have an effect in binding the debtors to the country, and thereby serving as a link to hold the states together, he would be glad that it should exist forever. Surely then, sir, on the gentleman's own principles, he must be opposed to the payment of the debt.

Sir, let me tell that gentleman, that the south repudiates the idea that a *pecuniary dependence* on the federal government is one of the legitimate means of holding the states together. A moneyed interest in the government is essentially a base interest; and just so far as it operates to bind the feelings of those who are subjected to it to the government,—just so far as it operates in creating sympathies and interests that would not otherwise exist,—is it opposed to all the principles of free government, and at war with virtue and patriotism. Sir, the link which binds the public creditors, *as such*, to their country, binds them equally to all governments, whether arbitrary or free. In a free government, this principle of abject dependence, if extended through all the ramifications of society, must be fatal to liberty. Already have we made alarming strides in that direction. The entire class of manufacturers, the holders of stocks, with their hundreds of millions of capital, are held to the government by the strong link of *pecuniary interests*; millions of people—entire sections of country, interested, or believing themselves to be so, in the public lands, and the public treasure—are bound to the government by the expectation of *pecuniary favors*. If this system is carried much further, no man can fail to see that every generous motive of attachment to the country will be destroyed, and in its place will spring up those low, grovelling, base, and selfish feelings which bind men to the footstool of a despot by bonds as strong and enduring as those which attach them to free institutions. Sir, I would lay the foundation of this government in the affections of the people—I would teach them to cling to it by dispensing equal

justice, and above all, by securing the "blessings of liberty" to "themselves and to their posterity."

The honorable gentleman from Massachusetts has gone out of his way to pass a high eulogium on the state of Ohio. In the most impassioned tones of eloquence, he described her majestic march to greatness. He told us, that, having already left all the other states far behind, she was now passing by Virginia and Pennsylvania, and about to take her station by the side of New York. To all this, sir, I was disposed most cordially to respond. When, however, the gentleman proceeded to contrast the state of Ohio with Kentucky, to the disadvantage of the latter, I listened to him with regret; and when he proceeded further to attribute the great, and, as he supposed, acknowledged superiority of the former in population, wealth, and general prosperity, to the policy of Nathan Dane, of Massachusetts, which had secured to the people of Ohio (by the ordinance of '87) *a population of freemen*, I will confess that my feelings suffered a revulsion which I am now unable to describe in any language sufficiently respectful towards the gentleman from Massachusetts. In contrasting the state of Ohio with Kentucky, for the purpose of pointing out *the superiority of the former*, and of attributing that superiority to *the existence of slavery* in the one state, and its absence in the other, I thought I could discern *the very spirit of the Missouri question*, intruded into this debate, for objects best known to the gentleman himself. Did that gentleman, sir, when he formed the determination to cross the southern border, in order to invade the state of South Carolina, deem it prudent or necessary to enlist under his banners *the prejudices of the world*, which, like *Swiss troops*, may be engaged in any cause, and are prepared to serve under any leader? Did he desire to avail himself of those remorseless allies, *the passions of mankind*, of which it may be more truly said than of the savage tribes of the wilderness, "that their known rule of warfare is an indiscriminate slaughter of all ages, sexes, and conditions?" Or was it supposed, sir, that, in a premeditated and unprovoked attack upon the south, it was advisable to begin by a gentle admonition of *our supposed weakness*, in order to prevent us from making that firm and manly resistance due to our own character and our dearest interests? Was the *significant hint* of the *weakness of slaveholding states*, when contrasted with *the superior strength of free states*,—like the glare of the weapon half drawn from its scabbard,—intended to enforce the lessons of prudence and of patriotism, which the gentleman had resolved, out of his abundant generosity, gratuitously to bestow upon us? Mr. Pres-

ident, the impression which has gone abroad of the *weakness of the south*, as connected with the *slave question*, exposes us to such constant attacks, has done us so much injury, and is calculated to produce such infinite mischiefs, that I embrace the occasion presented by the remarks of the gentleman of Massachusetts, to declare that we are ready to meet the question promptly and fearlessly. It is one from which we are not disposed to shrink, in whatever form or under whatever circumstances it may be pressed upon us.

We are ready to make up the issue with the gentleman, as to the influence of slavery on individual or national character—on the prosperity and greatness, either of the United States or of particular states. Sir, when arraigned before the bar of public opinion, on this charge of slavery, we can stand up with conscious rectitude, plead not guilty, and put ourselves upon God and our country. Sir, we will not consent to look at slavery in the abstract. We will not stop to inquire whether the black man, as some philosophers have contended, is of an inferior race, nor whether his color and condition are the effects of a curse inflicted for the offences of his ancestors. We deal in no *abstractions*. We will not look back to inquire whether our fathers were guiltless in introducing slaves into this country. If an inquiry should ever be instituted in these matters, however, it will be found that the profits of the slave trade were not confined to the south. Southern ships and southern sailors were not the instruments of bringing slaves to the shores of America, nor did our merchants reap the profits of that "accursed traffic." But, sir, we will pass over all this. If slavery, as it now exists in this country, be an evil, we of the present day *found it ready made to our hands*. Finding our lot cast among a people whom God had manifestly committed to our care, we did not sit down to speculate on abstract questions of theoretical liberty. We met it as a practical question of *obligation and duty*. We resolved to make the best of the situation in which Providence had placed us, and to fulfil the high trusts which had devolved upon us as the owners of slaves, in the only way in which such a trust could be fulfilled, without spreading misery and ruin throughout the land. We found that we had to deal with a people whose physical, moral, and intellectual habits and character totally disqualified them from the enjoyment of the blessings of freedom. We could not send them back to the shores from whence their fathers had been taken; their numbers forbade the thought, even if we did not know that their condition here is infinitely preferable to what it possibly could be among the barren sands and savage tribes of Africa; and it was wholly



irreconcilable with all our notions of humanity to tear asunder the tender ties which they had formed among us, to gratify the feelings of a false philanthropy. What a commentary on the wisdom, justice, and humanity of the southern slave owner is presented by the example of certain benevolent associations and charitable individuals *elsewhere!* Shedding weak tears over sufferings which had existence in their own sickly imaginations, these "friends of humanity" set themselves systematically to work to seduce the slaves of the south from their masters. By means of missionaries and political tracts, the scheme was in a great measure successful. Thousands of these deluded victims of fanaticism were seduced into the enjoyment of freedom in our northern cities. And what has been the consequence? Go to these cities now and ask the question. Visit the dark and narrow lanes, and obscure recesses, which have been assigned by common consent as the abodes of those outcasts of the world, the free people of color. Sir, there does not exist, on the face of the whole earth, a population so poor, so wretched, so vile, so loathsome, so utterly destitute of all the comforts, conveniences, and decencies of life, as the unfortunate blacks of Philadelphia, and New York, and Boston. Liberty has been to them the greatest of calamities, the heaviest of curses. Sir, I have had some opportunities of making comparison between the condition of the free negroes of the north and the slaves of the south, and the comparison has left not only an indelible impression of the superior advantages of the latter, but has gone far to reconcile me to slavery itself. Never have I felt so forcibly that touching description, "the foxes have holes, and the birds of the air have nests, but the Son of man hath not where to lay his head," as when I have seen this unhappy race, naked and houseless, almost starving in the streets, and abandoned by all the world. Sir, I have seen in the neighborhood of one of the most moral, religious, and refined cities of the north, a family of free blacks, driven to the caves of the rocks, and there obtaining a precarious subsistence from charity and plunder.

When the gentleman from Massachusetts adopts and reiterates the old charge of weakness as resulting from slavery, I must be permitted to call for the proof of those blighting effects which he ascribes to its influence. I suspect that when the subject is closely examined, it will be found that there is not much force even in the plausible objection of the want of physical power in slaveholding states. The power of a country is compounded of its population and its wealth, and in modern times, where, from the very form and structure of society, by far the greater portion of the

people must, even during the continuance of the most desolating wars, be employed in the cultivation of the soil and other peaceful pursuits, it may be well doubted whether slaveholding states, by reason of the superior value of their productions, are not able to maintain a number of troops in the field fully equal to what could be supported by states with a larger white population, but not possessed of equal resources.

It is a popular error to suppose that, in any possible state of things, the people of a country could ever be called out *en masse*, or that a half, or a third, or even a fifth part of the physical force of any country could ever be brought into the field. The difficulty is, not to procure men, but to provide *the means of maintaining them*; and in this view of the subject, it may be asked whether the Southern States are not a source of *strength and power*, and not of *weakness*, to the country—whether they have not contributed, and are not now contributing, largely to the wealth and prosperity of every state in this Union. From a statement which I hold in my hand, it appears that in ten years—from 1818 to 1827, inclusive—the whole amount of the domestic exports of the United States was \$521,811,045; of which three articles, (*the product of slave labor*,) viz., cotton, rice, and tobacco, amounted to \$339,203,232—equal to *about two thirds of the whole*. It is not true, as has been supposed, that the advantage of this labor is confined almost exclusively to the Southern States. Sir, I am thoroughly convinced that, at this time, *the states north of the Potomac actually derive greater profits from the labor of our slaves than we do ourselves*. It appears from our public documents, that in seven years—from 1821 to 1827, inclusive—the six Southern States *exported* \$190,337,281, and *imported* only \$55,646,301. Now, the difference between these two sums (near \$140,000,000) *passed through the hands of the northern merchants*, and enabled them to carry on their commercial operations with all the world. Such part of these goods as found its way back to our hands came charged with the duties, as well as the profits, of the merchant, the ship owner, and a host of others, who found employment in carrying on these immense exchanges; and for such part as was consumed at the north, we received in exchange *northern manufactures*, charged with an increased price, to cover all the taxes which the northern consumer had been compelled to pay on the imported article. It will be seen, therefore, at a glance, how much slave labor has contributed to the wealth and prosperity of the United States, and how largely our northern brethren have participated in the profits of that labor. Sir, on this subject I will quote an authority, which will, I doubt not, be con-

sidered by the Senator from Massachusetts as entitled to high respect. It is from the great father of the "American System," *honest Matthew Carey*—no great friend, it is true, at this time, to southern rights and southern interests, but not the worst authority on that account, *on the point in question*.

Speaking of the *relative importance to the Union* of the SOUTHERN and the EASTERN STATES, Matthew Carey, in the sixth edition of his *Olive Branch*, (p. 278,) after exhibiting a number of statistical tables to show the decided superiority of the former, thus proceeds:—

"But I am tired of this investigation—I sicken for the honor of the human species. What idea must the world form of the arrogance of the pretensions of the one side, [the east,] and of the folly and weakness of the rest of the Union, to have so long suffered them to pass without exposure and detection. The naked fact is, that the demagogues in the Eastern States, not satisfied *with deriving all the benefit from the southern section of the Union that they would from so many wealthy colonies*—with making princely fortunes by the carriage and exportation of its bulky and valuable productions, and *supplying it with their own manufactures*, and the productions of Europe and the East and West Indies, to an enormous amount, and at an immense profit, have uniformly treated it with outrage, insult, and injury. And, regardless of their vital interests, the Eastern States were lately *courting their own destruction*, by allowing a few restless, turbulent men to lead them blindfolded to a separation which was *pregnant with their certain ruin*. Whenever that event takes place, they sink into insignificance. If a separation were desirable to any part of the Union, it would be to the Middle and Southern States, particularly the latter, who have been so long harassed with the complaints, the restlessness, the turbulence, and the ingratitude of the Eastern States, that their patience has been tried almost beyond endurance. '*Jeshurun waxed fat and kicked*'—and he will be severely punished for his kicking, in the event of a dissolution of the Union." Sir, I wish it to be distinctly understood that I do not adopt these sentiments as my own. I quote them to show that very different sentiments have prevailed in former times as to the weakness of the slaveholding states from those which now seem to have become fashionable in certain quarters. I know it has been supposed by certain ill-informed persons, that the south exists only by the countenance and protection of the north. Sir, this is the idlest of all idle and ridiculous fancies that ever entered into the mind of man. In every state of this Union, except one, the free white population actually preponderates; while in the British West India Islands, (where the

average white population is *less than ten per cent. of the whole*,) the slaves are kept in entire subjection: it is preposterous to suppose that the Southern States could ever find the smallest difficulty in this respect. On this subject, as in all others, we ask nothing of our northern brethren but to "let us alone." Leave us to the undisturbed management of our domestic concerns, and the direction of our own industry, and we will ask no more. Sir, all our difficulties on this subject have arisen from interference from abroad, which has disturbed, and may again disturb, our domestic tranquillity just so far as to bring down punishment upon the heads of the unfortunate victims of a fanatical and mistaken humanity.

There is a *spirit*, which, like the father of evil, is constantly "walking to and fro about the earth, seeking whom it may devour:" it is the spirit of FALSE PHILANTHROPY. The persons whom it possesses do not indeed throw themselves into the flames, but they are employed in lighting up the torches of discord throughout the community. Their first principle of action is to leave their own affairs, and neglect their own duties, to regulate the affairs and duties of others. Theirs is the task to feed the hungry, and clothe the naked, of other lands, while they thrust the naked, famished, and shivering beggar from their own doors; to instruct the heathen, while their own children want the bread of life. When this spirit infuses itself into the bosom of a statesman, (if one so possessed can be called a statesman,) it converts him at once into a visionary enthusiast. Then it is that he indulges in golden dreams of national greatness and prosperity. He discovers that "liberty is power," and not content with vast schemes of improvement at home, which it would bankrupt the treasury of the world to execute, he flies to foreign lands, to fulfil obligations to "the human race" by inculcating the principles of "political and religious liberty," and promoting the "general welfare" of the whole human race. It is a spirit which has long been busy with the *slaves of the south*; and is even now displaying itself in vain efforts to drive the government from its wise policy in relation to the *Indians*. It is this spirit which has filled the land with thousands of wild and visionary projects, which can have no effect but to waste the energies and dissipate the resources of the country. It is the spirit of which the aspiring politician dexterously avails himself, when, by inscribing on his banner the magical words LIBERTY AND PHILANTHROPY, he draws to his support that class of persons who are ready to bow down at the very name of their idols.

But, sir, whatever difference of opinion

may exist as to the effect of slavery on national wealth and prosperity, if we may trust to experience, there can be no doubt that it has never yet produced any injurious effect on *individual or national character*. Look through the whole history of the country, from the commencement of the revolution down to the present hour; where are there to be found brighter examples of intellectual and moral greatness than have been exhibited by the sons of the south? From the FATHER OF HIS COUNTRY down to the DISTINGUISHED CHIEFTAIN who has been elevated by a grateful people to the highest office in their gift, the interval is filled up by a long line of orators, of statesmen, and of heroes, justly entitled to rank among the ornaments of their country, and the benefactors of mankind. Look at the "Old Dominion," great and magnanimous Virginia, "whose jewels are her sons." Is there any state in this Union which has contributed so much to the honor and welfare of the country? Sir, I will yield the whole question—I will acknowledge the fatal effects of slavery upon character, if any one can say, that for noble disinterestedness, ardent love of country, exalted virtue, and a pure and holy devotion to liberty, the people of the Southern States have ever been surpassed by any in the world. I know, sir, that this *devotion to liberty* has sometimes been supposed to be at war with our institutions; but it is in some degree the result of those very institutions. Burke, the most philosophical of statesmen, as he was the most accomplished of orators, well understood the operation of this principle, in elevating the sentiments and exalting the principles of the people in slaveholding states. I will conclude my remarks on this branch of the subject, by reading a few passages from his speech "on moving his resolutions for conciliation with the colonies," the 22d of March, 1775.

"There is a circumstance attending the southern colonies which makes the spirit of liberty still more high and haughty than in those to the northward. It is, that in Virginia and the Carolinas they have a *vast multitude of slaves*. Where this is the case, in any part of the world, those who are free are by far the most proud and jealous of their freedom. Freedom is to them not only an enjoyment, but a kind of rank and privilege. Not seeing there, as in countries where it is a common blessing, and as broad and general as the air, that it may be united with much abject toil, with great misery, with all the exterior of servitude, liberty looks among them like something more noble and liberal. I do not mean, sir, to commend the superior morality of this sentiment, which has, at least, as much pride as virtue in it—but I

cannot alter the nature of man. The fact is so; and these people of the southern colonies are much more strongly, and with a higher and more stubborn spirit, attached to liberty than those to the northward. Such were all the ancient commonwealths—such were our Gothic ancestors—such, in our days, were the Poles—and *such will be all masters of slaves who are not slaves themselves*. In such a people, the haughtiness of domination combines with the spirit of freedom, fortifies it, and renders it *invincible*."

In the course of my former remarks, Mr. President, I took occasion to deprecate, as one of the greatest evils, the *consolidation of this government*. The gentleman takes alarm at the sound. "*Consolidation*," "like the *tariff*," grates upon his ear. He tells us, "we have heard much of late about consolidation; that it is the rallying word of all who are endeavoring to *weaken the Union*, by adding to the power of the states." But consolidation (says the gentleman) was the very object for which the Union was formed; and, in support of that opinion, he read a passage from the address of the president of the convention to Congress, which he assumes to be authority on his side of the question. But, sir, the gentleman is mistaken. The object of the framers of the constitution, as disclosed in that address, was not the *consolidation of the government*, but "the consolidation of the Union." It was not to draw power from the states, in order to transfer it to a great national government, but, in the language of the constitution itself, "to form a more perfect Union;"—and by what means? By "establishing justice, promoting domestic tranquillity, and securing the blessings of liberty to ourselves and our posterity." This is the true reading of the constitution. But, according to the gentleman's reading, the object of the constitution was, to *consolidate the government*, and the means would seem to be, the promotion of *injustice*, causing domestic *discord*, and depriving the states and the people "of the blessings of liberty" forever.

The gentleman boasts of belonging to the party of NATIONAL REPUBLICANS. National Republicans! A new name, sir, for a very old thing. The National Republicans of the present day were the *Federalists* of '98, who became *Federal Republicans* during the war of 1812, and were *manufactured* into *National Republicans* somewhere about the year 1825.

As a party, (by whatever name distinguished,) they have always been animated by the same principles, and have kept steadily in view a common object, the consolidation of the government. Sir, the party to which I am proud of having belonged, from the very commencement of

my political life to the present day, were the *Democrats of '98*, (*Anarchists, Anti-Federalists, Revolutionists*, I think they were sometimes called.) They assumed the name of *Democratic Republicans* in 1822, and have retained their name and principles up to the present hour. True to their political faith, they have always, as a party, been in favor of limitations of power; they have insisted that all powers not delegated to the federal government are reserved, and have been constantly struggling, as they now are, to preserve the rights of the states, and to prevent them from being drawn into the vortex, and swallowed up by one great consolidated government.

Sir, any one acquainted with the history of parties in this country will recognize in the points now in dispute between the senator from Massachusetts and myself the very grounds which have, from the beginning, divided the two great parties in this country, and which (call these parties by what names you will, and *amalgamate* them as you may) will divide them forever. The true distinction between those parties is laid down in a celebrated manifesto, issued by the convention of the Federalists of Massachusetts, assembled in Boston, in February, 1824, on the occasion of organizing a party opposition to the reelection of Governor Eustis. The gentleman will recognize this as "the canonical book of political scripture;" and it instructs us that, when the American colonies redeemed themselves from British bondage, and became so many *independent nations*, they proposed to form a NATIONAL UNION, (not a *Federal Union*, sir, but a national Union.) Those who were in favor of a *union of the states in this form* became known by the name of *Federalists*; those who wanted no union of the states, or disliked the proposed form of union, became known by the name of *Anti-Federalists*. By means which need not be enumerated, the *Anti-Federalists* became (after the expiration of twelve years) our national rulers, and for a period of sixteen years, until the close of Mr. Madison's administration, in 1817, continued to exercise the exclusive direction of our public affairs. Here, sir, is the true history of the origin, rise, and progress of the party of *National Republicans*, who date back to the very origin of the government, and who, then, as now, chose to consider the constitution as having created, not a *Federal*, but a *National Union*; who regarded "consolidation" as no evil, and who doubtless considered it "a consummation devoutly to be wished" to build up a great "central government," "one and indivisible." Sir, there have existed, in every age and every country, two distinct orders of men—the *lovers of freedom*, and the devoted *advocates of power*.

The same great leading principles, modified only by the peculiarities of manners, habits, and institutions, divided parties in the ancient republics, animated the *whigs* and *tories* of Great Britain, distinguished in our own times the *liberals* and *ultras* of France, and may be traced even in the bloody struggles of unhappy Spain. Sir, when the gallant *Riego*, who devoted himself, and all that he possessed, to the liberties of his country, was dragged to the scaffold, followed by the tears and lamentations of every lover of freedom throughout the world, he perished amid the deafening cries of "Long live the absolute king!" The people whom I represent, Mr. President, are the descendants of those who brought with them to this country, as the most precious of their possessions, "an ardent love of liberty;" and while that shall be preserved, they will always be found manfully struggling against the *consolidation of the government*—AS THE WORST OF EVILS.

The senator from Massachusetts, in alluding to the tariff, becomes quite facetious. He tells us that "he hears of nothing but *tariff, tariff, tariff*; and, if a word could be found to rhyme with it, he presumes it would be celebrated in verse, and set to music." Sir, perhaps the gentleman, *in mockery of our complaints*, may be himself disposed to sing the praises of the tariff, in doggerel verse, to the tune of "Old Hundred." I am not at all surprised, however, at the aversion of the gentleman to the very name of *tariff*. I doubt not that it must always bring up some very unpleasant recollections to his mind. If I am not greatly mistaken, the senator from Massachusetts was a leading actor at a great meeting got up in Boston, in 1820, *against the tariff*. It has generally been supposed that he drew up the resolutions adopted by that meeting, denouncing the tariff system as unequal, oppressive, and unjust, and if I am not much mistaken, *denying its constitutionality*. Certain it is, that the gentleman made a speech on that occasion in support of those resolutions, denouncing the system in no very measured terms; and, if my memory serves me, *calling its constitutionality in question*. I regret that I have not been able to lay my hands on those proceedings; but I have seen them, and cannot be mistaken in their character. At that time, sir, the senator from Massachusetts entertained the very sentiments in relation to the tariff which the south now entertains. We next find the senator from Massachusetts expressing his opinion on the tariff, as a member of the House of Representatives from the city of Boston, in 1824. On that occasion, sir, the gentleman assumed a position which commanded the respect and admiration of his country. He stood forth the powerful and fearless champion of *free trade*. He met, in that

conflict, the advocates of restriction and monopoly, and they "fled from before his face." With a profound sagacity, a fulness of knowledge, and a richness of illustration that have never been surpassed, he maintained and established the principles of commercial freedom, on a foundation never to be shaken. Great indeed was the victory achieved by the gentleman on that occasion; most striking the contrast between the clear, forcible, and convincing arguments by which he carried away the understandings of his hearers, and the narrow views and wretched sophistry of *another distinguished orator*, who may be truly said to have "held up his farthing candle to the sun."

Sir, the Senator from Massachusetts, on that, the proudest day of his life, like a mighty giant, bore away upon his shoulders the pillars of the temple of error and delusion, escaping himself unhurt, and leaving his adversaries overwhelmed in its ruins. Then it was that he erected to free trade a beautiful and enduring monument, and "inscribed the marble with his name." Mr. President, it is with pain and regret that I now go forward to the next great era in the political life of that gentleman when he was found on this floor, supporting, advocating, and finally voting for the tariff of 1828—that "bill of abominations." By that act, sir, the senator from Massachusetts has destroyed the labors of his whole life, and given a wound to the cause of free trade never to be healed. Sir, when I recollect the position which that gentleman once occupied, and that which he now holds in public estimation, in relation to this subject, it is not at all surprising that the tariff should be hateful to his ears. Sir, if I had erected to my own fame so proud a monument as that which the gentleman built up in 1824, and I could have been tempted to destroy it with my own hands, I should hate the voice that should ring "the accursed tariff" in my ears. I doubt not the gentleman feels very much, in relation to the tariff, as a certain knight did to "*instinct*," and with him would be disposed to exclaim,—

"Ah! no more of that, Hal, an thou lovest me."

But, Mr. President, to be more serious; what are we of the south to think of what we have heard this day? The senator from Massachusetts tells us that the tariff is not an eastern measure, and treats it as if the east had no interest in it. The senator from Missouri insists it is not a western measure, and that it has done no good to the west. The south comes in, and, in the most earnest manner, represents to you that this measure, which we are told "is of no value to the east or the west," is "utterly destructive of our interests." We represent

to you that it has spread ruin and devastation through the land, and prostrated our hopes in the dust. We solemnly declare that we believe the system to be wholly unconstitutional, and a violation of the compact between the states and the Union; and our brethren *turn a deaf ear to our complaints*, and refuse to relieve us from a system "which not enriches them, but makes us poor indeed." Good God! Mr. President, *has it come to this?* Do gentlemen hold the feelings and wishes of their brethren at so cheap a rate, that they refuse to gratify them at so small a price? Do gentlemen value so lightly the peace and harmony of the country, that they will not yield a measure of this description to the affectionate entreaties and earnest remonstrances of their friends? Do gentlemen estimate the value of the Union at so low a price, that they will not even make one effort to bind the states together with the cords of affection? And has it come to this? Is this the spirit in which this government is to be administered? If so, let me tell, gentlemen, the seeds of dissolution are already sown, and our children will reap the bitter fruit.

The honorable gentleman from Massachusetts, (Mr. Webster,) while he exonerates me personally from the charge, intimates that there is a party in the country who are looking to disunion. Sir, if the gentleman had stopped there, the accusation would have "passed by me like the idle wind, which I regard not." But when he goes on to give to his accusation "a local habitation and a name," by quoting the expression of a distinguished citizen of South Carolina, (Dr. Cooper,) "that it was time for the south to calculate the value of the Union," and in the language of the bitterest sarcasm, adds, "Surely then the Union cannot last longer than July, 1831," it is impossible to mistake either the allusion or the object of the gentleman. Now, Mr. President, I call upon every one who hears me to bear witness that this controversy is not of my seeking. The Senate will do me the justice to remember that, at the time this unprovoked and uncalled-for attack was made on the south, not one word had been uttered by me in disparagement of New England; nor had I made the most distant allusion either to the senator from Massachusetts or the state he represents. But, sir, that gentleman has thought proper, for purposes best known to himself, to strike the south, through me, the most unworthy of her servants. He has crossed the border, he has invaded the state of South Carolina, is making war upon her citizens, and endeavoring to overthrow her principles and her institutions. Sir, when the gentleman provokes me to such a conflict, I meet him at the threshold; I will struggle, while I have life, for

our altars and our firesides; and, if God gives me strength, I will drive back the invader discomfited. Nor shall I stop there. If the gentleman provokes the war, he shall have war. Sir, I will not stop at the border; I will carry the war into the enemy's territory, and not consent to lay down my arms until I have obtained "indemnity for the past and security for the future." It is with unfeigned reluctance, Mr. President, that I enter upon the performance of this part of my duty; I shrink almost instinctively from a course, however necessary, which may have a tendency to excite sectional feelings and sectional jealousies. But, sir, the task has been forced upon me; and I proceed right onward to the performance of my duty. Be the consequences what they may, the responsibility is with those who have imposed upon me this necessity. The senator from Massachusetts has thought proper to cast the first stone; and if he shall find, according to a homely adage, "that he lives in a glass house," on his head be the consequences. The gentleman has made a great flourish about his fidelity to Massachusetts. I shall make no professions of zeal for the interests and honor of South Carolina; of that my constituents shall judge. If there be one state in the Union, Mr. President, (and I say it not in a boastful spirit,) that may challenge comparison with any other, for a uniform, zealous, ardent, and uncalculating devotion to the Union, that state is South Carolina. Sir, from the very commencement of the revolution up to this hour, there is no sacrifice, however great, she has not cheerfully made, no service she has ever hesitated to perform. She has adhered to you in your prosperity; but in your adversity she has elung to you with more than filial affection. No matter what was the condition of her domestic affairs, though deprived of her resources, divided by parties, or surrounded with difficulties, the call of the country has been to her as the voice of God. Domestic discord ceased at the sound; every man became at once reconciled to his brethren, and the sons of Carolina were all seen crowding together to the temple, bringing their gifts to the altar of their common country.

What, sir, was the conduct of the South during the revolution? Sir, I honor New England for her conduct in that glorious struggle. But great as is the praise which belongs to her, I think, at least, equal honor is due to the south. They espoused the quarrel of their brethren with a generous zeal, which did not suffer them to stop to calculate their interest in the dispute. Favorites of the mother country, possessed of neither ships nor seamen to create a commercial rivalry, they might have found in their situation a guarantee that their trade would be forever fostered and

protected by Great Britain. But, trampling on all considerations either of interest or of safety, they rushed into the conflict, and fighting for principle, perilled all, in the sacred cause of freedom. Never was there exhibited in the history of the world higher examples of noble daring, dreadful suffering, and heroic endurance, than by the whigs of Carolina during the revolution. The whole state, from the mountains to the sea, was overrun by an overwhelming force of the enemy. The fruits of industry perished on the spot where they were produced, or were consumed by the foe. The "plains of Carolina" drank up the most precious blood of her citizens. Black and smoking ruins marked the places which had been the habitations of her children. Driven from their homes into the gloomy and almost impenetrable swamps, even there the spirit of liberty survived, and South Carolina (sustained by the example of her Sumpters and her Marions) proved, by her conduct, that though her soil might be overrun, the spirit of her people was invincible.

But, sir, our country was soon called upon to engage in another revolutionary struggle, and that, too, was a struggle for principle. I mean the political revolution which dates back to '98, and which, if it had not been successfully achieved, would have left us none of the fruits of the revolution of '76. The revolution of '98 restored the constitution, rescued the liberty of the citizens from the grasp of those who were aiming at its life, and in the emphatic language of Mr. Jefferson, "saved the constitution at its last gasp." And by whom was it achieved? By the south, sir, aided only by the democracy of the north and west.

I come now to the war of 1812—a war which, I will remember, was called in derision (while its event was doubtful) the southern war, and sometimes the Carolina war; but which is now universally acknowledged to have done more for the honor and prosperity of the country than all other events in our history put together. What, sir, were the objects of that war? "Free trade and sailors' rights!" It was for the protection of northern shipping and New England seamen that the country flew to arms. What interest had the south in that contest? If they had sat down coldly to calculate the value of their interest involved in it, they would have found that they had every thing to lose, and nothing to gain. But, sir, with that generous devotion to country so characteristic of the south, they only asked if the rights of any portion of their fellow-citizens had been invaded; and when told that northern ships and New England seamen had been arrested on the common highway of nations, they felt that the honor of their country was assailed; and act-

ing on that exalted sentiment "which feels a stain like a wound," they resolved to seek, in open war, for a redress of those injuries which it did not become freemen to endure. Sir, the whole south, animated as by a common impulse, cordially united in declaring and promoting that war. South Carolina sent to your councils, as the advocates and supporters of that war, the noblest of her sons. How they fulfilled that trust let a grateful country tell. Not a measure was adopted, not a battle fought, not a victory won, which contributed, in any degree, to the success of that war, to which southern councils and southern valor did not largely contribute. Sir, since South Carolina is assailed, I must be suffered to speak it to her praise, that at the very moment when, in one quarter, we heard it solemnly proclaimed, "that it did not become a religious and moral people to rejoice at the victories of our army or our navy," her legislature unanimously

"Resolved, That we will cordially support the government in the vigorous prosecution of the war, until a peace can be obtained on honorable terms, and we will cheerfully submit to every privation that may be required of us, by our government, for the accomplishment of this object."

South Carolina redeemed that pledge. She threw open her treasury to the government. She put at the absolute disposal of the officers of the United States all that she possessed—her men, her money, and her arms. She appropriated half a million of dollars, on her own account, in defence of her maritime frontier, ordered a brigade of state troops to be raised, and when left to protect herself by her own means, never suffered the enemy to touch her soil, without being instantly driven off or captured.

Such, sir, was the conduct of the south—such the conduct of my own state in that dark hour "which tried men's souls."

When I look back and contemplate the spectacle exhibited at that time in another quarter of the Union—when I think of the conduct of certain portions of New England, and remember the part which was acted on that memorable occasion by the political associates of the gentleman from Massachusetts—nay, when I follow that gentleman into the councils of the nation, and listen to his voice during the darkest period of the war, I am indeed astonished that he should venture to touch upon the topics which he has introduced into this debate. South Carolina reproached by Massachusetts! And from whom does this accusation come? Not from the democracy of New England; for they have been in times past, as they are now, the friends and allies of the south. No, sir, the accusation comes from that party whose acts, during the most trying and eventful period of our national history, were of such a character,

that their own legislature, but a few years ago, actually blotted them out from their records, as a stain upon the honor of the country. But how can they ever be blotted out from the recollection of any one who had a heart to feel, a mind to comprehend, and a memory to retain, the events of that day! Sir, I shall not attempt to write the history of the party in New England to which I have alluded—the war party in peace, and the peace party in war. That task I shall leave to some future biographer of Nathan Dane, and I doubt not it will be found quite easy to prove that the peace party of Massachusetts were the only defenders of their country during their war, and actually achieved all our victories by land and sea. In the meantime, sir, and until that history shall be written, I propose, with the feeble and glimmering lights which I possess, to review the conduct of this party, in connection with the war, and the events which immediately preceded it.

It will be recollected, sir, that our great causes of quarrel with Great Britain were her depredations on the northern commerce, and the impressment of New England seamen. From every quarter we were called upon for protection. Impertunate as the west is now represented to be on another subject, the importunity of the east on that occasion was far greater. I hold in my hands the evidence of the fact. Here are petitions, memorials, and remonstrances from all parts of New England, setting forth the injustice, the oppressions, the depredations, the insults, the outrages committed by Great Britain against the unoffending commerce and seamen of New England, and calling upon Congress for redress. Sir, I cannot stop to read these memorials. In that from Boston, after stating the alarming and extensive condemnation of our vessels by Great Britain, which threatened "to sweep our commerce from the face of the ocean," and "to involve our merchants in bankruptcy," they call upon the government "to assert our rights, and to adopt such measures as will support the dignity and honor of the United States.

From Salem we heard a language still more decisive; they call explicitly for "an appeal to arms," and pledge their lives and property in support of any measures which Congress might adopt. From Newburyport an appeal was made "to the firmness and justice of the government to obtain compensation and protection." It was here, I think, that, when the war was declared, it was resolved "to resist our own government even unto blood." (Olive Branch, p. 101.)

In other quarters the common language of that day was, that our commerce and our seamen were entitled to protection; and that

it was the duty of the government to afford it at every hazard. The conduct of Great Britain, we were then told, was "an outrage upon our national independence." These clamors, which commenced as early as January, 1806, were continued up to 1812. In a message from the governor of one of the New England States, as late as the 10th October, 1811, this language is held: "A manly and decisive course has become indispensable; a course to satisfy foreign nations, that, while we desire peace, we have the means and the spirit to repel aggression. We are false to ourselves when our commerce, or our territory, is invaded with impunity."

About this time, however, a remarkable change was observable in the tone and temper of those who had been endeavoring to force the country into a war. The language of complaint was changed into that of insult, and calls for protection converted into reproaches. "Smoke, smoke!" says one writer; "my life on it, our executive has no more idea of declaring war than my grandmother." The committee of ways and means, says another, "have come out with their Pandora's box of taxes, and yet nobody dreams of war." "Congress do not mean to declare war; they dare not." But why multiply examples? An honorable member of the other house, from the city of Boston, [Mr. Quincy,] in a speech delivered on the 3d April, 1812, says, "Neither promises, nor threats, nor asseverations, nor oaths will make me believe that you will go to war. The navigation states are sacrificed, and the spirit and character of the country prostrated by fear and avarice." "You cannot," said the same gentleman, on another occasion, "be kicked into a war."

Well, sir, the war at length came, and what did we behold? The very men who had been for six years clamorous for war, and for whose protection it was waged, became at once equally clamorous against it. They had received a miraculous visitation; a new light suddenly beamed upon their minds; the scales fell from their eyes, and it was discovered that the war was declared from "subserviency to France;" and that Congress, and the executive, "had sold themselves to Napoleon;" that Great Britain had in fact "done us no essential injury;" that she was "the bulwark of our religion;" that where "she took one of our ships, she protected twenty;" and that, if Great Britain had impressed a few of our seamen, it was because "she could not distinguish them from their own." And so far did this spirit extend, that a committee of the Massachusetts legislature actually fell to calculation, and discovered, to their infinite satisfaction, but to the astonishment of all the world besides, that only eleven Massachusetts sailors had ever

been impressed. Never shall I forget the appeals that had been made to the sympathies of the south in behalf of the "thousands of impressed Americans," who had been torn from their families and friends, and immured in the floating dungeons of Britain." The most touching pictures were drawn of the hard condition of the American sailor, "treated like a slave," forced to fight the battles of his enemy, "lashed to the mast, to be shot at like a dog." But, sir, the very moment we had taken up arms in their defence, it was discovered that all these were mere "fictions of the brain;" and that the whole number in the state of Massachusetts was but eleven; and that even these had been "taken by mistake." Wonderful discovery! The secretary of state had collected authentic lists of no less than six thousand impressed Americans. Lord Castlereagh himself acknowledged sixteen hundred. Calculations on the basis of the number found on board of the *Guerriere*, the *Macedonian*, the *Java*, and other British ships, (captured by the skill and gallantry of those heroes whose achievements are the treasured monuments of their country's glory,) fixed the number at seven thousand; and yet, it seems, Massachusetts had lost but eleven! Eleven Massachusetts sailors taken by mistake! A cause of war indeed! Their ships too, the capture of which had threatened "universal bankruptcy," it was discovered that Great Britain was their friend and protector; where she had taken one she had protected twenty." Then was the discovery made, that subserviency to France, hostility to commerce, "a determination, on the part of the south and west, to break down the Eastern States," and especially as reported by a committee of the Massachusetts legislature) "to force the sons of commerce to populate the wilderness," were the true causes of the war." (*Olive Branch*, pp. 134, 291.) But let us look a little further into the conduct of the peace party of New England at that important crisis. Whatever difference of opinion might have existed as to the causes of the war, the country had a right to expect, that, when once involved in the contest, all America would have cordially united in its support. Sir, the war effected, in its progress, a union of all parties at the south. But not so in New England; there great efforts were made to stir up the minds of the people to oppose it. Nothing was left undone to embarrass the financial operations of the government, to prevent the enlistment of troops, to keep back the men and money of New England from the service of the Union, to force the president from his seat. Yes, sir, "the Island of Elba, or a halter!" were the alternatives they presented to the excellent and venerable James Madison.



Sir, the war was further opposed by openly carrying on illicit trade with the enemy, by permitting that enemy to establish herself on the very soil of Massachusetts, and by opening a free trade between Great Britain and America, with a separate custom house. Yes, sir, those who cannot endure the thought that we should insist on a free trade, in time of profound peace, could, without scruple, claim and exercise the right of carrying on a free trade with the enemy in a time of war; and finally by getting up the renowned "Hartford Convention," and preparing the way for an open resistance to the government, and a separation of the states. Sir, if I am asked for the proof of those things, I fearlessly appeal to the contemporary history, to the public documents of the country, to the recorded opinion and acts of public assemblies, to the declaration and acknowledgments, since made, of the executive and legislature of Massachusetts herself.\*

Sir, the time has not been allowed me to trace this subject through, even if I had been disposed to do so. But I cannot refrain from referring to one or two documents, which have fallen in my way since this debate began. I read, sir, from the Olive Branch of Matthew Carey, in which are collected "the actings and doings" of the peace party in New England, during the continuance of the embargo and the war. I know the senator from Massachusetts will respect the high authority of his political friend and fellow-laborer in the great cause of "domestic industry."

In p. 301, et seq., 309 of this work, is a detailed account of the measures adopted in Massachusetts during the war, for the express purpose of embarrassing the financial operations of the government, by preventing loans, and thereby driving our rulers from their seats, and forcing the country

\* In answer to an address of Governor Eustis, denouncing the conduct of the peace party during the war, the House of Representatives of Massachusetts, in June, 1823, say, "The change of the political sentiments evinced in the late elections forms indeed a new era in the history of our commonwealth. It is the triumph of reason over passion; of patriotism over party spirit. Massachusetts has returned to her first love, and is no longer a stranger in the Union. We rejoice that though, during the last war, such measures were adopted in this state as occasioned double sacrifice of treasure and of life, covered the friends of the nation with humiliation and mourning, and fixed a stain on the page of our history, a redeeming spirit has at length arisen to take away our reproach, and restore to us our good name, our rank among our sister states, and our just influence in the Union."

"Though we would not renew contentions, or irritate wantonly, we believe that there are cases when it is necessary we should 'wound to heal.' And we consider it among the first duties of the friends of our national government, on this return of power, to disavow the unwarrantable course pursued by this state, during the late war, and to hold up the measures of that period as beacons; that the present and succeeding generations may shun that career which must inevitably terminate in the destruction of the individual or party who pursues it; and may learn the important lesson, that, in all times, the path of duty is the path of safety; and that it is never dangerous to rally around the standard of our country."

into a dishonorable peace. It appears that the Boston banks commenced an operation, by which a run was to be made upon all the banks of the south; at the same time stopping their own discounts; the effect of which was to produce a sudden and almost alarming diminution of the circulating medium, and universal distress over the whole country—"a distress which they failed not to attribute to the unholy war."

To such an extent was this system carried, that it appears, from a statement of the condition of the Boston banks, made up in January, 1814, that with nearly \$5,000,000 of specie in their vaults, they had but \$2,000,000 of bills in circulation. It is added by Carey, that at this very time an extensive trade was carried on in British government bills, for which specie was sent to Canada, for the payment of the British troops, then laying waste our northern frontier; and this too at the very moment when New England ships, sailing under British licenses, (a trade declared to be lawful by the courts both of Great Britain and Massachusetts,\*) were supplying with provisions those very armies destined for the invasion of our own shores. Sir, the author of the Olive Branch, with a holy indignation, denounces these acts as "treasonable;" "giving aid and comfort to the enemy." I shall not follow his example. But I will ask, With what justice or propriety can the south be accused of disloyalty from that quarter? If we had any evidence that the senator from Massachusetts had admonished his brethren then, he might, with a better grace, assume the office of admonishing us now.

When I look at the measures adopted in Boston, at that day, to deprive the government of the necessary means for carrying on the war, and think of the success and the consequences of these measures, I feel my pride, as an American, humbled in the dust. Hear, sir, the language of that day. I read from pages 301 and 302 of the Olive Branch. "Let no man who wishes to continue the war, by active means, by vote, or lending money, dare to prostrate himself at the altar on the fast day." "Will federalists subscribe to the loan? Will they lend money to our national rulers? It is impossible. First, because of principle, and secondly, because of principal and interest." "Do not prevent the abusers of their trust from becoming bankrupt. Do not prevent them from becoming odious to the public, and being replaced by better men." "Any federalist who lends money to government must go and shake hands with James Madison, and claim fellowship with Felix Grundy." (I beg pardon of my honorable friend from Tennessee—but

\* 2d Dodson's Admiralty Reports, 48. 13th Mass. Reports, 26.

he is in good company. I had thought it was "James Madison, Felix Grundy, and the devil.") Let him no more "call himself a federalist, and a friend to his country: he will be called by others infamous," &c.

Sir, the spirit of the people sunk under these appeals. Such was the effect produced by them on the public mind, that the very agents of the government (as appears from their public advertisements, now before me) could not obtain loans without a pledge that "the names of the subscribers should not be known." Here are the advertisements: "The names of all subscribers" (say Gilbert and Dean, the brokers employed by government) "shall be known only to the undersigned." As if those who came forward to aid their country, in the hour of her utmost need, were engaged in some dark and foul conspiracy, they were assured "that their names should not be known." Can any thing show more conclusively the unhappy state of public feeling which prevailed at that day than this single fact? Of the same character with these measures was the conduct of Massachusetts in withholding her militia from the service of the United States, and devising measures for withdrawing her quota of the taxes, thereby attempting, not merely to cripple the resources of the country, but actually depriving the government (as far as depended upon her) of all the means of carrying on the war—of the bone, and muscle, and sinews of war—"of man and steel—the soldier and his sword." But it seems Massachusetts was to reserve her resources for herself—she was to defend and protect her own shores. And how was that duty performed? In some places on the coast neutrality was declared, and the enemy was suffered to invade the soil of Massachusetts, and allowed to occupy her territory until the peace, without one effort to rescue it from his grasp. Nay, more—while our own government and our rulers were considered as enemies, the troops of the enemy were treated like friends—the most intimate commercial relations were established with them, and maintained up to the peace. At this dark period of our national affairs, where was the senator from Massachusetts? How were his political associates employed? "Calculating the value of the Union?" Yes, sir, that was the propitious moment, when our country stood alone, the last hope of the world, struggling for her existence against the colossal power of Great Britain, "concentrated one mighty effort to crush us at a blow;" that was the chosen hour to revive the grand scheme of building up "a great northern confederacy"—a scheme which, it is stated in the work before me, had its origin as far back as the year 1796, and which appears never to have been entirely abandoned.

In the language of the writers of that day, (1796,) "rather than have a constitution such as the anti-federalists were contending for, (such as we are now contending for,) the Union ought to be dissolved;" and to prepare the way for that measure, the same methods were resorted to then that have always been relied on for that purpose, exciting prejudice against the south. Yes, sir, our northern brethren were then told, "that if the negroes were good for food, their southern masters would claim the right to destroy them at pleasure." (Olive Branch, p. 267.) Sir, in 1814, all these topics were revived. Again we hear of "northern confederacy." "The slave states by themselves;" "the mountains are the natural boundary;" we want neither "the counsels nor the power of the west," &c., &c. The papers teemed with accusations against the *south* and the *west*, and the calls for a dissolution of all connection with them were loud and strong. I cannot consent to go through the disgusting details. But to show the height to which the spirit of disaffection was carried, I will take you to the temple of the living God, and show you *that sacred place*, which should be devoted to the extension of "peace on earth and good will towards men," where "*one day's truce* ought surely to be allowed to the dissensions and animosities of mankind," converted into *a fierce arena of political strife*, where, from the lips of the priest, standing between the horns of the altar, there went forth the most *terrible denunciations* against all who should be true to their country in the hour of her utmost need.

"If you do not wish," said a reverend clergyman, in a sermon preached in Boston, on the 23d of July, 1812, "to become the slaves of those who own slaves, and who are themselves the slaves of French slaves, you must either, *in the language of the day*, CUT THE CONNECTION or so far alter the national compact as to insure to yourselves a due share in the government." (Olive Branch, p. 319.) "The Union," says the same writer, (p. 320,) "has been long since virtually dissolved, and it is full time that this part of the disunited states should take care of itself."

Another reverend gentleman, pastor of a church at Medford, (p. 321,) issues his anathema—"LET HIM STAND ACCURSED"—against all, all who by their "personal services," for "loans of money," "conversation," or "writing," or "influence," give countenance or support to the righteous war, in the following terms: "That man is an accomplice in the wickedness—he loads his conscience with the blackest crimes—he brings the guilt of blood upon his soul, and in the sight of God and his law, *he is a MURDERER.*"

One or two more quotations, sir, and I

shall have done. A reverend doctor of divinity, the pastor of a church at Byfield, Massachusetts, on the 7th of April, 1814, thus addresses his flock, (p. 321 :) "The Israelites became weary of yielding the fruit of their labor to pamper their splendid tyrants. They left their political woes. THEY SEPARATED; where is our Moses? Where the rod of his miracles? Where is our Aaron? Alas! no voice from the burning bush has directed them here."

"We must trample on the mandates of despotism, or remain slaves forever," (p. 322.) "You must drag the chains of Virginian despotism, unless you discover some other mode of escape." "Those Western States which have been violent for this abominable war—those states which have thirsted for blood—God has given them blood to drink," (p. 323.) Mr. President, I can go no further. The records of the day are full of such sentiments, issued from the press, spoken in public assemblies, poured out from the sacred desk. God forbid, sir, that I should charge the people of Massachusetts with participating in these sentiments. The south and the west had there their friends—men who stood by their country, though encompassed all around by their enemies. The senator from Massachusetts (Mr. Silsbee) was one of them; the senator from Connecticut (Mr. Foot) was another; and there are others now on this floor. The sentiments I have read were the sentiments of a party embracing the political associates of the gentleman from Massachusetts. If they could only be found in the columns of a newspaper, in a few occasional pamphlets, issued by men of intemperate feeling, I should not consider them as affording any evidence of the opinions even of the peace party of New England. But, sir, they were the common language of that day; they pervaded the whole land; they were issued from the legislative hall, from the pulpit, and the press. Our books are full of them; and there is no man who now hears me but knows that they were the sentiments of a party, by whose members they were promulgated. Indeed, no evidence of this would seem to be required beyond the fact that such sentiments found their way even into the pulpits of New England. What must be the state of public opinion, where any respectable clergyman would venture to preach, and to print, sermons containing the sentiments I have quoted? I doubt not the piety or moral worth of these gentlemen. I am told they were respectable and pious men. But they were men, and they "kindled in a common blaze." And now, sir, I must be suffered to remark that, at this awful and melancholy period of our national history, the gentleman from Massachusetts, who now manifests so great a devotion to

the Union, and so much anxiety lest it should be endangered from the south, was "with his brethren in Israel." He saw all these things passing before his eyes—he heard these sentiments uttered all around him. I do not charge that gentleman with any participation in these acts, or with approving of these sentiments.

But I will ask, why, if he was animated by the same sentiments then which he now professes, if he can "augur disunion at a distance, and snuff up rebellion in every tainted breeze," why did he not, at that day, exert his great talents and acknowledged influence with the political associates by whom he was surrounded, and who then, as now, looked up to him for guidance and direction, in allaying this general excitement, in pointing out to his deluded friends the value of the Union, in instructing them that, instead of looking "to some prophet to lead them out of the land of Egypt," they should become reconciled to their brethren, and unite with them in the support of a just and necessary war? Sir, the gentleman must excuse me for saying, that if the records of our country afforded any evidence that he had pursued such a course, then, if we could find it recorded in the history of those times, that, like the immortal Dexter, he had breasted that mighty torrent which was sweeping before it all that was great and valuable in our political institutions—if like him he had stood by his country in opposition to his party, sir, we would, like little children, listen to his precepts, and abide by his counsels.

As soon as the public mind was sufficiently prepared for the measure, the celebrated Hartford Convention was got up; not as the act of a few unauthorized individuals, but by the authority of the legislature of Massachusetts; and, as has been shown by the able historian of that convention, in accordance with the views and wishes of the party of which it was the organ. Now, sir, I do not desire to call in question the motives of the gentlemen who composed that assembly. I knew many of them to be in private life accomplished and honorable men, and I doubt not there were some among them who did not perceive the dangerous tendency of their proceedings. I will even go further, and say, that if the authors of the Hartford Convention believed that "gross, deliberate, and palpable violations of the constitution" had taken place, utterly destructive of their rights and interests, I should be the last man to deny their right to resort to any constitutional measures for redress. But, sir, in any view of the case, the time when and the circumstances under which that convention assembled, as well as the measures recommended, render their conduct, in my opinion,

wholly indefensible. Let us contemplate, for a moment, the spectacle then exhibited to the view of the world. I will not go over the disasters of the war, nor describe the difficulties in which the government was involved. It will be recollected that its credit was nearly gone, Washington had fallen, the whole coast was blockaded, and an immense force, collected in the West Indies, was about to make a descent, which it was supposed we had no means of resisting. In this awful state of our public affairs, when the government seemed almost to be tottering on its base, when Great Britain, relieved from all her other enemies, had proclaimed her purpose of "reducing us to unconditional submission," we beheld the peace party of New England (in the language of the work before us) pursuing a course calculated to do more injury to their country, and to render England more effective service than all her armies." Those who could not find it in their hearts to rejoice at our victories sang *Te Deum* at the King's Chapel in Boston, for the restoration of the Bourbons. Those who could not consent to illuminate their dwellings for the capture of the *Guerriere* could give no visible tokens of their joy at the fall of Detroit. The "beacon fires" of their hills were lighted up, not for the encouragement of their friends, but as signals to the enemy; and in the gloomy hours of midnight, the very lights burned blue. Such were the dark and portentous signs of the times, which ushered into being the renowned Hartford Convention. That convention met, and, from their proceedings, it appears that their chief object was to keep back the money and men of New England from the service of the Union, and to effect radical changes in the government—changes that can never be effected without a dissolution of the Union.

Let us now, sir, look at their proceedings. I read from "A Short Account of the Hartford Convention," (written by one of its members,) a very rare book, of which I was fortunate enough, a few years ago, to obtain a copy. [Here Mr. H. read from the proceedings.\*]

\* It appears at p. 6 of the "Account" that by a vote of the House of Representatives of Massachusetts, (260 to 290) delegates to this convention were ordered to be appointed to consult upon the subject "of their public grievances and concerns," and upon "the best means of preserving their resources," and for procuring a revision of the constitution of the United States, "more effectually to secure the support and attachment of all the people, by placing all upon the basis of fair representation."

The convention assembled at Hartford on the 15th December, 1814. On the next day it was

*Resolved*, That the most inviolable secrecy shall be observed by each member of this convention, including the secretary, as to all propositions, debates, and proceedings thereof, until this injunction shall be suspended or altered.

On the 24th of December, the committee appointed to prepare and report a general project of such measures as

It is unnecessary to trace the matter further, or to ask what would have been the next chapter in this history, if the measures recommended had been carried into effect; and if, with the men and money of New England withheld from the government of the United States, she had been withdrawn from the war; if New Orleans had fallen into the hands of the enemy; and if, without troops and almost destitute of money, the Southern and the Western States had been thrown upon their own resources, for the prosecution of the war, and the recovery of New Orleans.

Sir, whatever may have been the issue of the contest, the Union must have been dissolved. But a wise and just Providence, which "shapes our ends, roughhew them as we will," gave us the victory, and crowned our efforts with a glorious peace. The ambassadors of Hartford were seen retracing their steps from Washington, "the bearers of the glad tidings of great joy." Courage and patriotism triumphed—the country was saved—the Union was preserved. And are we, Mr. President, who stood by our country then, who threw open our coffers, who bared our bosoms, who freely perilled all in that conflict, to be reproached with want of attachment to the Union? If, sir, we are to have lessons of patriotism read to us, they must come from a different quarter. The senator from

may be proper for the convention to adopt, reported among other things,—

"1. That it was expedient to recommend to the legislatures of the states the adoption of the most effectual and decisive measures to protect the militia of the states from the usurpations contained in these proceedings." [The proceedings of Congress and the executive, in relation to the militia and the war.]

"2. That it was expedient also to prepare a statement, exhibiting the necessity which the improvidence and inability of the general government have imposed upon the states of providing for their own defence, and the impossibility of their discharging this duty, and at the same time fulfilling the requisitions of the general government, and also to recommend to the legislatures of the several states to make provision for mutual defence, and to make an earnest application to the government of the United States, with a view to some arrangement whereby the state may be enabled to retain a portion of the taxes levied by Congress, for the purpose of self-defence, and for the reimbursement of expenses already incurred on account of the United States.

"3. That it is expedient to recommend to the several state legislatures certain amendments to the constitution, viz. —

"That the power to declare or make war, by the Congress of the United States, be restricted.

"That it is expedient to attempt to make provision for restraining Congress in the exercise of an unlimited power to make new states, and admit them into the Union.

"That an amendment be proposed respecting slave representation and slave taxation."

On the 29th of December, 1814, it was proposed "that the capacity of naturalized citizens to hold offices of trust, honor, or profit ought to be restrained," &c.

The subsequent proceedings are not given at large. But it seems that the report of the committee was adopted, and also a recommendation of certain measures (of the character of which we are not informed) to the states for their mutual defence; and having voted that the injunction of secrecy, in regard to all the debates and proceedings of the convention, (except so far as relates to the report finally adopted,) be continued, the convention adjourned *sine die*, but as was supposed, to meet again when circumstances should require it.

Massachusetts, who is now so sensitive on all subjects connected with the Union, seems to have a memory forgetful of the political events that have passed away. I must therefore refresh his recollection a little further on these subjects. The history of disunion has been written by one whose authority stands too high with the American people to be questioned; I mean Thomas Jefferson. I know not how the gentleman may receive this authority. When that great and good man occupied the presidential chair, I believe he commanded no portion of the gentleman's respect.

I hold in my hand a celebrated pamphlet on the embargo, in which language is held, in relation to Mr. Jefferson, which my respect for his memory will prevent me from reading, unless any gentleman should call for it. But the senator from Massachusetts has since joined in singing hosannas to his name; he has assisted at his apotheosis, and has fixed him as "a brilliant star in the clear upper sky." I hope, therefore, he is now prepared to receive with deference and respect the high authority of Mr. Jefferson. In the fourth volume of his Memoirs, which has just issued from the press, we have the following history of disunion from the pen of that illustrious statesman: "Mr. Adams called on me pending the embargo, and while endeavors were making to obtain its repeal: he spoke of the dissatisfaction of the eastern portion of our confederacy with the restraints of the embargo then existing, and their restlessness under it; that there was nothing which might not be attempted to rid themselves of it; that he had information of the most unquestionable authority, that certain citizens of the Eastern States (I think he named Massachusetts particularly) were in negotiation with agents of the British government, the object of which was an agreement that the New England States should take no further part in the war (the commercial war, the 'war of restrictions,' as it was called) then going on, and that, without formally declaring their separation from the Union, they should withdraw from all aid and obedience to them, &c. From that moment," says Mr. J., "I saw the necessity of abandoning it, [the embargo,] and, instead of effecting our purpose by this peaceful measure, we must fight it out or break the Union." In another letter Mr. Jefferson adds, "I doubt whether a single fact known to the world will carry as clear conviction to it of the correctness of our knowledge of the treasonable views of the federal party of that day, as that disclosed by this, the most nefarious and daring attempt to dissever the Union, of which the Hartford Convention was a subsequent chapter; and both of these having failed, consolidation becomes

the fourth chapter of the next book of their history. But this opens with a vast accession of strength, from their younger recruits, who, having nothing in them of the feelings and principles of '76, now look to a single and splendid government, &c., riding and ruling over the plundered ploughman and beggared yeomanry." (vol. iv. pp. 419, 422.)

The last chapter, says Mr. Jefferson, of that history, is to be found in the conduct of those who are endeavoring to bring about consolidation; ay, sir, that very consolidation for which the gentleman from Massachusetts is contending—the exercise by the federal government of powers not delegated in relation to "internal improvements" and "the protection of manufactures." And why, sir, does Mr. Jefferson consider consolidation as leading directly to disunion? Because he knew that the exercise, by the federal government, of the powers contended for, would make this "a government without limitation of powers," the submission to which he considered as a greater evil than disunion itself. There is one chapter in this history, however, which Mr. Jefferson has not filled up; and I must therefore supply the deficiency. It is to be found in the protests made by New England against the acquisition of Louisiana. In relation to that subject, the New England doctrine is thus laid down by one of her learned doctors of that day, now a doctor of laws, at the head of the great literary institution of the east; I mean Josiah Quincy, president of Harvard College. I quote from the speech delivered by that gentleman on the floor of Congress, on the occasion of the admission of Louisiana into the Union.

"Mr. Quincy repeated and justified a remark he had made, which, to save all misapprehension, he had committed to writing, in the following words: If this bill passes, it is my deliberate opinion that it is virtually a dissolution of the Union; that it will free the states from their moral obligation; and as it will be the right of all, so it will be the duty of some, to prepare for a separation, amicably if they can, violently if they must."

Mr. President, I wish it to be distinctly understood, that all the remarks I have made on this subject are intended to be exclusively applied to a party, which I have described as the "peace party of New England"—embracing the political associates of the senator from Massachusetts—a party which controlled the operations of that state during the embargo and the war, and who are justly chargeable with all the measures I have reprobated. Sir, nothing has been further from my thoughts than to impeach the character or conduct of the people of New England. For their steady habits and hardy virtues I trust I enter-

tain a becoming respect. I fully subscribe to the truth of the description given before the revolution, by one whose praise is the highest eulogy, "that the perseverance of Holland, the activity of France, and the dexterous and firm sagacity of English enterprise, have been more than equalled by this recent people." The hardy people of New England of the present day are worthy of their ancestors. Still less, Mr. President, has it been my intention to say anything that could be construed into a want of respect for that party, who, have been true to their principles in the worst of times; I mean the democracy of New England.

Sir, I will declare that, highly as I appreciate the democracy of the south, I consider even higher praise to be due to the democracy of New England, who have maintained their principles "through good and through evil report," who, at every period of our national history, have stood up manfully for "their country, their whole country, and nothing but their country." In the great political revolution of '98, they were found united with the democracy of the south, marching under the banner of the constitution, led on by the patriarch of liberty, in search of the land of political promise, which they lived not only to behold, but to possess and to enjoy. Again, sir, in the darkest and most gloomy period of the war, when our country stood single-handed against "the conqueror of the conquerors of the world," when all about and around them was dark and dreary, disastrous and discouraging, they stood a Spartan band in that narrow pass, where the honor of their country was to be defended, or to find its grave. And in the last great struggle, involving, as we believe, the very existence of the principle of popular sovereignty, where were the democracy of New England? Where they always have been found, sir, struggling side by side, with their brethren of the south and the west for popular rights, and assisting in that triumph, by which the man of the people was elevated to the highest office in their gift.

Who, then, Mr. President, are the true friends of the Union? Those who would confine the federal government strictly within the limits prescribed by the constitution; who would preserve to the states and the people all powers not expressly delegated; who would make this a federal and not a national Union, and who, administering the government in a spirit of equal justice, would make it a blessing, and not a curse. And who are its enemies? Those who are in favor of consolidation; who are constantly stealing power from the states, and adding strength to the federal government; who, assuming an unwarrantable jurisdiction over the states and the people, undertake to regu-

late the whole industry and capital of the country. But, sir, of all descriptions of men, I consider those as the worst enemies of the Union, who sacrifice the equal rights which belong to every member of the confederacy to combinations of interested majorities, for personal or political objects. But the gentleman apprehends no evil from the dependence of the states on the federal government; he can see no danger of corruption from the influence of money or of patronage. Sir, I know that it is supposed to be a wise saying that "patronage is a source of weakness;" and in support of that maxim, it has been said, that "every ten appointments make a hundred enemies." But I am rather inclined to think, with the eloquent and sagacious orator now reposing on his laurels on the banks of the Roanoke, that "the power of conferring favors creates a crowd of dependants;" he gave a forcible illustration of the truth of the remark, when he told us of the effect of holding up the savory morsel to the eager eyes of the hungry hounds gathered around his door. It mattered not whether the gift was bestowed on Towzer or Sweetlips, "Tray, Blanche, or Sweetheart;" while held in suspense, they were governed by a nod, and when the morsel was bestowed, expectation of favors of to-morrow kept up the subjection of to-day.

The senator from Massachusetts, in denouncing what he is pleased to call the Carolina doctrine, has attempted to throw ridicule upon the idea that a state has any constitutional remedy, by the exercise of its sovereign authority, against "a gross, palpable, and deliberate violation of the constitution." He calls it "an idle" or "a ridiculous notion," or something to that effect, and added, that it would make the Union a "mere rope of sand." Now, sir, as the gentleman has not condescended to enter into any examination of the question, and has been satisfied with throwing the weight of his authority into the scale, I do not deem it necessary to do more than to throw into the opposite scale the authority on which South Carolina relies; and there, for the present, I am perfectly willing to leave the controversy. The South Carolina doctrine, that is to say, the doctrine contained in an exposition reported by a committee of the legislature in December, 1828, and published by their authority, is the good old republican doctrine of '98—the doctrine of the celebrated "Virginia Resolutions" of that year, and of "Madison's Report" of '99. It will be recollected that the legislature of Virginia, in December, '98, took into consideration the alien and sedition laws, then considered by all republicans as a gross violation of the constitution of the United States, and on that day passed, among others, the following resolutions,—

“The General Assembly doth explicitly and peremptorily declare, that it views the powers of the federal government, as resulting from the compact to which the states are parties, as limited by the plain sense and intention of the instrument constituting that compact, as no further valid than they are authorized by the grants enumerated in that compact; and that in case of a deliberate, palpable, and dangerous exercise of other powers not granted by the said compact, the states who are parties thereto have the right, and are in duty bound, to interpose for arresting the progress of the evil, and for maintaining, within their respective limits, authorities, rights, and liberties, belonging to them.”

In addition to the above resolution, the General Assembly of Virginia “appealed to the other states, in the confidence that they would concur with that commonwealth, that the acts aforesaid [the alien and sedition laws] are unconstitutional, and that the necessary and proper measures would be taken by each for co-operating with Virginia in maintaining unimpaired the authorities, rights, and liberties reserved to the states respectively, or to the people.”

The legislatures of several of the New England States, having, contrary to the expectation of the legislature of Virginia, expressed their dissent from these doctrines, the subject came up again for consideration during the session of 1799, 1800, when it was referred to a select committee, by whom was made that celebrated report which is familiarly known as “Madison’s Report,” and which deserves to last as long as the constitution itself. In that report, which was subsequently adopted by the legislature, the whole subject was deliberately re-examined, and the objections urged against the Virginia doctrines carefully considered. The result was, that the legislature of Virginia reaffirmed all the principles laid down in the resolutions of 1798, and issued to the world that admirable report which has stamped the character of Mr. Madison as the preserver of that constitution which he had contributed so largely to create and establish. I will here quote from Mr. Madison’s report one or two passages which bear more immediately on the point in controversy. “The resolutions, having taken this view of the federal compact, proceed to infer ‘that in case of a deliberate, palpable, and dangerous exercise of other powers, the states who are parties thereto have the right, and are in duty bound, to interpose for arresting the progress of the evil, and for maintaining, within their respective limits, the authorities, rights, and liberties appertaining to them.’”

“It appears to your committee to be a plain principle, founded in common sense,

illustrated by common practice, and essential to the nature of compacts, that, where resort can be had to no tribunal superior to the authority of the parties, the parties themselves must be the rightful judges in the last resort, whether the bargain made has been pursued or violated. The constitution of the United States was formed by the sanction of the states, given by each in its sovereign capacity. It adds to the stability and dignity, as well as to the authority, of the constitution, that it rests upon this legitimate and solid foundation. The states, then, being the parties to the constitutional compact, and in their sovereign capacity, it follows of necessity that there can be no tribunal above their authority, to decide, in the last resort, whether the compact made by them be violated, and consequently that, as the parties to it, they must decide, in the last resort, such questions as may be of sufficient magnitude to require their interposition.”

“The resolution has guarded against any misapprehension of its object by expressly requiring for such an interposition ‘the case of a deliberate, palpable, and dangerous breach of the constitution, by the exercise of powers not granted by it.’ It must be a case, not of a light and transient nature, but of a nature dangerous to the great purposes for which the constitution was established.

“But the resolution has done more than guard against misconstructions, by expressly referring to cases of a deliberate, palpable, and dangerous nature. It specifies the object of the interposition, which it contemplates, to be solely that of arresting the progress of the evil of usurpation, and of maintaining the authorities, rights, and liberties appertaining to the states, as parties to the constitution.

“From this view of the resolution, it would seem inconceivable that it can incur any just disapprobation from those who, laying aside all momentary impressions, and recollecting the genuine source and object of the federal constitution, shall candidly and accurately interpret the meaning of the General Assembly. If the deliberate exercise of dangerous powers, palpably withheld by the constitution, could not justify the parties to it in interposing even so far as to arrest the progress of the evil, and thereby to preserve the constitution itself, as well as to provide for the safety of the parties to it, there would be an end to all relief from usurped power, and a direct subversion of the rights specified or recognized under all the state constitutions, as well as a plain denial of the fundamental principles on which our independence itself was declared.”

But, sir, our authorities do not stop here. The state of Kentucky responded to Virginia, and on the 10th of November, 1798,

adopted those celebrated resolutions, well known to have been penned by the author of the Declaration of American Independence. In those resolutions, the legislature of Kentucky declare, "that the government created by this compact was not made the exclusive or final judge of the extent of the powers delegated to itself, since that would have made its discretion, and not the constitution, the measure of its powers; but that, as in all other cases of compact among parties having no common judge, each party has an equal right to judge, for itself, as well of infractions as of the mode and measure of redress."

At the ensuing session of the legislature, the subject was re-examined, and on the 14th of November, 1799, the resolutions of the preceding year were deliberately reaffirmed, and it was, among other things, solemnly declared,—

"That, if those who administer the general government be permitted to transgress the limits fixed by that compact, by a total disregard to the special delegations of power therein contained, an annihilation of the state governments, and the erection upon their ruins of a general consolidated government, will be the inevitable consequence. That the principles of construction contended for by sundry of the state legislatures, that the general government is the exclusive judge of the extent of the powers delegated to it, stop nothing short of despotism; since the discretion of those who administer the government, and not the constitution, would be the measure of their powers. That the several states who formed that instrument, being sovereign and independent, have the unquestionable right to judge of its infraction, and that a nullification, by those sovereignties, of all unauthorized acts done under color of that instrument, is the rightful remedy."

Time and experience confirmed Mr. Jefferson's opinion on this all important point. In the year 1821, he expressed himself in this emphatic manner: "It is a fatal heresy to suppose that either our state governments are superior to the federal, or the federal to the state; neither is authorized literally to decide which belongs to itself or its copartner in government; in differences of opinion, between their different sets of public servants, the appeal is to neither, but to their employers peaceably assembled by their representatives in convention." The opinion of Mr. Jefferson on this subject has been so repeatedly and so solemnly expressed, that they may be said to have been the most fixed and settled convictions of his mind.

In the protest prepared by him for the legislature of Virginia, in December, 1825, in respect to the powers exercised by the federal government in relation to the tariff and internal improvements, which he de-

clares to be "usurpations of the powers retained by the states, mere interpolations into the compact, and direct infractions of it," he solemnly reasserts all the principles of the Virginia Resolutions of '98, protests against "these acts of the federal branch of the government as null and void, and declares that, although Virginia would consider a dissolution of the Union as among the greatest calamities that could befall them, yet it is not the greatest. There is one yet greater—submission to a government of unlimited powers. It is only when the hope of this shall become absolutely desperate, that further forbearance could not be indulged."

In his letter to Mr. Giles, written about the same time, he says,—

"I see as you do, and with the deepest affliction, the rapid strides with which the federal branch of our government is advancing towards the usurpation of all the rights reserved to the states, and the consolidation in itself of all powers, foreign and domestic, and that too by constructions which leave no limits to their powers, &c. Under the power to regulate commerce, they assume, indefinitely, that also over agriculture and manufactures, &c. Under the authority to establish post roads, they claim that of cutting down mountains for the construction of roads, and digging canals, &c. And what is our resource for the preservation of the constitution? Reason and argument? You might as well reason and argue with the marble columns encircling them, &c. Are we then to stand to our arms with the hot-headed Georgian? No; [and I say no, and South Carolina has said no;] that must be the last resource. We must have patience and long endurance with our brethren, &c., and separate from our companions only when the sole alternatives left are a dissolution of our Union with them, or submission. Between these two evils, when we must make a choice, there can be no hesitation."

Such, sir, are the high and imposing authorities in support of "The Carolina doctrine," which is, in fact, the doctrine of the Virginia Resolutions of 1798.

Sir, at that day the whole country was divided on this very question. It formed the line of demarcation between the federal and republican parties; and the great political revolution which then took place turned upon the very questions involved in these resolutions. That question was decided by the people, and by that decision the constitution was, in the emphatic language of Mr. Jefferson, "saved at its last gasp." I should suppose, sir, it would require more self-respect than any gentleman here would be willing to assume, to treat lightly doctrines derived from such high resources. Resting on authority like this, I will ask gentlemen whether South Carolina



has not manifested a high regard for the Union, when, under a tyranny ten times more grievous than the alien and sedition laws, she has hitherto gone no further than to petition, remonstrate, and to solemnly protest against a series of measures which she believes to be wholly unconstitutional and utterly destructive of her interests. Sir, South Carolina has not gone one step further than Mr. Jefferson himself was disposed to go, in relation to the present subject of our present complaints—not a step further than the statesman from New England was disposed to go, under similar circumstances; no further than the senator from Massachusetts himself once considered as within “the limits of a constitutional opposition.” The doctrine that it is the right of a state to judge of the violations of the constitution on the part of the federal government, and to protect her citizens from the operations of unconstitutional laws, was held by the enlightened citizens of Boston, who assembled in Faneuil Hall, on the 25th of January, 1809. They state, in that celebrated memorial, that “they looked only to the state legislature, who were competent to devise relief against the unconstitutional acts of the general government. That your power (say they) is adequate to that object, is evident from the organization of the confederacy.”

A distinguished senator from one of the New England States, (Mr. Hillhouse,) in a speech delivered here, on a bill for enforcing the embargo, declared, “I feel myself bound in conscience to declare, (lest the blood of those who shall fall in the execution of this measure shall be on my head,) that I consider this to be an act which directs a mortal blow at the liberties of my country—an act containing unconstitutional provisions, to which the people are not bound to submit, and to which, in my opinion, they will not submit.”

And the senator from Massachusetts himself, in a speech delivered on the same subject in the other house, said, “This opposition is constitutional and legal; it is also conscientious. It rests on settled and sober conviction, that such policy is destructive to the interests of the people, and dangerous to the being of government. The experience of every day confirms these sentiments. Men who act from such motives are not to be discouraged by trifling obstacles, nor awed by any dangers. They know the limit of constitutional opposition; up to that limit, at their own discretion, they will walk, and walk fearlessly.” How “the being of the government” was to be endangered by “constitutional opposition” to the embargo, I leave the gentleman to explain.

Thus it will be seen, Mr. President, that the South Carolina doctrine is the republican doctrine of '98—that it was promulgated by the fathers of the faith—that it

was maintained by Virginia and Kentucky in the worst of times—that it constituted the very pivot on which the political revolution of that day turned—that it embraces the very principles, the triumph of which, at that time, saved the constitution at its last gasp, and which New England statesmen were not unwilling to adopt, when they believed themselves to be the victims of unconstitutional legislation. Sir, as to the doctrine that the federal government is the exclusive judge of the extent as well as the limitations of its powers, it seems to me to be utterly subversive of the sovereignty and independence of the states. It makes but little difference, in my estimation, whether Congress or the Supreme Court are invested with this power. If the federal government, in all, or any, of its departments, is to prescribe the limits of its own authority, and the states are bound to submit to the decision, and are not to be allowed to examine and decide for themselves, when the barriers of the constitution shall be overleaped, this is practically “a government without limitation of powers.” The states are at once reduced to mere petty corporations, and the people are entirely at your mercy. I have but one word more to add. In all the efforts that have been made by South Carolina to resist the unconstitutional laws which Congress has extended over them, she has kept steadily in view the preservation of the Union, by the only means by which she believes it can be long preserved—a firm, manly, and steady resistance against usurpation. The measures of the federal government have, it is true, prostrated her interests, and will soon involve the whole south in irretrievable ruin. But even this evil, great as it is, is not the chief ground of our complaints. It is the principle involved in the contest—a principle which, substituting the discretion of Congress for the limitations of the constitution, brings the states and the people to the feet of the federal government, and leaves them nothing they can call their own. Sir, if the measures of the federal government were less oppressive, we should still strive against this usurpation. The south is acting on a principle she has always held sacred—resistance to unauthorized taxation. These, sir, are the principles which induced the immortal Hampden to resist the payment of a tax of twenty shillings. Would twenty shillings have ruined his fortune? No! but the payment of half twenty shillings, on the principle on which it was demanded, would have made him a slave. Sir, if acting on these high motives—if animated by that ardent love of liberty which has always been the most prominent trait in the southern character—we should be hurried beyond the bounds of a cold and calculating prudence, who is there, with one noble and

generous sentiment in his bosom, that would not be disposed, in the language of Burke, to exclaim, "You must pardon something to the spirit of liberty?"

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**Webster's Great Reply to Hayne,**

*In which he "Expounds the Constitution," delivered in Senate, January 26, 1830.*

Following Mr. Hayne in the debate, Mr. Webster addressed the Senate as follows:—

Mr. President: When the mariner has been tossed, for many days, in thick weather, and on an unknown sea, he naturally avails himself of the first pause in the storm, the earliest glance of the sun, to take his latitude, and ascertain how far the elements have driven him from his true course. Let us imitate this prudence, and before we float farther, refer to the point from which we departed, that we may at least be able to conjecture where we now are. I ask for the reading of the resolution.

[The Secretary read the resolution as follows:

"Resolved, That the committee on public lands be instructed to inquire and report the quantity of the public lands remaining unsold within each state and territory, and whether it be expedient to limit, for a certain period, the sales of the public lands to such lands only as have heretofore been offered for sale, and are now subject to entry at the minimum price. And, also, whether the office of surveyor general, and some of the land offices, may not be abolished without detriment to the public interest; or whether it be expedient to adopt measures to hasten the sales, and extend more rapidly the surveys of the public lands."]

We have thus heard, sir, what the resolution is, which is actually before us for consideration; and it will readily occur to every one that it is almost the only subject about which something has not been said in the speech, running through two days, by which the Senate has been now entertained by the gentleman from South Carolina. Every topic in the wide range of our public affairs, whether past or present,—every thing, general or local, whether belonging to national politics or party politics,—seems to have attracted more or less of the honorable member's attention, save only the resolution before us. He has spoken of every thing but the public lands. They have escaped his notice. To that subject, in all his excursions, he has not paid even the cold respect of a passing glance.

When this debate, sir, was to be resumed, on Thursday morning, it so happened that it would have been convenient for me to

be elsewhere. The honorable member, however, did not incline to put off the discussion to another day. He had a shot, he said, to return, and he wished to discharge it. That shot, sir, which it was kind thus to inform us was coming, that we might stand out of the way, or prepare ourselves to fall before it, and die with decency, has now been received. Under all advantages, and with expectation awakened by the tone which preceded it, it has been discharged, and has spent its force. It may become me to say no more of its effect than that, if nobody is found, after all, either killed or wounded by it, it is not the first time in the history of human affairs that the vigor and success of the war have not quite come up to the lofty and sounding phrase of the manifesto.

The gentleman, sir, in declining to postpone the debate, told the Senate, with the emphasis of his hand upon his heart, that there was something rankling *here*, which he wished to relieve. [Mr. Hayne rose and disclaimed having used the word *rankling*.] It would not, Mr. President, be safe for the honorable member to appeal to those around him, upon the question whether he did, in fact, make use of that word. But he may have been unconscious of it. At any rate, it is enough that he disclaims it. But still, with or without the use of that particular word, he had yet something *here*, he said, of which he wished to rid himself by an immediate reply. In this respect, sir, I have a great advantage over the honorable gentleman. There is nothing *here*, sir, which gives me the slightest uneasiness; neither fear, nor anger, nor that which is sometimes more troublesome than either, the consciousness of having been in the wrong. There is nothing either originating *here*, or now received here, by the gentleman's shot. Nothing original, for I had not the slightest feeling of disrespect or unkindness towards the honorable member. Some passages, it is true, had occurred, since our acquaintance in this body, which I could have wished might have been otherwise; but I had used philosophy, and forgotten them. When the honorable member rose, in his first speech, I paid him the respect of attentive listening; and when he sat down, though surprised, and I must say even astonished, at some of his opinions, nothing was farther from my intention than to commence any personal warfare; and through the whole of the few remarks I made in answer, I avoided, studiously and carefully, every thing which I thought possible to be construed into disrespect. And, sir, while there is thus nothing originating *here*, which I wished at any time, or now wish to discharge, I must repeat, also, that nothing has been received *here* which *rankles*; or in any way gives me annoyance. I will

not accuse the honorable member of violating the rules of civilized war—I will not say that he poisoned his arrows. But whether his shafts were, or were not, dipped in that which would have caused rankling if they had reached, there was not, as it happened, quite strength enough in the bow to bring them to their mark. If he wishes now to find those shafts, he must look for them elsewhere; they will not be found fixed and quivering in the object at which they were aimed.

The honorable member complained that I had slept on his speech. I must have slept on it, or not slept at all. The moment the honorable member sat down, his friend from Missouri arose, and, with much honeyed commendation of the speech, suggested that the impressions which it had produced were too charming and delightful to be disturbed by other sentiments or other sounds, and proposed that the Senate should adjourn. Would it have been quite amiable in me, sir, to interrupt this excellent good feeling? Must I not have been absolutely malicious, if I could have thrust myself forward to destroy sensations thus pleasing? Was it not much better and kinder, both to sleep upon them myself, and to allow others, also, the pleasure of sleeping upon them? But if it be meant, by sleeping upon his speech, that I took time to prepare a reply to it, it is quite a mistake; owing to other engagements, I could not employ even the interval between the adjournment of the Senate and its meeting the next morning in attention to the subject of this debate. Nevertheless, sir, the mere matter of fact is undoubtedly true—I did sleep on the gentleman's speech, and slept soundly. And I slept equally well on his speech of yesterday, to which I am now replying. It is quite possible that, in this respect, also, I possess some advantage over the honorable member, attributable, doubtless, to a cooler temperament on my part; for in truth I slept upon his speeches remarkably well. But the gentleman inquires why he was made the object of such a reply. Why was he singled out? If an attack had been made on the east, he, he assures us, did not begin it—it was the gentleman from Missouri. Sir, I answered the gentleman's speech, because I happened to hear it; and because, also, I choose to give an answer to that speech, which, if unanswered, I thought most likely to produce injurious impressions. I did not stop to inquire who was the original drawer of the bill. I found a responsible endorser before me, and it was my purpose to hold him liable, and to bring him to his just responsibility without delay. But, sir, this interrogatory of the honorable member was only introductory to another. He proceeded to ask me whether I had turned upon him in this de-

bate from the consciousness that I should find an overmatch if I ventured on a contest with his friend from Missouri. If, sir, the honorable member, *ex gratia modestiæ*, had chosen thus to defer to his friend, and to pay him a compliment, without intentional disparagement to others, it would have been quite according to the friendly courtesies of debate, and not at all ungrateful to my own feelings. I am not one of those, sir, who esteem any tribute of regard, whether light and occasional, or more serious and deliberate, which may be bestowed on others, as so much unjustly withheld from themselves. But the tone and manner of the gentleman's question, forbid me thus to interpret it. I am not at liberty to consider it as nothing more than a civility to his friend. It had an air of taunt and disparagement, a little of the loftiness of asserted superiority, which does not allow me to pass it over without notice. It was put as a question for me to answer, and so put as if it were difficult for me to answer, whether I deemed the member from Missouri an overmatch for myself in debate here. It seems to me, sir, that is extraordinary language, and an extraordinary tone for the discussions of this body.

Matches and overmatches? Those terms are more applicable elsewhere than here, and fitter for other assemblies than this. Sir, the gentleman seems to forget where and what we are. This is a Senate; a Senate of equals; of men of individual honor and personal character, and of absolute independence. We know no masters; we acknowledge no dictators. This is a hall of mutual consultation and discussion, not an arena for the exhibition of champions. I offer myself, sir, as a match for no man; I throw the challenge of debate at no man's feet. But, then, sir, since the honorable member has put the question in a manner that calls for an answer, I will give him an answer; and I tell him that, holding myself to be the humblest of the members here, I yet know nothing in the arm of his friend from Missouri, either alone or when aided by the arm of his friend from South Carolina, that need deter even me from espousing whatever opinions I may choose to espouse, from debating whenever I may choose to debate, or from speaking whatever I may see fit to say on the floor of the Senate. Sir, when uttered as matter of commendation or compliment, I should dissent from nothing which the honorable member might say of his friend. Still less do I put forth any pretensions of my own. But when put to me as a matter of taunt, I throw it back, and say to the gentleman that he could possibly say nothing less likely than such a comparison to wound my pride of personal character. The anger of its tone rescued the remark from

intentional irony, which otherwise, probably, would have been its general acceptance. But, sir, if it be imagined that by this mutual quotation and commendation; if it be supposed that, by casting the characters of the drama, assigning to each his part,—to one the attack, to another the cry of onset,—or if it be thought that by a loud and empty vaunt of anticipated victory any laurels are to be won here; if it be imagined, especially, that any or all these things will shake any purpose of mine, I can tell the honorable member, once for all, that he is greatly mistaken, and that he is dealing with one of whose temper and character he has yet much to learn. Sir, I shall not allow myself, on this occasion—I hope on no occasion—to be betrayed into any loss of temper; but if provoked, as I trust I never shall allow myself to be, into crimination and recrimination, the honorable member may, perhaps, find that in that contest there will be blows to take as well as blows to give; that others can state comparisons as significant, at least, as his own; and that his impunity may, perhaps, demand of him whatever powers of taunt and sarcasm he may possess. I commend him to a prudent husbandry of his resources.

But, sir, the coalition! The coalition! Aye, “the murdered coalition!” The gentleman asks if I were led or frightened into this debate by the spectre of the coalition. “Was it the ghost of the murdered coalition,” he exclaims, “which haunted the member from Massachusetts, and which, like the ghost of Banquo, would never down?” “The murdered coalition!” Sir, this charge of a coalition, in reference to the late administration, is not original with the honorable member. It did not spring up in the Senate. Whether as a fact, as an argument, or as an embellishment, it is all borrowed. He adopts it, indeed, from a very low origin, and a still lower present condition. It is one of the thousand calumnies with which the press teemed during an excited political canvass. It was a charge of which there was not only no proof or probability, but which was, in itself, wholly impossible to be true. No man of common information ever believed a syllable of it. Yet it was of that class of falsehoods which, by continued repetition through all the organs of detraction and abuse, are capable of misleading those who are already far misled, and of further fanning passion already kindling into flame. Doubtless it served its day, and, in a greater or less degree, the end designed by it. Having done that, it has sunk into the general mass of stale and loathed calumnies. It is the very cast-off slough of a polluted and shameless press. Incapable of further mischief, it lies in the sewer lifeless and despised. It

is not now, sir, in the power of the honorable member to give it dignity or decency, by attempting to elevate it, and to introduce it into the Senate. He cannot change it from what it is—an object of general disgust and scorn. On the contrary, the contact, if he choose to touch it, is more likely to drag him down, down, to the place where it lies itself.

But, sir, the honorable member was not, for other reasons, entirely happy in his allusion to the story of Banquo’s murder and Banquo’s ghost. It was not, I think, the friends, but the enemies of the murdered Banquo, at whose bidding his spirit would not down. The honorable gentleman is fresh in his reading of the English classics, and can put me right if I am wrong; but according to my poor recollection, it was at those who had begun with caresses, and ended with foul and treacherous murder, that the gory locks were shaken. The ghost of Banquo, like that of Hamlet, was an honest ghost. It disturbed no innocent man. It knew where its appearance would strike terror, and who would cry out A ghost! It made itself visible in the right quarter, and compelled the guilty, and the conscience-smitten, and none others, to start, with,

“Prithee, see there! behold!—look! lo!  
If I stand here, I saw him!”

*Their* eyeballs were seared—was it not so, sir?—who had thought to shield themselves by concealing their own hand and laying the imputation of the crime on a low and hireling agency in wickedness; who had vainly attempted to stifle the workings of their own coward consciences, by circulating, through white lips and chattering teeth, “Thou canst not say I did it!” I have misread the great poet, if it was those who had no way partaken in the deed of the death, who either found that they were, or *feared that they should be*, pushed from their stools by the ghost of the slain, or who cried out to a spectre created by their own fears, and their own remorse, “Avaunt! and quit our sight!

There is another particular, sir, in which the honorable member’s quick perception of resemblances might, I should think, have seen something in the story of Banquo, making it not altogether a subject of the most pleasant contemplation. Those who murdered Banquo, what did they win by it? Substantial good? Permanent power? Or disappointment, rather, and sore mortification—dust and ashes—the common fate of vaulting ambition overleaping itself? Did not even-handed justice, ere long, commend the poisoned chalice to their own lips? Did they not soon find that for another they had “filed their mind?” that their ambition though apparently for the moment successful, had

but put a barren sceptre in their grasp?  
Aye, sir,—

*"A barren sceptre in their gripe,  
Thence to be wrenched by an unlineal hand,  
No son of theirs succeeding."*

Sir, I need pursue the allusion no further. I leave the honorable gentleman to run it out at his leisure, and to derive from it all the gratification it is calculated to administer. If he finds himself pleased with the associations, and prepared to be quite satisfied, though the parallel should be entirely completed, I had almost said I am satisfied also—but that I shall think of. Yes, sir, I will think of that.

In the course of my observations the other day, Mr. President, I paid a passing tribute of respect to a very worthy man, Mr. Dane, of Massachusetts. It so happened that he drew the ordinance of 1787 for the government of the North-western Territory. A man of so much ability, and so little pretence; of so great a capacity to do good, and so unmixed a disposition to do it for its own sake; a gentleman who acted an important part, forty years ago, in a measure the influence of which is still deeply felt in the very matter which was the subject of debate, might, I thought, receive from me a commendatory recognition.

But the honorable gentleman was inclined to be facetious on the subject. He was rather disposed to make it a matter of ridicule that I had introduced into the debate the name of one Nathan Dane, of whom he assures us he had never before heard. Sir, if the honorable member had never before heard of Mr. Dane, I am sorry for it. It shows him less acquainted with the public men of the country than I had supposed. Let me tell him, however, that a sneer from him at the mention of the name of Mr. Dane is in bad taste. It may well be a high mark of ambition, sir, either with the honorable gentleman or myself, to accomplish as much to make our names known to advantage, and remembered with gratitude, as Mr. Dane has accomplished. But the truth is, sir, I suspect that Mr. Dane lives a little too far north. He is of Massachusetts, and too near the north star to be reached by the honorable gentleman's telescope. If his sphere had happened to range south of Mason and Dixon's line, he might, probably, have come within the scope of his vision!

I spoke, sir, of the ordinance of 1787, which prohibited slavery in all future times north-west of the Ohio, as a measure of great wisdom and foresight, and one which had been attended with highly beneficial and permanent consequences. I suppose that on this point no two gentlemen in the Senate could entertain different

opinions. But the simple expression of this sentiment has led the gentleman, not only into a labored defence of slavery in the abstract, and on principle, but also into a warm accusation against me, as having attacked the system of slavery now existing in the Southern States. For all this there was not the slightest foundation in anything said or intimated by me. I did not utter a single word which any ingenuity could torture into an attack on the slavery of the South. I said only that it was highly wise and useful in legislating for the north-western country, while it was yet a wilderness, to prohibit the introduction of slaves; and added, that I presumed, in the neighboring state of Kentucky, there was no reflecting and intelligent gentleman who would doubt that, if the same prohibition had been extended, at the same early period, over that commonwealth, her strength and population would, at this day, have been far greater than they are. If these opinions be thought doubtful, they are, nevertheless, I trust, neither extraordinary nor disrespectful. They attack nobody and menace nobody. And yet, sir, the gentleman's optics have discovered, even in the mere expression of this sentiment, what he calls the very spirit of the Missouri question! He represents me as making an attack on the whole south, and manifesting a spirit which would interfere with and disturb their domestic condition. Sir, this injustice no otherwise surprises me than as it is done here, and done without the slightest pretence of ground for it. I say it only surprises me as being done here; for I know full well that it is and has been the settled policy of some persons in the south, for years, to represent the people of the north as disposed to interfere with them in their own exclusive and peculiar concerns. This is a delicate and sensitive point in southern feeling; and of late years it has always been touched, and generally with effect, whenever the object has been to unite the whole south against northern men or northern measures. This feeling, always carefully kept alive, and maintained at too intense a heat to admit discrimination or reflection, is a lever of great power in our political machine. It moves vast bodies, and gives to them one and the same direction. But the feeling is without adequate cause, and the suspicion which exists wholly groundless. There is not, and never has been, a disposition in the north to interfere with these interests of the south. Such interference has never been supposed to be within the power of the government, nor has it been in any way attempted. It has always been regarded as a matter of domestic policy, left with the states themselves, and with which the federal government had nothing to do.

Certainly, sir, I am, and ever had been, of that opinion. The gentleman, indeed, argues that slavery in the abstract is no evil. Most assuredly I need not say I differ with him altogether and most widely on that point. I regard domestic slavery as one of the greatest evils, both moral and political. But, though it be a malady, and whether it be curable, and if so, by what means; or, on the other hand, whether it be the *culnus immedicabile* of the social system, I leave it to those whose right and duty it is to inquire and to decide. And this I believe, sir, is, and uniformly has been, the sentiment of the north. Let us look a little at the history of this matter.

When the present constitution was submitted for the ratification of the people, there were those who imagined that the powers of the government which it proposed to establish might, perhaps, in some possible mode, be exerted in measures tending to the abolition of slavery. This suggestion would, of course, attract much attention in the southern conventions. In that of Virginia, Governor Randolph said:—

“I hope there is none here, who, considering the subject in the calm light of philosophy, will make an objection dishonorable to Virginia—that, at the moment they are securing the rights of their citizens, an objection is started, that there is a spark of hope that those unfortunate men now held in bondage may, by the operation of the general government, be made free.”

At the very first Congress, petitions on the subject were presented, if I mistake not, from different states. The Pennsylvania Society for promoting the Abolition of Slavery, took a lead, and laid before Congress a memorial, praying Congress to promote the abolition by such powers as it possessed. This memorial was referred, in the House of Representatives, to a select committee, consisting of Mr. Foster, of New Hampshire, Mr. Gerry, of Massachusetts, Mr. Huntington, of Connecticut, Mr. Lawrence, of New York, Mr. Dickinson, of New Jersey, Mr. Hartley, of Pennsylvania, and Mr. Parker, of Virginia; all of them, sir, as you will observe, northern men, but the last. This committee made a report, which was committed to a committee of the whole house, and there considered and discussed on several days; and being amended, although in no material respect, it was made to express three distinct propositions on the subjects of slavery and the slave trade. First, in the words of the constitution, that Congress could not, prior to the year 1808, prohibit the migration or importation of such persons as any of the states then existing should think proper to admit. Second, that Congress had authority to restrain the citizens of the United States from carrying on the African

slave trade for the purpose of supplying foreign countries. On this proposition, our early laws against those who engage in that traffic are founded. The third proposition, and that which bears on the present question, was expressed in the following terms:—

“Resolved, That Congress have no authority to interfere in the emancipation of slaves, or of the treatment of them in any of the states; it remaining with the several states alone to provide rules and regulations therein, which humanity and true policy may require.”

This resolution received the sanction of the House of Representatives so early as March, 1790. And, now, sir, the honorable member will allow me to remind him, that not only were the select committee who reported the resolution, with a single exception, all northern men, but also that of the members then composing the House of Representatives, a large majority, I believe nearly two-thirds, were northern men also.

The house agreed to insert these resolutions in its journal; and, from that day to this, it has never been maintained or contended that Congress had any authority to regulate or interfere with the condition of slaves in the several states. No northern gentleman, to my knowledge, has moved any such question in either house of Congress.

The fears of the south, whatever fears they might have entertained, were allayed and quieted by this early decision; and so remained, till they were excited afresh, without cause, but for collateral and indirect purposes. When it became necessary, or was thought so, by some political persons, to find an unvarying ground for the exclusion of northern men from confidence and from lead in the affairs of the republic, then, and not till then, the cry was raised, and the feeling industriously excited, that the influence of northern men in the public councils would endanger the relation of master and slave. For myself, I claim no other merit, than that this gross and enormous injustice towards the whole north has not wrought upon me to change my opinions, or my political conduct. I hope I am above violating my principles, even under the smart of injury and false imputations. Unjust suspicions and undeserved reproach, whatever pain I may experience from them, will not induce me, I trust, nevertheless, to overstep the limits of constitutional duty, or to encroach on the rights of others. The domestic slavery of the south I leave where I find it—in the hands of their own governments. It is their affair, not mine. Nor do I complain of the peculiar effect which the magnitude of that population has had in the distribution of power under this federal government. We know, sir, that the representa-

tion of the states in the other house is not equal. We know that great advantage, in that respect, is enjoyed by the slaveholding states; and we know, too, that the intended equivalent for that advantage—that is to say, the imposition of direct taxes in the same ratio—has become merely nominal; the habit of the government being almost invariably to collect its revenues from other sources, and in other modes. Nevertheless, I do not complain; nor would I countenance any movement to alter this arrangement of representation. It is the original bargain, the compact—let it stand; let the advantage of it be fully enjoyed. The Union itself is too full of benefit to be hazarded in propositions for changing its original basis. I go for the constitution as it is, and for the Union as it is. But I am resolved not to submit, in silence, to accusations, either against myself individually, or against the north, wholly unfounded and unjust—accusations which impute to us a disposition to evade the constitutional compact, and to extend the power of the government over the internal laws and domestic condition of the states. All such accusations, wherever and whenever made, all insinuations of the existence of any such purposes, I know and feel to be groundless and injurious. And we must confide in southern gentlemen themselves; we must trust to those whose integrity of heart and magnanimity of feeling will lead them to a desire to maintain and disseminate truth, and who possess the means of its diffusion with the southern public; we must leave it to them to disabuse that public of its prejudices. But, in the mean time, for my own part, I shall continue to act justly, whether those towards whom justice is exercised receive it with candor or with contumely.

Having had occasion to recur to the ordinance of 1787, in order to defend myself against the inferences which the honorable member has chosen to draw from my former observations on that subject, I am not willing now entirely to take leave of it without another remark. It need hardly be said, that that paper expresses just sentiments on the great subject of civil and religious liberty. Such sentiments were common, and abound in all our state papers of that day. But this ordinance did that which was not so common, and which is not, even now, universal; that is, it set forth and declared, *as a high and binding duty of government itself*, to encourage schools and advance the means of education; on the plain reason that religion, morality and knowledge are necessary to good government, and to the happiness of mankind. One observation further. The important provision incorporated into the constitution of the United States, and several of those of the states, and recently, as

we have seen, adopted into the reformed constitution of Virginia, restraining legislative power, in questions of private right, and from impairing the obligation of contracts, is first introduced and established, as far as I am informed, as matter of express written constitutional law, in this ordinance of 1787. And I must add, also, in regard to the author of the ordinance, who has not had the happiness to attract the gentleman's notice heretofore, nor to avoid his sarcasm now, that he was chairman of that select committee of the old Congress, whose report first expressed the strong sense of that body, that the old confederation was not adequate to the exigencies of the country, and recommending to the states to send delegates to the convention which formed the present constitution.

An attempt has been made to transfer from the north to the south the honor of this exclusion of slavery from the Northwestern territory. The journal, without argument or comment, refutes such attempt. The session of Virginia was made March, 1784. On the 19th of April following, a committee, consisting of Messrs. Jefferson, Chase and Howell, reported a plan for a temporary government of the territory, in which was this article: "That after the year 1800, there should be neither slavery nor involuntary servitude in any of the said states, otherwise than in punishment of crimes, whereof the party shall have been convicted." Mr. Speight, of North Carolina, moved to strike out this paragraph. The question was put according to the form then practiced: "Shall these words stand, as part of the plan?" &c. New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey and Pennsylvania—seven states—voted in the affirmative; Maryland, Virginia and South Carolina, in the negative. North Carolina was divided. As the consent of nine states was necessary, the words could not stand, and were struck out accordingly. Mr. Jefferson voted for the clause, but was overruled by his colleagues.

In March of the next year (1785) Mr. King, of Massachusetts, seconded by Mr. Ellery, of Rhode Island, proposed the formerly rejected article, with this addition: "*And that this regulation shall be an article of compact, and remain a fundamental principle of the constitution between the thirteen original states and each of the states described in the resolve,*" &c. On this clause, which provided the adequate and thorough security, the eight Northern States, at that time, voted affirmatively, and the four Southern States negatively. The votes of nine states were not yet obtained, and thus the provision was again rejected by the Southern States. The perseverance of the north held out, and two years afterwards the object was attained.

It is no derogation from the credit, whatever that may be, of drawing the ordinance, that its principles had before been prepared and discussed, in the form of resolutions. If one should reason in that way, what would become of the distinguished honor of the author of the declaration of Independence? There is not a sentiment in that paper which had not been voted and resolved in the assemblies, and other popular bodies in the country, over and over again.

But the honorable member has now found out that this gentleman, Mr. Dane, was a member of the Hartford Convention. However uninformed the honorable member may be of characters and occurrences at the north, it would seem that he has at his elbows, on this occasion, some high-minded and lofty spirit, some magnanimous and true-hearted monitor, possessing the means of local knowledge, and ready to supply the honorable member with every thing, down even to forgotten and moth-eaten twopenny pamphlets, which may be used to the disadvantage of his own country. But, as to the Hartford Convention, sir, allow me to say that the proceedings of that body seem now to be less read and studied in New England than farther south. They appear to be looked to, not in New England, but elsewhere, for the purpose of seeing how far they may serve as a precedent. But they will not answer the purpose—they are quite too tame. The latitude in which they originated was too cold. Other conventions, of more recent existence, have gone a whole bar's length beyond it. The learned doctors of Colleton and Abbeville have pushed their commentaries on the Hartford collect so far that the original text writers are thrown entirely into the shade. I have nothing to do, sir, with the Hartford Convention. Its journal, which the gentleman has quoted, I never read. So far as the honorable member may discover in its proceedings a spirit in any degree resembling that which was avowed and justified in those other conventions to which I have alluded, or so far as those proceedings can be shown to be disloyal to the constitution, or tending to disunion, so far I shall be as ready as any one to bestow on them reprehension and censure.

Having dwelt long on this convention, and other occurrences of that day, in the hope, probably, (which will not be gratified,) that I should leave the course of this debate to follow him at length in those excursions, the honorable member returned, and attempted another object. He referred to a speech of mine in the other house, the same which I had occasion to allude to myself the other day; and has quoted a passage or two from it, with a

bold though uneasy and laboring air of confidence, as if he had detected in me an inconsistency. Judging from the gentleman's manner, a stranger to the course of the debate, and to the point in discussion, would have imagined, from so triumphant a tone, that the honorable member was about to overwhelm me with a manifest contradiction. Any one who heard him, and who had not heard what I had, in fact, previously said, must have thought me routed and discomfited, as the gentleman had promised. Sir, a breath blows all this triumph away. There is not the slightest difference in the sentiments of my remarks on the two occasions. What I said here on Wednesday is in exact accordance with the opinions expressed by me in the other house in 1825. Though the gentleman had the metaphysics of Hudibras—though he were able

“to sever and divide  
A hair 'twixt north and north west side,”

he could not yet insert his metaphysical scissors between the fair reading of my remarks in 1825 and what I said here last week. There is not only no contradiction, no difference, but, in truth, too exact a similarity, both in thought and language, to be entirely in just taste. I had myself quoted the same speech; had recurred to it, and spoke with it open before me; and much of what I said was little more than a repetition from it. In order to make finishing work with this alleged contradiction, permit me to recur to the origin of this debate, and review its course. This seems expedient, and may be done as well now as at any time.

Well, then, its history is this: the honorable member from Connecticut moved a resolution, which constituted the first branch of that which is now before us; that is to say, a resolution instructing the committee on public lands to inquire into the expediency of limiting, for a certain period, the sales of public lands to such as have heretofore been offered for sale; and whether sundry offices, connected with the sales of the lands, might not be abolished without detriment to the public service.

In the progress of the discussion which arose on this resolution, an honorable member from New Hampshire moved to amend the resolution, so as entirely to reverse its object; that is to strike it all out, and insert a direction to the committee to inquire into the expediency of adopting measures to hasten the sales, and extend more rapidly the surveys of the lands.

The honorable member from Maine (Mr. Sprague) suggested that both these propositions might well enough go, for consideration, to the committee; and in this state of the question, the member from South Carolina addressed the Senate in his first



speech. He rose, he said, to give his own free thoughts on the public lands. I saw him rise, with pleasure, and listened with expectation, though before he concluded I was filled with surprise. Certainly, I was never more surprised than to find him following up, to the extent he did, the sentiments and opinions which the gentleman from Missouri had put forth, and which it is known he has long entertained.

I need not repeat, at large, the general topics of the honorable gentleman's speech. When he said, yesterday, that he did not attack the Eastern States, he certainly must have forgotten not only particular remarks, but the whole drift and tenor of his speech; unless he means by not attacking, that he did not commence hostilities, but that another had preceded him in the attack. He, in the first place, disapproved of the whole course of the government for forty years, in regard to its dispositions of the public land; and then, turning northward and eastward, and fancying he had found a cause for alleged narrowness and niggardliness in the "accursed policy" of the tariff, to which he represented the people of New England as wedded, he went on, for a full hour, with remarks, the whole scope of which was to exhibit the results of this policy, in feelings and in measures unfavorable to the west. I thought his opinions unfounded and erroneous, as to the general course of the government, and ventured to reply to them.

The gentleman had remarked on the analogy of other cases, and quoted the conduct of European governments towards their own subjects, settling on this continent, as in point, to show that we had been harsh and rigid in selling when we should have given the public lands to settlers. I thought the honorable member had suffered his judgment to be betrayed by a false analogy; that he was struck with an appearance of resemblance where there was no real similitude. I think so still. The first settlers of North America were enterprising spirits, engaging in private adventure, or fleeing from tyranny at home. When arrived here, they were forgotten by the mother country, or remembered only to be oppressed. Carried away again by the appearance of analogy, or struck with the eloquence of the passage, the honorable member yesterday observed that the conduct of government towards the western emigrants, or my representation of it, brought to his mind a celebrated speech in the British Parliament. It was, sir, the speech of Colonel Barre. On the question of the stamp act, or tea tax, I forget which, Colonel Barre had heard a member on the treasury bench argue, that the people of the United States, being British colonists, planted by the maternal care, nourished by the indulgence, and protected

by the arms of England, would not grudge their mite to relieve the mother country from the heavy burden under which she groaned. The language of Colonel Barre, in reply to this, was, "They planted by your care? Your oppression planted them in America. They fled from your tyranny, and grew by your neglect of them. So soon as you began to care for them, you showed your care by sending persons to spy out their liberties, misrepresent their character, prey upon them, and eat out their substance."

And does this honorable gentleman mean to maintain that language like this is applicable to the conduct of the government of the United States towards the western emigrants, or to any representation given by me of that conduct? Were the settlers in the west driven thither by our oppression? Have they flourished only by our neglect of them? Has the government done nothing but prey upon them, and eat out their substance? Sir, this fervid eloquence of the British speaker, just when and where it was uttered, and fit to remain an exercise for the schools, is not a little out of place, when it was brought thence to be applied here, to the conduct of our own country towards her own citizens. From America to England it may be true; from Americans to their own government it would be strange language. Let us leave it to be recited and declaimed by our boys against a foreign nation; not introduce it here, to recite and declaim ourselves against our own.

But I come to the point of the alleged contradiction. In my remarks on Wednesday, I contended that we could not give away gratuitously all the public lands; that we held them in trust; that the government had solemnly pledged itself to dispose of them as a common fund for the common benefit, and to sell and settle them as its discretion should dictate. Now, sir, what contradiction does the gentleman find to this sentiment in the speech of 1825? He quotes me as having then said, that we ought not to hug these lands as a very great treasure. Very well, sir; supposing me to be accurately reported in that expression, what is the contradiction? I have not now said, that we should hug these lands as a favorite source of pecuniary income. No such thing. It is not my view. What I have said, and what I do say, is, that they are a common fund—to be disposed of for the common benefit—to be sold at low prices, for the accommodation of settlers, keeping the object of settling the lands as much in view as that of raising money from them. This I say now, and this I have always said. Is this hugging them as a favorite treasure? Is there no difference between hugging and hoarding this fund, on the one hand, as a great

treasure, and on the other of disposing of it at low prices, placing the proceeds in the general treasury of the Union? My opinion is, that as much is to be made of the land, as fair and reasonably may be, selling it all the while at such rates as to give the fullest effect to settlement. This is not giving it all away to the states, as the gentleman would propose; nor is it hugging the fund closely and tenaciously, as a favorite treasure; but it is, in my judgment, a just and wise policy, perfectly according with all the various duties which rest on government. So much for my contradiction. And what is it? Where is the ground of the gentleman's triumph? What inconsistency, in word or doctrine, has he been able to detect? Sir, if this be a sample of that discomfiture with which the honorable gentleman threatened me, commend me to the word *discomfiture* for the rest of my life.

But, after all, this is not the point of the debate; and I must bring the gentleman back to that which is the point.

The real question between me and him is, Where has the doctrine been advanced, at the south or the east, that the population of the west should be retarded, or, at least, need not be hastened, on account of its effect to drain off the people from the Atlantic States? Is this doctrine, as has been alleged, of eastern origin? That is the question. Has the gentleman found anything by which he can make good his accusation? I submit to the Senate, that he has entirely failed; and as far as this debate has shown, the only person who has advanced such sentiments is a gentleman from South Carolina, and a friend to the honorable member himself. This honorable gentleman has given no answer to this; there is none which can be given. This simple fact, while it requires no comment to enforce it, defies all argument to refute it. I could refer to the speeches of another southern gentleman, in years before, of the same general character, and to the same effect, as that which has been quoted; but I will not consume the time of the Senate by the reading of them.

So then, sir, New England is guiltless of the policy of retarding western population, and of all envy and jealousy of the growth of the new states. Whatever there be of that policy in the country, no part of it is hers. If it has a local habitation, the honorable member has probably seen, by this time, where he is to look for it; and if it now has received a name, he himself has christened it.

We approach, at length, sir, to a more important part of the honorable gentleman's observations. Since it does not accord with my views of justice and policy, to vote away the public lands altogether, as mere matter of gratuity, I am asked, by

the honorable gentleman, on what ground it is that I consent to give them away in particular instances. How, he inquires, do I reconcile with these professed sentiments my support of measures appropriating portions of the lands to particular roads, particular canals, particular rivers, and particular institutions of education in the west? This leads, sir, to the real and wide difference in political opinions between the honorable gentleman and myself. On my part, I look upon all these objects as connected with the common good, fairly embraced in its objects and its terms; he, on the contrary, deems them all, if good at all, only local good. This is our difference. The interrogatory which he proceeded to put, at once explains this difference. "What interest," asks he, "has South Carolina in a canal in Ohio?" Sir, this very question is full of significance. It develops the gentleman's whole political system; and its answer expounds mine. Here we differ *toto cælo*. I look upon a road over the Alleghany, a canal round the falls of the Ohio, or a canal or railway from the Atlantic to the western waters, as being objects large and extensive enough to be fairly said to be for the common benefit. The gentleman thinks otherwise, and this is the key to open his construction of the powers of the government. He may well ask, upon his system, What interest has South Carolina in a canal in Ohio? On that system, it is true, she has no interest. On that system, Ohio and Carolina are different governments and different countries, connected here, it is true, by some slight and ill-defined bond of union, but in all main respects separate and diverse. On that system, Carolina has no more interest in a canal in Ohio than in Mexico. The gentleman, therefore, only follows out his own principles; he does no more than arrive at the natural conclusions of his own doctrines; he only announces the true results of that creed which he has adopted himself, and would persuade others to adopt, when he thus declares that South Carolina has no interest in a public work in Ohio. Sir, we narrow-minded people of New England do not reason thus. Our notion of things is entirely different. We look upon the states not as separated, but as united. We love to dwell on that Union, and on the mutual happiness which it has so much promoted, and the common renown which it has so greatly contributed to acquire. In our contemplation, Carolina and Ohio are parts of the same country—states united under the same general government, having interests common, associated, intermingled. In whatever is within the proper sphere of the constitutional power of this government, we look upon the states as one. We do not impose geographical limits to our patri-

otic feeling or regard; we do not follow rivers, and mountains, and lines of latitude, to find boundaries beyond which public improvements do not benefit us. We, who come here as agents and representatives of those narrow-minded and selfish men of New England, consider ourselves as bound to regard, with equal eye, the good of the whole, in whatever is within our power of legislation. Sir, if a railroad or canal, beginning in South Carolina, appeared to me to be of national importance and national magnitude, believing as I do that the power of government extends to the encouragement of works of that description, if I were to stand up here and ask, "What interest has Massachusetts in a railroad in South Carolina?" I should not be willing to face my constituents. These same narrow-minded men would tell me that they had sent me to act for the whole country, and that one who possessed too little comprehension, either of intellect or feeling—one who was not large enough, in mind and heart, to embrace the whole—was not fit to be intrusted with the interest of any part. Sir, I do not desire to enlarge the powers of government by unjustifiable construction, nor to exercise any not within a fair interpretation. But when it is believed that a power does exist, then it is, in my judgment, to be exercised for the general benefit of the whole: so far as respects the exercise of such a power, the states are one. It was the very great object of the constitution to create unity of interests to the extent of the powers of the general government. In war and peace we are one; in commerce one; because the authority of the general government reaches to war and peace, and to the regulation of commerce. I have never seen any more difficulty in erecting lighthouses on the lakes than on the ocean; in improving the harbors of inland seas, than if they were within the ebb and flow of the tide; or of removing obstructions in the vast streams of the west, more than in any work to facilitate commerce on the Atlantic coast. If there be power for one, there is power also for the other; and they are all and equally for the country.

There are other objects, apparently more local, or the benefit of which is less general, towards which, nevertheless, I have concurred with others to give aid by donations of land. It is proposed to construct a road in or through one of the new states in which the government possesses large quantities of land. Have the United States no right, as a great and untaxed proprietor—are they under no obligation—to contribute to an object thus calculated to promote the common good of all the proprietors, themselves included? And even with respect to education, which is the extreme case, let the question be considered.

In the first place, as we have seen, it was made matter of compact with these states that they should do their part to promote education. In the next place, our whole system of land laws proceeds on the idea that education is for the common good; because, in every division, a certain portion is uniformly reserved and appropriated for the use of schools. And, finally have not these new states singularly strong claims, founded on the ground already stated, that the government is a great untaxed proprietor in the ownership of the soil? It is a consideration of great importance that probably there is in no part of the country, or of the world, so great a call for the means of education as in those new states, owing to the vast number of persons within those ages in which education and instruction are usually received, if received at all. This is the natural consequence of recency of settlement and rapid increase. The census of these states shows how great a proportion of the whole population occupies the classes between infancy and childhood. These are the wide fields, and here is the deep and quick soil for the seeds of knowledge and virtue; and this is the favored season, the spring time for sowing them. Let them be disseminated without stint. Let them be scattered with a bountiful broadcast. Whatever the government can fairly do towards these objects, in my opinion, ought to be done.

These, sir, are the grounds, succinctly stated, on which my vote for grants of lands for particular objects rest, while I maintain, at the same time, that it is all a common fund, for the common benefit. And reasons like these, I presume, have influenced the votes of other gentlemen from New England. Those who have a different view of the powers of the government, of course, come to different conclusions on these as on other questions. I observed, when speaking on this subject before, that if we looked to any measure, whether for a road, a canal, or any thing else intended for the improvement of the west, it would be found, that if the New England *ayes* were struck out of the list of votes, the southern *noes* would always have rejected the measure. The truth of this has not been denied, and cannot be denied. In stating this, I thought it just to ascribe it to the constitutional scruples of the south, rather than to any other less favorable or less charitable cause. But no sooner had I done this, than the honorable gentleman asks if I reproach him and his friends with their constitutional scruples. Sir, I reproach nobody. I stated a fact, and gave the most respectful reason for it that occurred to me. The gentleman cannot deny the fact—he may, if he choose, disclaim the reason. It is not long since

I had occasion, in presenting a petition from his own state, to account for its being intrusted to my hands by saying, that the constitutional opinions of the gentleman and his worthy colleague prevented them from supporting it. Sir, did I state this as a matter of reproach? Far from it. Did I attempt to find any other cause than an honest one for these scruples? Sir, I did not. It did not become me to doubt, nor to insinuate that the gentleman had either changed his sentiments, or that he had made up a set of constitutional opinions, accommodated to any particular combination of political occurrences. Had I done so, I should have felt, that while I was entitled to little respect in thus questioning other people's motives, I justified the whole world in suspecting my own.

But how has the gentleman returned this respect for others' opinions? His own candor and justice, how have they been exhibited towards the motives of others, while he has been at so much pains to maintain—what nobody has disputed—the purity of his own? Why, sir, he has asked *when*, and *how*, and *why* New England votes were found going for measures favorable to the west; he has demanded to be informed whether all this did not begin in 1825, and while the election of President was still pending. Sir, to these questions retort would be justified; and it is both cogent and at hand. Nevertheless, I will answer the inquiry not by retort, but by facts. I will tell the gentleman *when*, and *how*, and *why* New England has supported measures favorable to the west. I have already referred to the early history of the government—to the first acquisition of the lands—to the original laws for disposing of them and for governing the territories where they lie; and have shown the influence of New England men and New England principles in all these leading measures. I should not be pardoned were I to go over that ground again. Coming to more recent times, and to measures of a less general character, I have endeavored to prove that every thing of this kind designed for western improvement has depended on the votes of New England. All this is true beyond the power of contradiction.

And now, sir, there are two measures to which I will refer, not so ancient as to belong to the early history of the public lands, and not so recent as to be on this side of the period when the gentleman charitably imagines a new direction may have been given to New England feeling and New England votes. These measures, and the New England votes in support of them, may be taken as samples and specimens of all the rest. In 1820, (observe, Mr. President, in 1820,) the people of the west besought Congress for a reduction in

the price of lands. In favor of that reduction, New England, with a delegation of forty members in the other house, gave thirty-three votes, and one only against it. The four Southern States, with fifty members, gave thirty-two votes for it, and seven against it. Again, in 1821, (observe again, sir, the time,) the law passed for the relief of the purchasers of the public lands. This was a measure of vital importance to the west, and more especially to the southwest. It authorized the relinquishment of contracts for lands, which had been entered into at high prices, and a reduction, in other cases, of not less than 37½ per cent. on the purchase money. Many millions of dollars, six or seven I believe at least,—probably much more,—were relinquished by this law. On this bill New England, with her forty members, gave more affirmative votes than the four Southern States with their fifty-two or three members. These two are far the most important measures respecting the public lands which have been adopted within the last twenty years. They took place in 1820 and 1821. That is the time when. And as to the manner how, the gentleman already sees that it was by voting, in solid column, for the required relief; and lastly, as to the cause why, I tell the gentleman, it was because the members from New England thought the measures just and salutary; because they entertained towards the west neither envy, hatred, nor malice; because they deemed it becoming them, as just and enlightened public men, to meet the exigency which had arisen in the west with the appropriate measure of relief; because they felt it due to their own characters of their New England predecessors in this government, to act towards the new states in the spirit of a liberal, patronizing, magnanimous policy. So much, sir, for the cause *why*; and I hope that by this time, sir, the honorable gentleman is satisfied; if not, I do not know *when*, or *how*, or *why*, he ever will be.

Having recurred to these two important measures, in answer to the gentleman's inquiries, I must now beg permission to go back to a period still something earlier, for the purpose still further of showing how much, or rather how little reason there is for the gentleman's insinuation that political hopes, or fears, or party associations, were the grounds of these New England votes. And after what has been said, I hope it may be forgiven me if I allude to some political opinions and votes of my own, of very little public importance, certainly, but which, from the time at which they were given and expressed, may pass for good witnesses on this occasion.

This government, Mr. President, from its origin to the peace of 1815, had been too much engrossed with various other impor-

tant concerns to be able to turn its thoughts inward, and look to the development of its vast internal resources. In the early part of President Washington's administration, it was fully occupied with organizing the government, providing for the public debt, defending the frontiers, and maintaining domestic peace. Before the termination of that administration, the fires of the French revolution blazed forth, as from a new opened volcano, and the whole breadth of the ocean did not entirely secure us from its effects. The smoke and the cinders reached us, though not the burning lava. Difficult and agitating questions, embarrassing to government, and dividing public opinion, sprung out of the new state of our foreign relations, and were succeeded by others, and yet again by others, equally embarrassing, and equally exciting division and discord, through the long series of twenty years, till they finally issued in the war with England. Down to the close of that war, no distinct, marked and deliberate attention had been given, or could have been given, to the internal condition of the country, its capacities of improvement, or the constitutional power of the government, in regard to objects connected with such improvement.

The peace, Mr. President, brought about an entirely new and a most interesting state of things; it opened to us other prospects, and suggested other duties; we ourselves were changed, and the whole world was changed. The pacification of Europe, after June, 1815, assumed a firm and permanent aspect. The nations evidently manifested that they were disposed for peace: some agitation of the waves might be expected, even after the storm had subsided; but the tendency was, strongly and rapidly, towards settled repose.

It so happened, sir, that I was at that time a member of Congress, and, like others, naturally turned my attention to the contemplation of the newly-altered condition of the country, and of the world. It appeared plainly enough to me, as well as to wiser and more experienced men, that the policy of the government would necessarily take a start in a new direction, because new directions would necessarily be given to the pursuits and occupations of the people. We had pushed our commerce far and fast, under the advantage of a neutral flag. But there were now no longer flags, either neutral or belligerent. The harvest of neutrality had been great, but we had gathered it all. With the peace of Europe, it was obvious there would spring up, in her circle of nations, a revived and invigorated spirit of trade, and a new activity in all the business and objects of civilized life. Hereafter, our commercial gains were to be earned only by success in a close and intense

competition. Other nations would produce for themselves, and carry for themselves, and manufacture for themselves, to the full extent of their abilities. The crops of our plains would no longer sustain European armies, nor our ships longer supply those whom war had rendered unable to supply themselves. It was obvious that under these circumstances, the country would begin to survey itself, and to estimate its own capacity of improvement. And this improvement, how was it to be accomplished, and who was to accomplish it?

We were ten or twelve millions of people, spread over almost half a world. We were twenty-four states, some stretching along the same sea-board, some along the same line of inland frontier, and others on opposite banks of the same vast rivers. Two considerations at once presented themselves, in looking at this state of things, with great force. One was that that great branch of improvement, which consisted in furnishing new facilities of intercourse, necessarily ran into different states, in every leading instance, and would benefit the citizens of all such states. No one state therefore, in such cases, would assume the whole expense, nor was the co-operation of several states to be expected. Take the instance of the Delaware Breakwater. It will cost several millions of money. Would Pennsylvania, New Jersey, and Delaware have united to accomplish it at their joint expense? Certainly not, for the same reason. It could not be done, therefore, but by the general government. The same may be said of the large inland undertakings, except that, in them, government, instead of bearing the whole expense, co-operates with others to bear a part. The other consideration is, that the United States have the means. They enjoy the revenues derived from commerce, and the states have no abundant and easy sources of public income. The custom houses fill the general treasury, while the states have scanty resources, except by resort to heavy direct taxes.

Under this view of things, I thought it necessary to settle, at least for myself, some definite notions, with respect to the powers of government, in regard to internal affairs. It may not savor too much of self-commendation to remark, that, with this object, I considered the constitution, its judicial construction, its contemporaneous exposition, and the whole history of the legislation of Congress under it; and I arrived at the conclusion that government had power to accomplish sundry objects, or aid in their accomplishment, which are now commonly spoken of as INTERNAL IMPROVEMENTS. That conclusion, sir, may have been right or it may have been wrong. I am not about to argue the grounds of it at large. I say only that it was adopted, and

acted on, even so early as in 1816. Yes, Mr. President, I made up my opinion, and determined on my intended course of political conduct on these subjects, in the 14th Congress in 1816. And now, Mr. President, I have further to say, that I made up these opinions, and entered on this course of political conduct, *Teucro duce*. Yes, sir, I pursued, in all this, a South Carolina track. On the doctrines of internal improvement, South Carolina, as she was then represented in the other house, set forth, in 1816, under a fresh and leading breeze; and I was among the followers. But if my leader sees new lights, and turns a sharp corner, unless I see new lights also, I keep straight on in the same path. I repeat, that leading gentlemen from South Carolina were first and foremost in behalf of the doctrines of internal improvements, when those doctrines first came to be considered and acted upon in Congress. The debate on the bank question, on the tariff of 1816, and on the direct tax, will show who was who, and what was what, at that time. The tariff of 1816, one of the plain cases of oppression and usurpation, from which, if the government does not recede, individual states may justly secede from the government, is, sir, in truth, a South Carolina tariff, supported by South Carolina votes. But for those votes, it could not have passed in the form in which it did pass; whereas, if it had depended on Massachusetts votes, it would have been lost. Does not the honorable gentleman well know all this? There are certainly those who do full well know it all. I do not say this to reproach South Carolina; I only state the fact, and I think it will appear to be true, that among the earliest and boldest advocates of the tariff, as a measure of protection, and on the express ground of protection, were leading gentlemen of South Carolina in Congress. I did not then, and cannot now, understand their language in any other sense. While this tariff of 1816 was under discussion in the House of Representatives, an honorable gentleman from Georgia, now of this house, (Mr. Forsyth,) moved to reduce the proposed duty on cotton. He failed by four votes, South Carolina giving three votes (enough to have turned the scale) against his motion. The act, sir, then passed, and received on its passage the support of a majority of the representatives of South Carolina present and voting. This act is the first, in the order of those now denounced as plain usurpations. We see it daily in the list by the side of those of 1824 and 1828, as a case of manifest oppression, justifying disunion. I put it home to the honorable member from South Carolina, that his own state was not only "art and part" in this measure, but the *causa causans*. Without her aid, this seminal

principle of mischief, this root of upas, could not have been planted. I have already said—and, it is true—that this act preceded on the ground of protection. It interfered directly with existing interests of great value and amount. It cut up the Calcutta cotton trade by the roots. But it passed, nevertheless, and it passed on the principle of protecting manufactures, on the principle against free trade, on the principle *opposed to that which lets us alone*.

Such, Mr. President, were the opinions of important and leading gentlemen of South Carolina, on the subject of internal improvement, in 1816. I went out of Congress the next year, and returning again in 1823, thought I found South Carolina where I had left her. I really supposed that all things remained as they were, and that the South Carolina doctrine of internal improvements would be defended by the same eloquent voices, and the same strong arms as formerly. In the lapse of these six years, it is true, political associations had assumed a new aspect and new divisions. A party had arisen in the south, hostile to the doctrine of internal improvements, and had vigorously attacked that doctrine. Anti-consolidation was the flag under which this party fought, and its supporters inveighed against internal improvements, much after the same manner in which the honorable gentleman has now inveighed against them, as part and parcel of the system of consolidation.

Whether this party arose in South Carolina herself, or in her neighborhood, is more than I know. I think the latter. However that may have been, there were those found in South Carolina ready to make war upon it, and who did make intrepid war upon it. Names being regarded as things, in such controversies, they bestowed on the anti-improvement gentlemen the appellation of radicals. Yes, sir, the name of radicals, as a term of distinction, applicable and applied to those who defended the liberal doctrines of internal improvements, originated, according to the best of my recollection, somewhere between North Carolina and Georgia. Well, sir, those mischievous radicals were to be put down, and the strong arm of South Carolina was stretched out to put them down. About this time, sir, I returned to Congress. The battle with the radicals had been fought, and our South Carolina champions of the doctrine of internal improvements had nobly maintained their ground, and were understood to have achieved a victory. They had driven back the enemy with discomfiture; a thing, by the way, sir, which is not always performed when it is promised. A gentleman, to whom I have already referred in this debate, had come into Congress, dur-

ing my absence from it, from South Carolina, and had brought with him a high reputation for ability. He came from a school with which we had been acquainted, *et noscitur a sociis*. I hold in my hand, sir, a printed speech of this distinguished gentleman, (Mr. McDUFFIE,) "ON INTERNAL IMPROVEMENTS," delivered about the period to which I now refer, and printed with a few introductory remarks upon consolidation; in which, sir, I think he quite consolidated the arguments of his opponents, the radicals, if to *crush* be to consolidate. I give you a short but substantive quotation from these remarks. He is speaking of a pamphlet, then recently published, entitled, "Consolidation;" and having alluded to the question of rechartering the former Bank of the United States, he says: "Moreover, in the early history of parties, and when Mr. Crawford advocated the renewal of the old charter, it was considered a federal measure; which internal improvement never was, as this author erroneously states. This latter measure originated in the administration of Mr. Jefferson, with the appropriation for the Cumberland road; and was first proposed, *as a system*, by Mr. Calhoun, and carried through the House of Representatives by a large majority of the republicans, including almost every one of the leading men who carried us through the late war."

So, then, internal improvement is not one of the federal heresies. One paragraph more, sir.

"The author in question, not content with denouncing as federalists Gen. Jackson, Mr. Adams, Mr. Calhoun, and the majority of the South Carolina delegation in Congress, modestly extends the denunciation to Mr. Monroe and the whole republican party. Here are his words. 'During the administration of Mr. Monroe, much has passed which the republican party would be glad to approve, if they could!! But the principal feature, and that which has chiefly elicited these observations, is the renewal of the SYSTEM OF INTERNAL IMPROVEMENTS.' Now, this measure was adopted by a vote of 115 to 86, of a republican Congress, and sanctioned by a republican president. Who, then, is this author, who assumes the high prerogative of denouncing, in the name of the republican party, the republican administration of the country—a denunciation including within its sweep Calhoun, Lowndes, and Cheves; men who will be regarded as the brightest ornaments of South Carolina, and the strongest pillars of the republican party, as long as the late war shall be remembered, and talents and patriotism shall be regarded as the proper objects of the admiration and gratitude of a free people!!"

Such are the opinions, sir, which were maintained by South Carolina gentlemen in the House of Representatives on the subject of internal improvements, when I took my seat there as a member from Massachusetts, in 1823. But this is not all; we had a bill before us, and passed it in that house, entitled, "An act to procure the necessary surveys, plans, and estimates upon the subject of roads and canals." *It authorized the president to cause surveys and estimates to be made of the routes of such roads and canals as he might deem of national importance in a commercial or military point of view, or for the transportation of the mail; and appropriated thirty thousand dollars out of the treasury to defray the expense.* This act, though preliminary in its nature, covered the whole ground. It took for granted the complete power of internal improvement, as far as any of its advocates had ever contended for it. Having passed the other house, the bill came up to the Senate, and was here considered and debated in April, 1824. The honorable member from South Carolina was a member of the Senate at that time. While the bill was under consideration here, a motion was made to add the following proviso:—

"*Provided*, That nothing herein contained shall be construed to affirm or admit a power in Congress, on their own authority, to make roads or canals within any of the states of the Union."

The yeas and nays were taken on this proviso, and the honorable member voted *in the negative*. The proviso failed.

A motion was then made to add this proviso, viz:—

"*Provided*, That the faith of the United States is hereby pledged, that no money shall ever be expended for roads or canals except it shall be among the several states, and in the same proportion as direct taxes are laid and assessed by the provisions of the constitution."

The honorable member voted *against this proviso* also, and it failed.

The bill was then put on its passage, and the honorable member voted *for it*, and it passed, and became a law.

Now, it strikes me, sir, that there is no maintaining these votes but upon the power of internal improvement, in its broadest sense. In truth, these bills for surveys and estimates have always been considered as test questions. They show who is for and who against internal improvement. This law itself went the whole length, and assumed the full and complete power. The gentleman's vote sustained that power, in every form in which the various propositions to amend presented it. He went for the entire and unrestrained authority, without consulting the states, and without agreeing to any

proportionate distribution. And now, suffer me to remind you, Mr. President, that it is this very same power, thus sanctioned, in every form, by the gentleman's own opinion, that is so plain and manifest a usurpation, that the state of South Carolina is supposed to be justified in refusing submission to any laws carrying the power into effect. Truly, sir, is not this a little too hard? May we not crave some mercy, under favor and protection of the gentleman's own authority? Admitting that a road or a canal must be written down flat usurpation as ever was committed, may we find no mitigation in our respect for his place, and his vote, as one that knows the law?

The tariff which South Carolina had an efficient hand in establishing in 1816, and this asserted power of internal improvement—advanced by her in the same year, and, as we have seen, approved and sanctioned by her representatives in 1824,—these two measures are the great grounds on which she is now thought to be justified in breaking up the Union, if she sees fit to break it up.

I may now safely say, I think, that we have had the authority of leading and distinguished gentlemen from South Carolina in support of the doctrine of internal improvement. I repeat that, up to 1824, I, for one, followed South Carolina; but when that star in its ascension veered off in an unexpected direction, I relied on its light no longer. [Here the Vice-President said, Does the Chair understand the gentleman from Massachusetts to say that the person now occupying the chair of the Senate has changed his opinion on the subject of internal improvement?] From nothing ever said to me, sir, have I had reason to know of any change in the opinions of the person filling the chair of the Senate. If such change has taken place, I regret it; I speak generally of the state of South Carolina. Individuals we know there are who hold opinions favorable to the power. An application for its exercise in behalf of a public work in South Carolina itself is now pending, I believe, in the other house, presented by members from that state.

I have thus, sir, perhaps not without some tediousness of detail, shown that, if I am in error on the subject of internal improvements, how and in what company I fell into that error. If I am wrong, it is apparent who misled me.

I go to other remarks of the honorable member—and I have to complain of an entire misapprehension of what I said on the subject of the national debt—though I can hardly perceive how any one could misunderstand me. What I said was, not that I wished to put off the payment of the debt, but, on the contrary, that I had always voted for every measure for its reduction,

as uniformly as the gentleman himself. He seems to claim the exclusive merit of a disposition to reduce the public charge; I do not allow it to him. As a debt, I was, I am, for paying it; because it is a charge on our finances, and on the industry of the country. But I observed that I thought I perceived a morbid fervor on that subject; an excessive anxiety to pay off the debt; not so much because it is a debt simply, as because, while it lasts, it furnishes one objection to disunion. It is a tie of common interest while it lasts. I did not impute such motive to the honorable member himself; but that there is such a feeling in existence I have not a particle of doubt. The most I said was, that if one effect of the debt was to strengthen our Union, that effect itself was not regretted by me, however much others might regret it. The gentleman has not seen how to reply to this otherwise than by supposing me to have advanced the doctrine that a national debt is a national blessing. Others, I must hope, will find less difficulty in understanding me. I distinctly and pointedly cautioned the honorable member not to understand me as expressing an opinion favorable to the continuance of the debt. I repeated this caution, and repeated it more than once—but it was thrown away.

On yet another point I was still more unaccountably misunderstood. The gentleman had harangued against "consolidation." I told him, in reply, that there was one kind of consolidation to which I was attached, and that was, the CONSOLIDATION OF OUR UNION; and that this was precisely that consolidation to which I feared others were not attached; that such consolidation was the very end of the constitution—the leading object, as they had informed us themselves, which its framers had kept in view. I turned to their communication, and read their very words,—“the consolidation of the Union,”—and expressed my devotion to this sort of consolidation. I said in terms that I wished not, in the slightest degree, to augment the powers of this government; that my object was to preserve, not to enlarge; and that, by consolidating the Union, I understood no more than the strengthening of the Union and perpetuating it. Having been thus explicit; having thus read, from the printed book, the precise words which I adopted, as expressing my own sentiments, it passes comprehension, how any man could understand me as contending for an extension of the powers of the government, or for consolidation in the odious sense in which it means an accumulation, in the federal government, of the powers properly belonging to the states.

I repeat, sir, that, in adopting the sentiments of the framers of the constitution, I read their language audibly, and word for



word; and I pointed out the distinction, just as fully as I have now done, between the consolidation of the Union and that other obnoxious consolidation which I disclaimed; and yet the honorable gentleman misunderstood me. The gentleman had said that he wished for no fixed revenue—not a shilling. If, by a word, he could convert the Capitol into gold, he would not do it. Why all this fear of revenue? Why, sir, because, as the gentleman told us, it tends to consolidation. Now, this can mean neither more or less than that a common revenue is a common interest, and that all common interests tend to hold the union of the states together. I confess I like that tendency; if the gentleman dislikes it, he is right in deprecating a shilling's fixed revenue. So much, sir, for consolidation.

As well as I recollect the course of his remarks, the honorable gentleman next recurred to the subject of the tariff. He did not doubt the word must be of unpleasant sound to me, and proceeded, with an effort neither new nor attended with new success, to involve me and my votes in inconsistency and contradiction. I am happy the honorable gentleman has furnished me an opportunity of a timely remark or two on that subject. I was glad he approached it, for it is a question I enter upon without fear from any body. The strenuous toil of the gentleman has been to raise an inconsistency between my dissent to the tariff, in 1824 and my vote in 1828. It is labor lost. He pays undeserved compliment to my speech in 1824; but this is to raise me high, that my fall, as he would have it, in 1828 may be the more signal. Sir, there was no fall at all. Between the ground I stood on in 1824 and that I took in 1828, there was not only no precipice, but no declivity. It was a change of position, to meet new circumstances, but on the same level. A plain tale explains the whole matter. In 1816, I had not acquiesced in the tariff, then supported by South Carolina. To some parts of it, especially, I felt and expressed great repugnance. I held the same opinions in 1821, at the meeting in Faneuil Hall, to which the gentleman has alluded. I said then, and say now, that, as an original question, the authority of Congress to exercise the revenue power, with direct reference to the protection of manufactures, is a questionable authority, far more questionable in my judgment, than the power of internal improvements. I must confess, sir, that, in one respect, some impression has been made on my opinions lately. Mr. Madison's publication has put the power in a very strong light. He has placed it, I must acknowledge, upon grounds of construction and argument which seem impregnable. But even if the power were doubted, on the

face of the constitution itself, it had been assumed and asserted in the first revenue law ever passed under the same constitution; and, on this ground, as a matter settled by contemporaneous practice, I had refrained from expressing the opinion that the tariff laws transcended constitutional limits, as the gentleman supposes. What I did say at Faneuil Hall, as far as I now remember, was, that this was originally matter of doubtful construction. The gentleman himself, I suppose, thinks there is no doubt about it, and that the laws are plainly against the constitution. Mr. Madison's letters, already referred to, contain, in my judgment, by far the most able exposition extant of this part of the constitution. He has satisfied me, so far as the practice of the government had left it an open question.

With a great majority of the representatives of Massachusetts, I voted against the tariff of 1824. My reasons were then given, and I will not now repeat them. But notwithstanding our dissent, the great states of New York, Pennsylvania, Ohio, and Kentucky went for the bill, in almost unbroken column, and it passed. Congress and the president sanctioned it, and it became the law of the land. What, then, were we to do? Our only option was either to fall in with this settled course of public policy, and to accommodate ourselves to it as well as we could, or to embrace the South Carolina doctrine, and talk of nullifying the statute by state interference.

The last alternative did not suit our principles, and, of course, we adopted the former. In 1827, the subject came again before Congress, on a proposition favorable to wool and woolens. We looked upon the system of protection as being fixed and settled. The law of 1824 remained. It had gone into full operation, and in regard to some objects intended by it, perhaps most of them had produced all its expected effects. No man proposed to repeal it—no man attempted to renew the general contest on its principle. But, owing to subsequent and unforeseen occurrences, the benefit intended by it to wool and woolen fabrics had not been realized. Events, not known here when the law passed, had taken place, which defeated its object in that particular respect. A measure was accordingly brought forward to meet this precise deficiency, to remedy this particular defect. It was limited to wool and woolens. Was ever any thing more reasonable? If the policy of the tariff laws had become established in principle as the permanent policy of the government, should they not be revised and amended, and made equal, like other laws, as exigencies should arise, or justice require? Because we had doubted about adopting the system, were we to refuse to

cure its manifest defects after it became adopted, and when no one attempted its repeal? And this, sir, is the inconsistency so much bruted. I had voted against the tariff of 1824—but it passed; and in 1827 and 1828, I voted to amend it in a point essential to the interest of my constituents. Where is the inconsistency? Could I do otherwise?

Sir, does political consistency consist in always giving negative votes? Does it require of a public man to refuse to concur in amending laws because they passed against his consent? Having voted against the tariff originally, does consistency demand that I should do all in my power to maintain an unequal tariff, burdensome to my own constituents, in many respects,—favorable in none? To consistency of that sort I lay no claim; and there is another sort to which I lay as little—and that is, a kind of consistency by which persons feel themselves as much bound to oppose a proposition after it has become the law of the land as before.

The bill of 1827, limited, as I have said, to the single object in which the tariff of 1824 had manifestly failed in its effects, passed the House of Representatives, but was lost here. We had then the act of 1828. I need not recur to the history of a measure so recent. Its enemies spiced it with whatsoever they thought would render it distasteful; its friends took it, drugged as it was. Vast amounts of property, many millions, had been invested in manufactures, under the inducements of the act of 1824. Events called loudly, I thought for further regulations to secure the degree of protection intended by that act. I was disposed to vote for such regulations and desired nothing more; but certainly was not to be bantered out of my purpose by a threatened augmentation of duty on molasses, put into the bill for the avowed purpose of making it obnoxious. The vote may have been right or wrong, wise or unwise; but it is a little less than absurd to allege against it an inconsistency with opposition to the former law.

Sir, as to the general subject of the tariff, I have little now to say. Another opportunity may be presented. I remarked, the other day, that this policy did not begin with us in New England; and yet, sir, New England is charged with vehemence as being favorable, or charged with equal vehemence as being unfavorable, to the tariff policy, just as best suits the time, place, and occasion for making some charge against her. The credulity of the public has been put to its extreme capacity of false impression relative to her conduct in this particular. Through all the south, during the late contest, it was New England policy, and a New England administration, that was inflicting the country

with a tariff policy beyond all endurance, while on the other side of the Alleghany, even the act of 1828 itself—the very sublimated essence of oppression, according to southern opinions—was pronounced to be one of those blessings for which the west was indebted to the “generous south.”

With large investments in manufacturing establishments, and various interests connected with and dependent on them, it is not to be expected that New England, any more than other portions of the country, will now consent to any measures destructive or highly dangerous. The duty of the government, at the present moment, would seem to be to preserve, not to destroy; to maintain the position which it has assumed; and for one, I shall feel it an indispensable obligation to hold it steady, as far as in my power, to that degree of protection which it has undertaken to bestow. No more of the tariff.

Professing to be provoked by what he chose to consider a charge made by me against South Carolina, the honorable member, Mr. President, has taken up a new crusade against New England. Leaving altogether the subject of the public lands, in which his success, perhaps, had been neither distinguished nor satisfactory, and letting go, also, of the topic of the tariff, he sallied forth in a general assault on the opinions, politics, and parties of New England, as they have been exhibited in the last thirty years. This is natural. The “narrow policy” of the public lands had proved a legal settlement in South Carolina, and was not to be removed. The “accursed policy” of the tariff, also, had established the fact of its birth and parentage in the same state. No wonder, therefore, the gentleman wished to carry the war, as he expressed it, into the enemy’s country. Prudently willing to quit these subjects, he was doubtless desirous of fastening others, which could not be transferred south of Mason and Dixon’s line. The politics of New England became his theme; and it was in this part of his speech, I think, that he menaced me with such sore discomfiture.

Discomfiture! why, sir, when he attacks anything which I maintain, and overthrows it; when he turns the right or left of any position which I take up; when he drives me from any ground I choose to occupy, he may then talk of discomfiture, but not till that distant day. What has he done? Has he maintained his own charges? Has he proved what he alleged? Has he sustained himself in his attack on the government, and on the history of the north, in the matter of the public lands? Has he disproved a fact, refuted a proposition, weakened an argument maintained by me? Has he come within beat of drum of any position of mine? O, no; but he has “car

ried the war into the enemy's country!" Carried the war into the enemy's country! Yes, sir, and what sort of a war has he made of it? Why, sir, he has stretched a dragnet over the whole surface of perished pamphlets, indiscreet sermons, frothy paragraphs, and fuming popular addresses; over whatever the pulpit in its moments of alarm, the press in its heats, and parties in their extravagances, have severally thrown off, in times of general excitement and violence. He has thus swept together a mass of such things, as, but they are not now old, the public health would have required him rather to leave in their state of dispersion.

For a good long hour or two, we had the unbroken pleasure of listening to the honorable member, while he recited, with his usual grace and spirit, and with evident high gusto, speeches, pamphlets, addresses, and all that *et ceteras* of the political press, such as warm heads produce in warm times, and such as it would be "discomfiture" indeed for any one, whose taste did not delight in that sort of reading, to be obliged to peruse. This is his war. This is to carry the war into the enemy's country. It is in an invasion of this sort that he flatters himself with the expectation of gaining laurels fit to adorn a senator's brow.

Mr. President, I shall not, it will, I trust, not be expected that I should, either now or at any time, separate this farrago into parts, and answer and examine its components. I shall hardly bestow upon it all a general remark or two. In the run of forty years, sir, under this constitution, we have experienced sundry successive violent party contests. Party arose, indeed, with the constitution itself, and in some form or other has attended through the greater part of its history.

Whether any other constitution than the old articles of confederation was desirable, was itself, a question on which parties divided; if a new constitution was framed, what powers should be given to it was another question; and when it had been formed, what was, in fact, the just extent of the powers actually conferred was a third. Parties, as we know, existed under the first administration, as distinctly marked as those which manifested themselves at any subsequent period.

The contest immediately preceding the political change in 1801, and that, again, which existed at the commencement of the late war, are other instances of party excitement, of something more than usual strength and intensity. In all these conflicts there was, no doubt, much of violence on both and all sides. It would be impossible, if one had a fancy for such employment, to adjust the relative *quantum* of violence between these two contending

parties. There was enough in each, as must always be expected in popular governments. With a great deal of proper and decorous discussion there was mingled a great deal, also, of declamation, virulence, crimination, and abuse.

In regard to any party, probably, at one of the leading epochs in the history of parties, enough may be found to make out another equally inflamed exhibition as that with which the honorable member has edified us. For myself, sir, I shall not rake among the rubbish of by-gone times to see what I can find or whether I cannot find something by which I can fix a blot on the escutcheon of any state, any party, or any part of the country. General Washington's administration was steadily and zealously maintained, as we all know, by New England. It was violently opposed elsewhere. We know in what quarter he had the most earnest, constant and persevering support, in all his great and leading measures. We know where his private and personal character was held in the highest degree of attachment and veneration; and we know, too, where his measures were opposed, his services slighted, and his character vilified.

We know, or we might know, if we turn to the journals, who expressed respect, gratitude, and regret, when he retired from the chief magistracy; and who refused to express either respect, gratitude or regret. I shall not open those journals. Publications more abusive or scurrilous never saw the light than were sent forth against Washington, and all his leading measures, from presses south of New England; but I shall not look them up. I employ no scavengers;—no one is in attendance on me, tendering such means of retaliation; and if there were, with an ass's load of them, with a bulk as huge as that which the gentleman himself has produced, I would not touch one of them. I see enough of the violence of our own times to be no way anxious to rescue from forgetfulness the extravagances of times past. Besides, what is all this to the present purpose? It has nothing to do with the public lands, in regard to which the attack was begun; and it has nothing to do with those sentiments and opinions, which I have thought tend to disunion, and all of which the honorable member seems to have adopted himself, and undertaken to defend. New England has, at times—so argues the gentleman,—held opinions as dangerous as those which he now holds. Be it so. But why, therefore, does he abuse New England? If he finds himself countenanced by acts of hers, how is it that, while he relies on these acts, he covers, or seeks to cover, their authors with reproach?

But, sir, if, in the course of forty years, there have been undue effervescences of party in New England, has the same thing

happened no where else? Party animosity and party outrage, not in New England, but elsewhere, denounced President Washington, not only as a federalist, but as a tory, a British agent, a man who, in his high office, sanctioned corruption. But does the honorable member suppose that, if I had a tender here, who should put such an effusion of wickedness and folly in my hand, that I would stand up and read it against the south? Parties ran into great heats, again, in 1799. What was said, sir, or rather what was not said, in those years, against John Adams, one of the signers of the Declaration of Independence, and its admitted ablest defender on the floor of Congress? If the gentleman wants to increase his stores of party abuse and frothy violence, if he has a determined proclivity to such pursuits, there are treasures of that sort south of the Potomac, much to his taste, yet untouched. I shall not touch them.

The parties which divided the country, at the commencement of the late war, were violent. But, then, there was violence on both sides, and violence in every state. Minorities and majorities were equally violent. There was no more violence against the war in New England than in other states; nor any more appearance of violence, except that, owing to a dense population, greater facility for assembling, and more presses, there may have been more, in quantity, spoken and printed there than in some other places. In the article of sermons, too, New England is somewhat more abundant than South Carolina: and for that reason, the chance of finding here and there an exceptionable one may be greater. I hope, too, there are more good ones. Opposition may have been more formidable in New England, as it embraced a larger portion of the whole population: but it was no more unrestrained in its principle, or violent in manner. The minorities dealt quite as harshly with their own state governments as the majorities dealt with the administration here. There were presses on both sides, popular meetings on both sides, ay, and pulpits on both sides, also. The gentleman's purveyors have only catered for him among the productions of one side. I certainly shall not supply the deficiency by furnishing samples of the other. I leave to him, and to them, the whole concern.

It is enough for me to say, that if, in any part of this, their grateful occupation—if in all their researches—they find anything in the history of Massachusetts, or New England, or in the proceedings of any legislative or other public body, disloyal to the Union, speaking slightly of its value, proposing to break it up, or recommending non-intercourse with neighboring states, on account of difference of political opinion,

then, sir, I give them all up to the honorable gentleman's unrestrained rebuke; expecting, however, that he will extend his buffetings, in like manner, to all similar proceedings, wherever else found.

The gentleman, sir, has spoken at large of former parties, now no longer in being, by their received appellations, and has undertaken to instruct us, not only in the knowledge of their principles, but of their respective pedigrees also. He has ascended to their origin and run out their genealogies. With most exemplary modesty, he speaks of the party to which he professes to have belonged himself, as the true, pure, the only honest, patriotic party, derived by regular descent, from father to son, from the time of the virtuous Romans! Spreading before us the family tree of political parties, he takes especial care to show himself snugly perched on a popular bough! He is wakeful to the expediency of adopting such rules of descent, for political parties, as shall bring him in, in exclusion of others, as an heir to the inheritance of all public virtue, and all true political principles. His doxy is always orthodoxy. Heterodoxy is confined to his opponents. He spoke, sir, of the federalists, and I thought I saw some eyes begin to open and stare a little, when he ventured on that ground. I expected he would draw his sketches rather lightly, when he looked on the circle round him, and especially if he should cast his thoughts to the high places out of the Senate. Nevertheless, he went back to Rome, *ad annum urbs condita*, and found the fathers of the federalists in the primeval aristocrats of that renowned empire! He traced the flow of federal blood down through successive ages and centuries, till he got into the veins of the American tories, (of whom, by the way, there were twenty in the Carolinas for one in Massachusetts.) From the tories, he followed it to the federalists; and as the federal party was broken up, and there was no possibility of transmitting it farther on this side of the Atlantic, he seems to have discovered that it has gone off, collaterally, though against all the canons of descent, into the ultras of France, and finally became extinguished, like exploded gas, among the adherents of Don Miguel.

This, sir, is an abstract of the gentleman's history of federalism. I am not about to controvert it. It is not, at present, worth the pains of refutation, because, sir, if at this day one feels the sin of federalism lying heavily on his conscience, he can easily obtain remission. He may even have an indulgence, if he is desirous of repeating the transgression. It is an affair of no difficulty to get into this same right line of patriotic descent. A man, nowadays, is at liberty to choose his political parentage. He may elect his own fa-

ther. Federalist or not, he may, if he choose, claim to belong to the favored stock, and his claim will be allowed. He may carry back his pretensions just as far as the honorable gentleman himself; nay, he may make himself out the honorable gentleman's cousin, and prove satisfactorily that he is descended from the same political great-grandfather. All this is allowable. We all know a process, sir, by which the whole Essex Junto could, in one hour be all washed white from their ancient federalism, and come out every one of them, an original democrat, dyed in the wool! Some of them have actually undergone the operation, and they say it is quite easy. The only inconvenience it occasions, as they tell us, is a slight tendency of the blood to the face, a soft suffusion, which, however, is very transient, since nothing is said calculated to deepen the red on the cheek, but a prudent silence observed in regard to all the past. Indeed, sir, some smiles of approbation have been bestowed, and some crumbs of comfort have fallen, not a thousand miles from the door of the Hartford Convention itself. And if the author of the ordinance of 1787 possessed the other requisite qualifications, there is no knowing, notwithstanding his federalism, to what heights of favor he might not yet attain.

Mr. President, in carrying his warfare, such as it was, into New England, the honorable gentleman all along professes to be acting on the defensive. He desires to consider me as having assailed South Carolina, and insists that he comes forth only as her champion, and in her defence. Sir, I do not admit that I made any attack whatever on South Carolina. Nothing like it. The honorable member, in his first speech, expressed opinions, in regard to revenue, and some other topics, which I heard both with pain and surprise. I told the gentleman that I was aware that such sentiments were entertained out of the government, but had not expected to find them advanced in it; that I knew there were persons in the south who speak of our Union with indifference, or doubt, taking pains to magnify its evils, and to say nothing of its benefits; that the honorable member himself, I was sure, could never be one of these; and I regretted the expression of such opinions as he had avowed, because I thought their obvious tendency was to encourage feelings of disrespect to the Union, and to weaken its connection. This, sir, is the sum and substance of all I said on the subject. And this constitutes the attack which called on the chivalry of the gentleman, in his opinion, to harry us with such a forage among the party pamphlets and party proceedings of Massachusetts. If he means that I spoke with dissatisfaction or disrespect of the ebullitions of individuals in South Carolina, it is true. But, if he

means that I had assailed the character of the state, her honor, or patriotism, that I had reflected on her history or her conduct, he had not the slightest ground for any such assumption. I did not even refer, I think, in my observations, to any collection of individuals. I said nothing of the recent conventions. I spoke in the most guarded and careful manner, and only expressed my regret for the publication of opinions which I presumed the honorable member disapproved as much as myself. In this, it seems, I was mistaken.

I do not remember that the gentleman has disclaimed any sentiment, or any opinion, of a supposed anti-Union tendency, which on all or any of the recent occasions has been expressed. The whole drift of his speech has been rather to prove, that, in divers times and manners, sentiments equally liable to objection have been promulgated in New England. And one would suppose that his object, in this reference to Massachusetts, was to find a precedent to justify proceedings in the south, were it not for the reproach and contumely with which he labors, all along, to load his precedents.

By way of defending South Carolina from what he chooses to think an attack on her, he first quotes the example of Massachusetts, and then denounces that example, in good set terms. This twofold purpose, not very consistent with itself, one would think, was exhibited more than once in the course of his speech. He referred, for instance, to the Hartford Convention. Did he do this for authority, or for a topic of reproach? Apparently for both; for he told us that he should find no fault with the mere fact of holding such a convention, and considering and discussing such questions as he supposes were then and there discussed; but what rendered it obnoxious was the time it was holden, and the circumstances of the country then existing. We were in a war, he said, and the country needed all our aid; the hand of government required to be strengthened, not weakened; and patriotism should have postponed such proceedings to another day. The thing itself, then, is a precedent; the time and manner of it, only, subject of censure.

Now, sir, I go much farther, on this point, than the honorable member. Supposing, as the gentleman seems to, that the Hartford Convention assembled for any such purpose as breaking up the Union, because they thought unconstitutional laws had been passed, or to concert on that subject, or to calculate the value of the Union; supposing this to be their purpose, or any part of it, then I say the meeting itself was disloyal, and obnoxious to censure, whether held in time of peace, or time of war, or under whatever circumstances.

The material matter is the object. Is dissolution the object? If it be, external circumstances may make it a more or less aggravated case, but cannot affect the principle. I do not hold, therefore, that the Hartford Convention was pardonable, even to the extent of the gentleman's admission, if its objects were really such as have been imputed to it. Sir, there never was a time, under any degree of excitement, in which the Hartford Convention, or any other convention, could maintain itself one moment in New England, if assembled for any such purpose as the gentleman says would have been an allowable purpose. To hold conventions to decide questions of constitutional law! to try the validity of statutes, by votes in a convention! Sir, the Hartford Convention, I presume, would not desire that the honorable gentleman should be their defender or advocate, if he puts their case upon such untenable and extravagant grounds.

Then, sir, the gentleman has no fault to find with these recently-promulgated South Carolina opinions. And, certainly, he need have none; for his own sentiments, as now advanced, and advanced on reflection, as far as I have been able to comprehend them, go the full length of all these opinions. I propose, sir, to say something on these, and to consider how far they are just and constitutional. Before doing that, however, let me observe, that the eulogium pronounced on the character of the state of South Carolina, by the honorable gentleman, for her revolutionary and other merits, meets my hearty concurrence. I shall not acknowledge that the honorable member goes before me in regard for whatever of distinguished talent or distinguished character South Carolina has produced. I claim part of the honor, I partake in the pride, of her great names. I claim them for countrymen, one and all. The Laurenses, the Rutledges, the Pinckneys, the Sumpters, the Marions—Americans all—whose fame is no more to be hemmed in by state lines than their talents and their patriotism were capable of being circumscribed within the same narrow limits. In their day and generation, they served and honored the country, and the whole country; and their renown is of the treasures of the whole country. Him whose honored name the gentleman himself bears—does he suppose me less capable of gratitude for his patriotism, or sympathy for his sufferings, than if his eyes had first opened upon the light in Massachusetts instead of South Carolina? Sir, does he suppose it is in his power to exhibit a Carolina name so bright as to produce envy in my bosom? No, sir, increased gratification and delight, rather.

Sir, I thank God that if I am gifted with little of the spirit which is said to be able

to raise mortals to the skies, I have yet none, as I trust, of that other spirit, which would drag angels down. When I shall be found, sir, in my place here in the Senate, or elsewhere, to sneer at public merit, because it happened to spring up beyond the little limits of my own state, or neighborhood; when I refuse, for any such cause, or for any cause, the homage due to American talent, to elevated patriotism, to sincere devotion to liberty and the country; or if I see an uncommon endowment of Heaven, if I see extraordinary capacity and virtue in any son of the south, and if, moved by local prejudice, or gangrened by state jealousy, I get up here to abate the tithe of a hair from his just character and just fame,—may my tongue cleave to the roof of my mouth! Sir, let me recur to pleasing recollections; let me indulge in refreshing remembrance of the past; let me remind you that in early times no states cherished greater harmony, both of principle and feeling, than Massachusetts and South Carolina. Would to God that harmony might again return. Shoulder to shoulder they went through the revolution; hand in hand they stood round the administration of Washington, and felt his own great arm lean on them for support. Unkind feeling, if it exist, alienation, and distrust are the growth, unnatural to such soils, of false principles since sown. They are weeds, the seeds of which that same great arm never scattered.

Mr. President, I shall enter on no encomium upon Massachusetts—she needs none. There she is—behold her, and judge for yourselves. There is her history—the world knows it by heart. The past, at least, is secure. There is Boston, and Concord, and Lexington, and Bunker Hill; and there they will remain forever. The bones of her sons, fallen in the great struggle for independence, now lie mingled with the soil of every state from New England to Georgia; and there they will lie forever. And, sir, where American liberty raised its first voice, and where its youth was nurtured and sustained, there it still lives, in the strength of its manhood, and full of its original spirit. If discord and disunion shall wound it; if folly and madness, if uneasiness under salutary and necessary restraint, shall succeed to separate it from that Union by which alone its existence is made sure,—it will stand, in the end, by the side of that cradle in which its infancy was rocked; it will stretch forth its arm, with whatever vigor it may still retain, over the friends who gather around it; and it will fall at last, if fall it must, amidst the proudest monuments of its glory, and on the very spot of its origin.

There yet remains to be performed, Mr. President, by far the most grave and important duty; which I feel to be devolved

on me by this occasion. It is to state, and to defend, what I conceive to be the true principles of the constitution under which we are here assembled. I might well have desired that so weighty a task should have fallen into other and abler hands. I could have wished that it should have been executed by those whose character and experience give weight and influence to their opinions, such as cannot possibly belong to mine. But, sir, I have met the occasion, not sought it; and I shall proceed to state my own sentiments, without challenging for them any particular regard, with studied plainness and as much precision as possible.

I understand the honorable gentleman from South Carolina to maintain that it is a right of the state legislatures to interfere, whenever in their judgment, this government transcends its constitutional limits, and to arrest the operation of its laws.

I understand him to maintain this right as a right existing under the constitution, not as a right to overthrow it, on the ground of extreme necessity, such as would justify violent revolution.

I understand him to maintain an authority, on the part of the states, thus to interfere for the purpose of correcting the exercise of power by the general government, of checking it, and of compelling it to conform to their opinion of the extent of its power.

I understand him to maintain that the ultimate power of judging of the constitutional extent of its own authority is not lodged exclusively in the general government or any branch of it; but that, on the contrary, the states may lawfully decide for themselves, and each state for itself, whether, in a given case, the act of the general government transcends its power.

I understand him to insist that, if the exigency of the case, in the opinion of any state government, require it, such state government may, by its own sovereign authority, annul an act of the general government which it deems plainly and palpably unconstitutional.

This is the sum of what I understand from him to be the South Carolina doctrine. I propose to consider it, and to compare it with the constitution. Allow me to say, as a preliminary remark, that I call this the South Carolina doctrine, only because the gentleman himself has so denominated it. I do not feel at liberty to say that South Carolina, as a state, has ever advanced these sentiments. I hope she has not, and never may. That a great majority of her people are opposed to the tariff laws is doubtless true. That a majority, somewhat less than that just mentioned, conscientiously believe these laws unconstitutional, may probably be also true. But that any majority holds to the right of

direct state interference, at state discretion, the right of nullifying acts of Congress by acts of state legislation, is more than I know, and what I shall be slow to believe.

That there are individuals, besides the honorable gentleman, who do maintain these opinions, is quite certain. I recollect the recent expression of a sentiment which circumstances attending its utterance and publication justify us in supposing was not unpremeditated—"The sovereignty of the state; never to be controlled, construed, or decided on, but by her own feelings of honorable justice."

[Mr. HAYNE here rose, and said, that for the purpose of being clearly understood, he would state that his proposition was in the words of the Virginia resolution, as follows:—

"That this Assembly doth explicitly and peremptorily declare, that it views the powers of the federal government, as resulting from the compact, to which the states are parties, as limited by the plain sense and intention of the instrument constituting that compact, as no further valid than they are authorized by the grants enumerated in that compact; and that, in case of a deliberate, palpable, and dangerous exercise of other powers not granted by the same compact, the states who are parties thereto have the right and are in duty bound, to interpose for arresting the progress of the evil, and for maintaining, within their respective limits, the authorities, rights, and liberties pertaining to them."]

Mr. WEBSTER resumed:—

I am quite aware, Mr. President, of the existence of the resolution which the gentleman read, and has now repeated, and that he relies on it as his authority. I know the source, too, from which it is understood to have proceeded. I need not say, that I have much respect for the constitutional opinions of Mr. Madison; they would weigh greatly with me, always. But, before the authority of his opinion be vouched for the gentleman's proposition, it will be proper to consider what is the fair interpretation of that resolution, to which Mr. Madison is understood to have given his sanction. As the gentleman construes it, it is an authority for him. Possibly he may not have adopted the right construction. That resolution declares, *that in the case of the dangerous exercise of powers not granted by the general government, the states may interpose to arrest the progress of the evil.* But how interpose? and what does this declaration purport? Does it mean no more than that there may be extreme cases in which the people, in any mode of assembling, may resist usurpation, and relieve themselves from a tyrannical government? No one will deny this. Such resistance is not only acknowledged to be

just in America, but in England also. Blackstone admits as much, in the theory and practice, too, of the English constitution. We, sir, who oppose the Carolina doctrine, do not deny that the people may, if they choose, throw off any government, when it becomes oppressive and intolerable, and erect a better in its stead. We all know that civil institutions are established for the public benefit, and that, when they cease to answer the ends of their existence they may be changed.

But I do not understand the doctrine now contended for to be that which, for the sake of distinctness, we may call the right of revolution. I understand the gentleman to maintain, that without revolution, without civil commotion, without rebellion, a remedy for supposed abuse and transgression of the powers of the general government lies in a direct appeal to the interference of the state governments. [Mr. HAYNE here rose: He did not contend, he said, for the mere right of revolution, but for the right of constitutional resistance. What he maintained was, that, in case of a plain, palpable violation of the constitution by the general government, a state may interpose; and that this interposition is constitutional.]

Mr. WEBSTER resumed:

So, sir, I understood the gentleman, and am happy to find that I did not misunderstand him. What he contends for is, that it is constitutional to interrupt the administration of the constitution itself, in the hands of those who are chosen and sworn to administer it, by the direct interference, in form of law, of the states, in virtue of their sovereign capacity. The inherent right in the people to reform their government I do not deny; and that they have another right, and that is, to resist unconstitutional laws without overturning the government. It is no doctrine of mine, that unconstitutional laws bind the people. The great question is, *Whose prerogative is it to decide on the constitutionality or unconstitutionality of the laws?* On that the main debate hinges. The proposition that, in the case of a supposed violation of the constitution by Congress, the states have a constitutional right to interfere, and annul the law of Congress, is the proposition of the gentleman; I do not admit it. If the gentleman had intended no more than to assert the right of revolution for justifiable cause, he would have said only what all agree to.—But I cannot conceive that there can be a middle course between submission to the laws, when regularly pronounced constitutional, on the one hand, and open resistance, which is revolution or rebellion, on the other. I say the right of a state to annul a law of Congress cannot be maintained but on the ground of the unalienable right of man to resist oppression; that

is to say, upon the ground of revolution. I admit that there is no ultimate violent remedy, above the constitution, and defiance of the constitution, which may be resorted to, when a revolution is to be justified. But I do not admit that under the constitution, and in conformity with it, there is any mode in which a state government, as a member of the Union can interfere and stop the progress of the general government, by force of her own laws, under any circumstances whatever.

This leads us to inquire into the origin of this government, and the source of its power. Whose agent is it? Is it the creature of the state legislatures, or the creature of the people? If the government of the United States be the agent of the state governments, then they may control it, provided they can agree in the manner of controlling it; if it is the agent of the people, then the people alone can control it, restrain it, modify or reform it. It is observable enough, that the doctrine for which the honorable gentleman contends leads him to the necessity of maintaining, not only that this general government is the creature of the states, but that it is the creature of each of the states severally; so that each may assert the power, for itself, of determining whether it acts within the limits of its authority. It is the servant of four and twenty masters, of different wills and different purposes; and yet bound to obey all. This absurdity (for it seems no less) arises from a misconception as to the origin of this government, and its true character. It is, sir, the people's constitution, the people's government; made for the people; made by the people; and answerable to the people. The people of the United States have declared that this constitution shall be the supreme law. We must either admit the proposition, or dispute their authority. The states are unquestionably sovereign, so far as their sovereignty is not affected by this supreme law. The state legislatures, as political bodies, however sovereign, are yet not sovereign over the people. So far as the people have given power to the general government, so far the grant is unquestionably good, and the government holds of the people, and not of the state governments. We are all agents of the same supreme power, the people. The general government and the state governments derive their authority from the same source. Neither can, in relation to the other, be called primary; though one is definite and restricted, and the other general and residuary.

The national government possesses those powers which it can be shown the people have conferred on it, and no more. All the rest belongs to the state governments, or to the people themselves. So far as the people have restrained state sovereignty



by the expression of their will, in the constitution of the United States, so far, it must be admitted, state sovereignty is effectually controlled. I do not contend that it is, or ought to be, controlled further. The sentiment to which I have referred propounds that state sovereignty is only to be controlled by its own "feelings of justice;" that is to say, it is not to be controlled at all; for one who is to follow his feelings, is under no legal control. Now, however men may think this ought to be, the fact is, that the people of the United States have chosen to impose control on state sovereignties. The constitution has ordered the matter differently from what this opinion announces. To make war, for instance, is an exercise of sovereignty; but the constitution declares that no state shall make war. To coin money is another exercise of sovereign power; but no state is at liberty to coin money. Again: the constitution says, that no sovereign state shall be so sovereign as to make a treaty. These prohibitions, it must be confessed, are a control on the state sovereignty of South Carolina, as well as of the other states, which does not arise "from feelings of honorable justice." Such an opinion, therefore, is in defiance of the plainest provisions of the constitution.

There are other proceedings of public bodies which have already been alluded to, and to which I refer again for the purpose of ascertaining more fully what is the length and breadth of that doctrine, denominated the Carolina doctrine, which the honorable member has now stood up on this floor to maintain.

In one of them I find it resolved that "the tariff of 1828, and every other tariff designed to promote one branch of industry at the expense of others, is contrary to the meaning and intention of the federal compact; and as such a dangerous, palpable, and deliberate usurpation of power, by a determined majority, wielding the general government beyond the limits of its delegated powers, as calls upon the states which compose the suffering minority, in their sovereign capacity, to exercise the powers which, as sovereigns, necessarily devolve upon them, when their compact is violated."

Observe, sir, that this resolution holds the tariff of 1828, and every other tariff, designed to promote one branch of industry at the expense of another, to be such a dangerous, palpable, and deliberate usurpation of power, as calls upon the states, in their sovereign capacity, to interfere, by their own power. This denunciation, Mr. President, you will please to observe, includes our old tariff of 1816, as well as all others; because that was established to promote the interest of the manufacturers of cotton, to the manifest and admitted

injury of the Calcutta cotton trade. Observe, again, that all the qualifications are here rehearsed, and charged upon the tariff, which are necessary to bring the case within the gentleman's proposition. The tariff is a usurpation; it is a dangerous usurpation; it is a palpable usurpation; it is a deliberate usurpation. It is such a usurpation as calls upon the states to exercise their right of interference. Here is a case, then, within the gentleman's principles, and all his qualifications of his principles. It is a case for action. The constitution is plainly, dangerously, palpably, and deliberately violated; and the states must interpose their own authority to arrest the law. Let us suppose the state of South Carolina to express this same opinion, by the voice of her legislature. That would be very imposing; but what then? Is the voice of one state conclusive? It so happens that, at the very moment when South Carolina resolves that the tariff laws are unconstitutional, Pennsylvania and Kentucky resolve exactly the reverse. *They* hold those laws to be both highly proper and strictly constitutional. And now, sir, how does the honorable member propose to deal with this case? How does he get out of this difficulty, upon any principle of his? His construction gets us into it; how does he propose to get us out?

In Carolina the tariff is a palpable, deliberate usurpation; Carolina, therefore, may *nullify* it, and refuse to pay the duties. In Pennsylvania, it is both clearly constitutional and highly expedient; and there the duties are to be paid. And yet we live under a government of uniform laws, and under a constitution, too, which contains an express provision, as it happens, that all duties shall be equal in all the states! Does not this approach absurdity?

If there be no power to settle such questions, independent of either of the states, is not the whole Union a rope of sand? Are we not thrown back again precisely upon the old confederation?

It is too plain to be argued. Four and twenty interpreters of constitutional law, each with a power to decide for itself, and none with authority to bind anybody else, and this constitutional law the only bond of their union! What is such a state of things but a mere connection during pleasure, or, to use the phraseology of the times, *during feeling*? And that feeling, too, not the feeling of the people who established the constitution, but the feeling of the state governments.

In another of the South Carolina addresses, having premised that the crisis requires "all the concentrated energy of passion," an attitude of open resistance to the laws of the Union is advised. Open resistance to the laws, then, is the consti-

tutional remedy, the conservative power of the state, which the South Carolina doctrines teach for the redress of political evils, real or imaginary. And its authors further say that, appealing with confidence to the constitution itself to justify their opinions, they cannot consent to try their accuracy by the courts of justice. In one sense, indeed, sir, this is assuming an attitude of open resistance in favor of liberty. But what sort of liberty? The liberty of establishing their own opinions, in defiance of the opinions of all others; the liberty of judging and of deciding exclusively themselves, in a matter in which others have as much right to judge and decide as they; the liberty of placing their opinions above the judgment of all others, above the laws, and above the constitution. This is their liberty, and this is the fair result of the proposition contended for by the honorable gentleman. Or it may be more properly said, it is identical with it, rather than a result from it. In the same publication we find the following: "Previously to our revolution, when the arm of oppression was stretched over New England, where did our northern brethren meet with a braver sympathy than that which sprung from the bosom of Carolinians? *We had no extortion, no oppression, no collision with the king's ministers, no navigation interest springing up, in envious rivalry of England.*"

This seems extraordinary language. South Carolina no collision with the king's ministers in 1775! no extortion! no oppression! But, sir, it is also most significant language. Does any man doubt the purpose for which it was penned? Can any one fail to see that it was designed to raise in the reader's mind the question, whether, *at this time*,—that is to say, in 1828,—South Carolina has any collision with the king's ministers, any oppression, or extortion, to fear from England? whether, in short, England is not as naturally the friend of South Carolina as New England, with her navigation interests springing up in [envious rivalry of England?

Is it not strange, sir, that an intelligent man in South Carolina, in 1828, should thus labor to prove, that in 1775, there was no hostility, no cause of war, between South Carolina and England? that she had no occasion, in reference to her own interest, or from regard to her own welfare, to take up arms in the revolutionary contest? Can any one account for the expression of such strange sentiments, and their circulation through the state, otherwise than by supposing the object to be, what I have already intimated, to raise the question, if they had no "*collision*" (mark the expression) with the ministers of King George the Third, in 1775, what

*collision* have they, in 1828, with the ministers of King George the Fourth? What is there now, in the existing state of things, to separate Carolina from *Old*, more, or rather less, than from *New* England?

Resolutions, sir, have been recently passed by the legislature of South Carolina. I need not refer to them; they go no further than the honorable gentleman himself has gone—and I hope not so far. I content myself therefore, with debating the matter with him.

And now, sir, what I have first to say on this subject is, that at no time, and under no circumstances, has New England, or any state in New England, or any respectable body of persons in New England, or any public man of standing in New England, put forth such a doctrine as this Carolina doctrine.

The gentleman has found no case—he can find none—to support his own opinions by New England authority. New England has studied the constitution in other schools, and under other teachers. She looks upon it with other regards, and deems more highly and reverently, both of its just authority and its utility and excellence. The history of her legislative proceedings may be traced—the ephemeral effusions of temporary bodies, called together by the excitement of the occasion, may be hunted up—they have been hunted up. The opinions and votes of her public men, in and out of Congress, may be explored—it will all be in vain. The Carolina doctrine can derive from her neither countenance nor support. She rejects it now; she always did reject it. The honorable member has referred to expressions on the subject of the embargo law, made in this place by an honorable and venerable gentleman (MR. HILLHOUSE) now favoring us with his presence. He quotes that distinguished senator as saying, that in his judgment the embargo law was unconstitutional, and that, therefore, in his opinion, the people were not bound to obey it.

That, sir, is perfectly constitutional language. An unconstitutional law is not binding; *but then it does not rest with a resolution or a law of a state legislature to decide whether an act of Congress be or be not constitutional.* An unconstitutional act of Congress would not bind the people of this district although they have no legislature to interfere in their behalf; and, on the other hand, a constitutional law of Congress does bind the citizens of every state, although all their legislatures should undertake to annul it, by act or resolution. The venerable Connecticut senator is a constitutional lawyer, of sound principles and enlarged knowledge; a statesman practiced and experienced, bred in the

company of Washington, and holding just views upon the nature of our governments. He believed the embargo unconstitutional, and so did others; but what then? Who did he suppose was to decide that question? The state legislature? Certainly not. No such sentiment ever escaped his lips. Let us follow up, sir, this New England opposition to the embargo laws; let us trace it, till we discern the principle which controlled and governed New England throughout the whole course of that opposition. We shall then see what similarity there is between the New England school of constitutional opinions and this modern Carolina school. The gentleman, I think, read a petition from some single individual, addressed to the legislature of Massachusetts, asserting the Carolina doctrine—that is, the right of state interference to arrest the laws of the Union. The fate of that petition shows the sentiment of the legislature. It met no favor. The opinions of Massachusetts were otherwise. They had been expressed in 1793, in answer to the resolutions of Virginia, and she did not depart from them, nor bend them to the times. Misgoverned, wronged, oppressed, as she felt herself to be, she still held fast her integrity to the Union. The gentleman may find in her proceedings much evidence of dissatisfaction with the measures of government, and great and deep dislike, she claimed no right still to sever asunder the bonds of the Union. There was heat, and there was anger in her political feeling. Be it so. Her heat or her anger did not, nevertheless, betray her into infidelity to the government. The gentleman labors to prove that she disliked the embargo as much as South Carolina dislikes the tariff, and expressed her dislike as strongly. Be it so; *but did she propose the Carolina remedy? Did she threaten to interfere, by state authority, to annul the laws of the Union?* That is the question for the gentleman's consideration.

No doubt, sir, a great majority of the people of New England conscientiously believe the embargo law of 1807 unconstitutional—as conscientiously, certainly, as the people of South Carolina hold that opinion of the tariff.—They reasoned thus: Congress has power to regulate commerce; but here is a law, they said, stopping all commerce, and stopping it indefinitely. The law is perpetual, therefore, as the law against treason or murder. Now, is this regulating commerce, or destroying it? Is it guiding, controlling, giving the rule to commerce, as a subsisting thing, or is it putting an end to it altogether? Nothing is more certain than that a majority in New England deemed this law a violation of the constitution. This very case required by the gentleman to justify state interference

had then arisen. Massachusetts believed this law to be "*a deliberate, palpable, and dangerous exercise of a power not granted by the constitution.*" Deliberate it was, for it was long continued; palpable she thought it, as no words in the constitution gave the power, and only a construction, in her opinion most violent, raised it; dangerous it was, since it threatened utter ruin to her most important interests. Here, then, was a Carolina case. How did Massachusetts deal with it? It was, as she thought, a plain, manifest, palpable violation of the constitution; and it brought ruin to her doors. Thousands of families, and hundreds of thousands of individuals, were beggared by it. While she saw and felt all this, she saw and felt, also, that as a measure of national policy, it was perfectly futile; that the country was no way benefited by that which caused so much individual distress; that it was efficient only for the production of evil, and all that evil inflicted on ourselves. In such a case, under such circumstances, how did Massachusetts demean herself? Sir, she remonstrated, she memorialized, she addressed herself to the general government, not exactly "with the concentrated energy of passion," but with her strong sense, and the energy of sober conviction. But she did not interpose the arm of her power to arrest the law, and break the embargo. Far from it. Her principles bound her to two things; and she followed her principles, lead where they might. First, to submit to every constitutional law of Congress; and secondly, if the constitutional validity of the law be doubted, to refer that question to the decision of the proper tribunals. The first principle is vain and ineffectual without the second. A majority of us in New England believe the embargo law unconstitutional; but the great question was, and always will be in such cases, Who is to decide this? Who is to judge between the people and the government? And, sir, it is quite plain, that the constitution of the United States confers on the government itself, to be exercised by its appropriate department, this power of deciding, ultimately and conclusively, upon the just extent of its own authority. If this had not been done, we should not have advanced a single step beyond the old confederation.

Being fully of opinion that the embargo law was unconstitutional, the people of New England were yet equally clear in the opinion—it was a matter they did not doubt upon—that the question, after all, must be decided by the judicial tribunals of the United States. Before those tribunals, therefore, they brought the question. Under the provisions of the law, they had given bonds, to millions in amount, and which were alleged to be forfeited. They suffered the bonds to be sued, and thus raised the

question. In the old-fashioned way of settling disputes, they went to law. The case came to hearing and solemn argument; and he who espoused their cause and stood up for them against the validity of the act, was none other than that great man, of whom the gentleman has made honorable mention, SAMUEL DEXTER. He was then, sir, in the fulness of his knowledge and the maturity of his strength. He had retired from long and distinguished public service here, to the renewed pursuit of professional duties; carrying with him all that enlargement and expansion, all the new strength and force, which an acquaintance with the more general subjects discussed in the national councils is capable of adding to professional attainment, in a mind of true greatness and comprehension. He was a lawyer, and he was also a statesman. He had studied the constitution, when he filled public station, that he might defend it; he had examined its principles, that he might maintain them. More than all men, or at least as much as any man, he was attached to the general government, and to the union of the states. His feelings and opinions all ran in that direction. A question of constitutional law, too, was, of all subjects, that one which was best suited to his talents and learning. Aloof from technicality, and unfettered by artificial rule, such a question gave opportunity for that deep and clear analysis, that mighty grasp of principle, which so much distinguished his higher efforts. His very statement was argument; his inference seemed demonstration. The earnestness of his own conviction wrought conviction in others. One was convinced, and believed, and consented, because it was gratifying, delightful, to think, and feel, and believe, in unison with an intellect of such evident superiority.

Mr. Dexter, sir, such as I have described him, argued the New England cause. He put into his effort his whole heart, as well as all the powers of his understanding; for he had avowed, in the most public manner, his entire concurrence with his neighbors, on the point in dispute. He argued the cause; it was lost, and New England submitted. The established tribunals pronounced the law constitutional, and New England acquiesced. Now, sir, is not this the exact opposite of the doctrine of the gentleman from South Carolina? According to him, instead of referring to the judicial tribunals, we should have broken up the embargo, by laws of our own; we should have repealed it, *quoad* New England; for we had a strong, palpable, and oppressive case. Sir, we believe the embargo unconstitutional; but still, that was matter of opinion, and who was to decide it? We thought it a clear case; but, nevertheless, we did not take the laws into our hands, *because we did not wish to*

*bring about a revolution, nor to break up the Union;* for I maintain, that, between submission to the decision of the constituted tribunals, and revolution, or disunion, there is no middle ground—there is no ambiguous condition, half allegiance and half rebellion. There is no treason, *mad-cosy*. And, sir, how futile, how very futile it is, to admit the right of state interference, and then to attempt to save it from the character of unlawful resistance, by adding terms of qualification to the causes and occasions, leaving all the qualifications, like the case itself in the discretion of the state governments. It must be a clear case, it is said; a deliberate case; a palpable case; a dangerous case. But, then, the state is still left at liberty to decide for herself what is clear, what is deliberate, what is palpable, what is dangerous.

Do adjectives and epithets avail any thing? Sir, the human mind is so constituted, that the merits of both sides of a controversy appear very clear, and very palpable, to those who respectively espouse them, and both sides usually grow clearer, as the controversy advances. South Carolina sees unconstitutionality in the tariff—she sees oppression there, also, and she sees danger. Pennsylvania, with a vision not less sharp, looks at the same tariff, and sees no such thing in it—she sees it all constitutional, all useful, all safe. The faith of South Carolina is strengthened by opposition, and she now not only sees, but *resolves*, that the tariff is palpably unconstitutional, oppressive, and dangerous; but Pennsylvania, not to be behind her neighbors, and equally willing to strengthen her own faith by a confident asseveration, *resolves* also, and gives to every warm affirmative of South Carolina, a plain downright Pennsylvania negative. South Carolina to show the strength and unity of her opinions, brings her assembly to a unanimity, within seven votes; Pennsylvania, not to be outdone in this respect more than others, reduces her dissentient fraction to one vote. Now, sir, again I ask the gentleman, what is to be done? Are these states both right? Is he bound to consider them both right? If not, which is in the wrong? or, rather, which has the best right to decide?

And if he, and if I, are not to know what the constitution means, and what it is, till those two state legislatures, and the twenty-two others, shall agree in its construction what have we sworn to, when we have sworn to maintain it? I was forcibly struck, sir, with one reflection, as the gentleman went on with his speech. He quoted Mr. Madison's resolutions to prove that a state may interfere, in a case of deliberate, palpable, and dangerous exercise of a power not granted. The honorable member supposes the tariff law to

be such an exercise of power, and that consequently, a case has risen in which the state may, if it see fit, interfere by its own law. Now, it so happens, nevertheless, that Madison himself deems this same tariff law quite constitutional. Instead of a clear and palpable violation, it is, in his judgment, no violation at all. So that, while they use his authority for a hypothetical case, they reject it in the very case before them. All this, sir, shows the inherent futility. I had almost used a stronger word—of conceding this power of interference to the states, and then attempting to secure it from abuse by imposing qualifications of which the states themselves are to judge. One of two things is true; either the laws of the Union are beyond the control of the states, or else we have no constitution of general government, and are thrust back again to the days of the confederacy.

Let me here say, sir, that if the gentleman's doctrine had been received and acted upon in New England, in the times of the embargo and non-intercourse, we should probably not now have been here. The government would very likely have gone to pieces and crumbled into dust. No stronger case can ever arise than existed under those laws; no states can ever entertain a clearer conviction than the New England States then entertained; and if they had been under the influence of that heresy of opinion, as I must call it, which the honorable member espouses, this Union would, in all probability have been scattered to the four winds. I ask the gentleman, therefore, to apply his principles to that case; I ask him to come forth and declare whether, in his opinion, the New England States would have been justified in interfering to break up the embargo system, under the conscientious opinions which he held upon it. Had they a right to annul that law? Does he admit, or deny? If that which is thought palpably unconstitutional in South Carolina justifies that state in arresting the progress of the law, tell me whether that which was thought palpably unconstitutional also in Massachusetts would have justified her in doing the same thing. Sir, I deny the whole doctrine. It has not a foot of ground in the constitution to stand on. No public man of reputation ever advanced it in Massachusetts, in the warmest times, or could maintain himself upon it there at any time.

I wish now, sir, to make a remark upon the Virginia resolutions of 1798. I cannot undertake to say how these resolutions were understood by those who passed them. Their language is not a little indefinite. In the case of the exercise, by Congress, of a dangerous power, not granted to them, the resolutions assert the right,

on the part of the state to interfere, and arrest the progress of the evil. This is susceptible of more than one interpretation. It may mean no more than that the states may interfere by complaint and remonstrance, or by proposing to the people an alteration of the federal constitution. This would all be quite unobjectionable; or it may be that no more is meant than to assert the general right of revolution, as against all governments, in cases of intolerable oppression. This no one doubts; and this, in my opinion, is all that he who framed these resolutions could have meant by it; for I shall not readily believe that he was ever of opinion that a state, under the constitution, and in conformity with it, could, upon the ground of her own opinion of its unconstitutionality, however clear and palpable she might think the case, annul a law of Congress, so far as it should operate on herself, by her own legislative power.

I must now beg to ask, sir, Whence is this supposed right of the states derived? Where do they get the power to interfere with the laws of the Union? Sir, the opinion which the honorable gentleman maintains is a notion founded in a total misapprehension, in my judgment, of the origin of this government, and of the foundation on which it stands. I hold it to be a popular government, erected by the people, those who administer it responsible to the people, and itself capable of being amended and modified, just as the people may choose it should be. It is as popular, just as truly emanating from the people, as the state governments. It is created for one purpose; the state governments for another. It has its own powers; they have theirs. There is no more authority with them to arrest the operation of a law of Congress, than with Congress to arrest the operation of their laws. We are here to administer a constitution emanating immediately from the people, and trusted by them to our administration. It is not the creature of the state governments. It is of no moment to the argument that certain acts of the state legislatures are necessary to fill our seats in this body. That is not one of their original state powers, a part of the sovereignty of the state. It is a duty which the people, by the constitution itself, have imposed on the state legislatures, and which they might have left to be performed elsewhere, if they had seen fit. So they have left the choice of president with electors; but all this does not affect the proposition that this whole government—President, Senate and House of Representatives—is a popular government. It leaves it still all its popular character. The governor of a state (in some of the states) is chosen not directly by the people for the purpose of

performing, among other duties, that of electing a governor. Is the government of the state on that account not a popular government? This government, sir, is the independent offspring of the popular will. It is not the creature of state legislatures; nay, more, if the whole truth must be told, the people brought it into existence, established it, and have hitherto supported it, for the very purpose, amongst others, of imposing certain salutary restraints on state sovereignties. The states cannot now make war; they cannot contract alliances; they cannot make, each for itself, separate regulations of commerce; they cannot lay imposts; they cannot coin money. If this constitution, sir, be the creature of state legislatures, it must be admitted that it has obtained a strange control over the volition of its creators.

The people then, sir, erected this government. They gave it a constitution, and in that constitution they have enumerated the powers which they bestow on it. They have made it a limited government. They have defined its authority. They have restrained it to the exercise of such powers as are granted; and all others, they declare, are reserved to the states or the people. But, sir, they have not stopped here. If they had, they would have accomplished but half their work. No definition can be so clear as to avoid possibility of doubt; no limitation so precise as to exclude all uncertainty. Who, then, shall construe this grant of the people? Who shall interpret their will, where it may be supposed they have left it doubtful? With whom do they leave this ultimate right of deciding on the powers of the government? Sir, they have settled all this in the fullest manner. They have left it with the government itself, in its appropriate branches. Sir, the very chief end, the main design for which the whole constitution was framed and adopted, was to establish a government that should not be obliged to act through state agency, or depend on state opinion and discretion. The people had had quite enough of that kind of government under the confederacy. Under that system, the legal action—the application of law to individuals—belonged exclusively to the states. Congress could only recommend—their acts were not of binding force till the states had adopted and sanctioned them. Are we in that condition still? Are we yet at the mercy of state discretion and state construction? Sir, if we are, then vain will be our attempt to maintain the constitution under which we sit.

But, sir, the people have wisely provided, in the constitution itself, a proper, suitable mode and tribunal for settling questions of constitutional law. There are, in the constitution, grants of powers to Congress, and restrictions on those powers. There are

also prohibitions on the states. Some authority must therefore necessarily exist, having the ultimate jurisdiction to fix and ascertain the interpretation of these grants, restrictions and prohibitions. The constitution has itself pointed out, ordained, and established that authority. How has it accomplished this great and essential end? By declaring, sir, that "*the constitution and the laws of the United States, made in pursuance thereof, shall be the supreme law of the land, any thing in the constitution or laws of any state to the contrary notwithstanding.*"

This, sir, was the first great step. By this, the supremacy of the constitution and laws of the United States is declared. The people so will it. No state law is to be valid which comes in conflict with the constitution or any law of the United States. But who shall decide this question of interference? To whom lies the last appeal? This, sir, the constitution itself decides also, by declaring "*that the judicial power shall extend to all cases arising under the constitution and laws of the United States.*" These two provisions, sir, cover the whole ground. They are, in truth, the keystone of the arch. With these it is a government; without them it is a confederacy. In pursuance of these clear and express provisions, Congress established, at its very first session, in the judicial act, a mode for carrying them into full effect, and for bringing all questions of constitutional power to the final decision of the Supreme Court. It then, sir, became a government. It then had the means of self-protection; and but for this, it would, in all probability, have been now among things which are passed. Having constituted the government, and declared its powers, the people have further said, that since somebody must decide on the extent of these powers, the government shall itself decide—subject always like other popular governments, to its responsibility to the people. And now, sir, I repeat, how is it that a state legislature acquires any right to interfere? Who, or what, gives them the right to say to the people, "We, who are your agents and servants for one purpose, will undertake to decide, that your other agents and servants, appointed by you for another purpose, have transcended the authority you gave them"? The reply would be, I think, not impertinent, "Who made you a judge over another's servants. To their own masters they stand or fall."

Sir, I deny this power of state legislatures altogether. It cannot stand the test of examination. Gentlemen may say, that, in an extreme case, a state government might protect the people from intolerable oppression. Sir, in such a case the people might protect themselves, without the aid of the state governments. Such a case

warrants revolution. It must make, when it comes, a law for itself. A nullifying act of a state legislature cannot alter the case, nor make resistance any more lawful. In maintaining these sentiments, sir, I am but asserting the rights of the people. I state what they have declared, and insist on their right to declare it. They have chosen to repose this power in the general government, and I think it my duty to support it, like other constitutional powers.

For myself, sir, I doubt the jurisdiction of South Carolina, or any other state, to prescribe my constitutional duty, or to settle, between me and the people, the validity of laws of Congress for which I have voted. I decline her umpirage. I have not sworn to support the constitution according to her construction of its clauses. I have not stipulated, by my oath of office or otherwise, to come under any responsibility, except to the people and those whom they have appointed to pass upon the question, whether the laws, supported by my votes, conform to the constitution of the country. And, sir, if we look to the general nature of the case, could any thing have been more preposterous than to have made a government for the whole Union, and yet left its powers subject, not to one interpretation, but to thirteen or twenty-four interpretations? Instead of one tribunal, established by all, responsible to all, with power to decide for all, shall constitutional questions be left to four and twenty popular bodies, each at liberty to decide for itself, and none bound to respect the decisions of others; and each at liberty, too, to give a new construction, on every new election of its own members? Would any thing, with such a principle in it, or rather with such a destitution of all principle, be fit to be called a government? No, sir. It should not be denominated a constitution. It should be called, rather, a collection of topics for everlasting controversy; heads of debate for a disputatious people. It would not be a government. It would not be adequate to any practical good, nor fit for any country to live under. To avoid all possibility of being misunderstood, allow me to repeat again, in the fullest manner, that I claim no powers for the government by forced or unfair construction. I admit that it is a government of strictly limited powers; of enumerated, specified, and particularized powers; and that whatsoever is not granted is withheld. But, notwithstanding all this, and however the grant of powers may be expressed, its limits and extent may yet, in some cases, admit of doubt; and the general government would be good for nothing, it would be incapable of long existence, if some mode had not been provided in which those doubts, as they should arise, might be peaceably, but not authoritatively solved.

And now, Mr. President, let me run the honorable gentleman's doctrine a little into its practical application. Let us look at his probable *modus operandi*. If a thing can be done, an ingenious man can tell *how* it is to be done. Now, I wish to be informed *how* this state interference is to be put in practice. We will take the existing case of the tariff law. South Carolina is said to have made up her opinion upon it. If we do not repeal it, (as we probably shall not,) she will then apply to the case the remedy of her doctrine. She will, we must suppose, pass a law of her legislature, declaring the several acts of Congress, usually called the tariff laws, null and void, so far as they respect South Carolina, or the citizens thereof. So far, all is a paper transaction, and easy enough. But the collector at Charleston is collecting the duties imposed by these tariff laws—he, therefore, must be stopped. The collector will seize the goods if the tariff duties are not paid. The state authorities will undertake their rescue: the marshal, with his posse, will come to the collector's aid; and here the contest begins. The militia of the state will be called out to sustain the nullifying act. They will march, sir, under a very gallant leader; for I believe the honorable member himself commands the militia of that part of the state. He will raise the NULLIFYING ACT on his standard, and spread it out as his banner. It will have a preamble, bearing that the tariff laws are palpable, deliberate, and dangerous violations of the constitution. He will proceed, with his banner flying, to the custom house in Charleston,—

"all the while  
Sonorous metal blowing martial sounds."

Arrived at the custom house, he will tell the collector that he must collect no more duties under any of the tariff laws. This he will be somewhat puzzled to say, by the way, with a grave countenance, considering what hand South Carolina herself had in that of 1816. But, sir, the collector would, probably, not desist at his bidding. Here would ensue a pause; for they say, that a certain stillness precedes the tempest. Before this military array should fall on custom house, collector, clerks, and all, it is very probable some of those composing it would request of their gallant commander-in-chief to be informed a little upon the point of law; for they have doubtless a just respect for his opinion as a lawyer, as well as for his bravery as a soldier. They know he has read Blackstone and the constitution, as well as Turenne and Vauban. They would ask him, therefore, something concerning their rights in this matter. They would inquire whether it was not somewhat dangerous to

resist a law of the United States. What would be the nature of their offence, they would wish to learn, if they, by military force and array, resisted the execution in Carolina of a law of the United States, and it should turn out, after all, that the law *was constitutional*. He would answer, of course, treason. No lawyer could give any other answer. John Fries, he would tell them, had learned that some years ago. How, then, they would ask, do you propose to defend us? We are not afraid of bullets, but treason has a way of taking people off that we do not much relish. How do you propose to defend us? "Look at my floating banner," he would reply; "see there the *nullifying law!*" Is it your opinion, gallant commander, they would then say, that if we should be indicted for treason, that same floating banner of yours would make a good plea in bar? "South Carolina is a sovereign state," he would reply. That is true; but would the judge admit our plea? "These tariff laws," he would repeat, "are unconstitutional, palpably, deliberately, dangerously." That all may be so; but if the tribunals should not happen to be of that opinion, shall we swing for it? We are ready to die for our country, but it is rather an awkward business, this dying without touching the ground. After all, this is a sort of *hemp-tax*, worse than any part of the tariff.

Mr. President, the honorable gentleman would be in a dilemma like that of another great general. He would have a knot before him which he could not untie. He must cut it with his sword. He must say to his followers, Defend yourselves with your bayonets; and this is war—civil war.

Direct collision, therefore, between force and force, is the unavoidable result of that remedy for the revision of unconstitutional laws which the gentleman contends for. It must happen in the very first case to which it is applied. Is not this the plain result? To resist, by force, the execution of a law, generally, is treason. Can the courts of the United States take notice of the indulgence of a state to commit treason? The common saying, that a state cannot commit treason herself, is nothing to the purpose. Can it authorize others to do it? If John Fries had produced an act of Pennsylvania, annulling the law of Congress, would it have helped his case? Talk about it as we will, these doctrines go the length of revolution. They are incompatible with any peaceable administration of the government. They lead directly to disunion and civil commotion; and therefore it is, that at the commencement, when they are first found to be maintained by respectable men, and in a tangible form, that I enter my public protest against them all.

The honorable gentleman argues, that if this government be the sole judge of the

extent of its own powers, whether that right of judging be in Congress or the Supreme Court, it equally subverts state sovereignty. This the gentleman sees, or thinks he sees, although he cannot perceive how the right of judging in this matter, if left to the exercise of state legislatures, has any tendency to subvert the government of the Union. The gentleman's opinion may be that the right *ought not* to have been lodged with the general government; he may like better such a constitution as we should have under the right of state interference; but I ask him to meet me on the plain matter of fact—I ask him to meet me on the constitution itself—I ask him if the power is not there—clearly and visibly found there.

But, sir, what is this danger, and what the grounds of it? Let it be remembered, that the constitution of the United States is not unalterable. It is to continue in its present form no longer than the people who established it shall choose to continue it. If they shall become convinced that they have made an injudicious or inexpedient partition and distribution of power between the state governments and the general government, they can alter that distribution at will.

If anything be found in the national constitution, either by original provision or subsequent interpretation, which ought not to be in it, the people know how to get rid of it. If any construction be established, unacceptable to them, so as to become, practically, a part of the constitution, they will amend it at their own sovereign pleasure. But while the people choose to maintain it as it is, while they are satisfied with it, and refuse to change it, who has given, or who can give, to the state legislatures a right to alter it, either by interference, construction, or otherwise? Gentlemen do not seem to recollect that the people have any power to do anything for themselves; they imagine there is no safety for them any longer than they are under the close guardianship of the state legislatures. Sir, the people have not trusted their safety, in regard to the general constitution, to these hands they have required other security, and taken other bonds. They have chosen to trust themselves, first to the plain words of the instrument, and to such construction as the government itself, in doubtful cases, should put on its own powers, under their oaths of office, and subject to their responsibility to them; just as the people of a state trust their own state governments with a similar power. Secondly, they have reposed their trust in the efficacy of frequent elections, and in their own power to remove their own servants and agents, whenever they see cause. Thirdly, they have reposed trust in the judicial power, which, in order that it might



be trustworthy, they have made as respectable, as disinterested, and as independent as practicable. Fourthly, they have seen fit to rely, in case of necessity, or high expediency, on their known and admitted power to alter or amend the constitution, peaceably and quietly, whenever experience shall point out defects or imperfections. And finally, the people of the United States have at no time, in no way, directly or indirectly, authorized any state legislature to construe or interpret *their* instrument of government; much less to interfere, by their own power, to arrest its course and operation.

If sir, the people, in these respects, had done otherwise than they have done, their constitution could neither have been preserved, nor would it have been worth preserving. And if its plain provision shall now be disregarded, and these new doctrines interpolated in it, it will become as feeble and helpless a being as enemies, whether early or more recent, could possibly desire. It will exist in every state, but as a poor dependant on state permission. It must borrow leave to be, and will be, no longer than state pleasure, or state discretion, sees fit to grant the indulgence, and to prolong its poor existence.

But, sir, although there are fears, there are hopes also. The people have preserved this, their own chosen constitution, for forty years, and have seen their happiness, prosperity, and renown grow with its growth and strengthen with its strength. They are now, generally, strongly attached to it. Overthrown by direct assault it cannot be; evaded, undermined, NULLIFIED, it will not be, if we, and those who shall succeed us here, as agents and representatives of the people, shall conscientiously and vigilantly discharge the two great branches of our public trust—faithfully to preserve and wisely to administer it.

Mr. President, I have thus stated the reasons of my dissent to the doctrines which have been advanced and maintained. I am conscious of having detained you, and the Senate, much too long. I was drawn into the debate with no previous deliberation such as is suited to the discussion of so grave and important a subject. But it is a subject of which my heart is full, and I have not been willing to suppress the utterance of its spontaneous sentiments.

I cannot, even now, persuade myself to relinquish it, without expressing once more, my deep conviction, that since it respects nothing less than the union of the states, it is of most vital and essential importance to the public happiness. I profess, sir, in my career hitherto, to have kept steadily in view the prosperity and honor of the whole country, and the preservation of our Federal Union. It is to that Union we owe our safety at home and

our consideration and dignity abroad. It is to that Union we are chiefly indebted for whatever makes us most proud of our country. That Union we reached only by the discipline of our virtues in the severe school of adversity. It had its origin in the necessities of disordered finance, prostrate commerce, and ruined credit. Under its benign influences, these great interests immediately awoke, as from the dead, and sprang forth with newness of life. Every year of its duration has teemed with fresh proofs of its utility and its blessings; and although our territory has stretched out wider and wider, and our population spread farther and farther, they have not outrun its protection or its benefits. It has been to us all a copious fountain of national, social, personal happiness. I have not allowed myself, sir, to look beyond the Union, to see what might lie hidden in the dark recess behind. I have not coolly weighed the chances of preserving liberty, when the bonds that unite us together shall be broken asunder. I have not accustomed myself to hang over the precipice of disunion, to see whether, with my short sight, I can fathom the depth of the abyss below; nor could I regard him as a safe counsellor in the affairs of this government, whose thoughts should be mainly bent on considering, not how the Union should be best preserved, but how tolerable might be the condition of the people when it shall be broken up and destroyed. While the Union lasts, we have high, exciting, gratifying prospects spread out before us, for us and our children. Beyond that I seek not to penetrate the veil. God grant that in my day at least, that curtain may not rise. God grant that on my vision never may be opened what lies behind. When my eyes shall be turned to behold, for the last time, the sun in heaven, may I not see him shining on the broken and dishonored fragments of a once-glorious Union; on states dissevered, discordant, belligerent; on a land rent with civil feuds, or drenched, it may be, in fraternal blood! Let their last feeble and lingering glance, rather, behold the gorgeous ensign of the republic, now known and honored throughout earth, still full high advanced, its arms and trophies streaming in their original lustre, not a stripe erased or polluted, nor a single star obscured—bearing for its motto no such miserable interrogatory as, *What is all this worth?* nor those other words of delusion and folly, *Liberty first, and Union afterwards*; but every where, spread all over in characters of living light, blazing on all its ample folds as they float over the sea and over the land, and in every wind under the whole heavens, that other sentiment, dear to every true American heart—*Liberty and Union, now and forever, one and inseparable!*

**John C. Calhoun on the Rights of the States.**

*Delivered July 26, 1831.*

The question of the relation which the states and general government bear to each other, is not one of recent origin. From the commencement of our system, it has divided public sentiment. Even in the convention, while the Constitution was struggling into existence, there were two parties, as to what this relation should be, whose different sentiments constituted no small impediment in forming that instrument. After the general government went into operation, experience soon proved that the question had not terminated with the labors of the convention. The great struggle that preceded the political revolution of 1801, which brought Mr. Jefferson into power, turned essentially on it; and the doctrines and arguments on both sides were embodied and ably sustained; on the one, in the Virginia and Kentucky resolutions and the report to the Virginia legislature; and on the other, in the replies of the legislature of Massachusetts and some of the other states. These resolutions and this report, with the decision of the Supreme Court of Pennsylvania about the same time (particularly in the case of *Cobbett*, delivered by Chief Justice McKean, and concurred in by the whole bench), contain what I believe to be the true doctrine on this important subject. I refer to them in order to avoid the necessity of presenting my views, with the reasons in support of them in detail.

As my object is simply to state my opinions, I might pause with this reference to documents that so fully and ably state all the points immediately connected with this deeply important subject; but as there are many who may not have the opportunity or leisure to refer to them, and, as it is possible, however clear they may be, that different persons may place different interpretations on their meaning, I will, in order that my sentiments may be fully known, and to avoid all ambiguity, proceed to state, summarily, the doctrines which I conceive they embrace.

The great and leading principle is, that the general government emanated from the people of the several states, forming distinct political communities, and acting in their separate and sovereign capacity, and not from all of the people forming one aggregate political community; that the Constitution of the United States is in fact a compact, to which each state is a party, in the character already described; and that the several states, or parties, have a right to judge of its infractions, and in case of a deliberate, palpable, and dangerous exercise of power not delegated, they have the right, in the last resort, to use the language of the Virginia resolutions; "to in-

terpose for arresting the progress of the evil, and for maintaining, within their respective limits, the authorities, rights, and liberties appertaining to them." This right of interposition thus solemnly asserted by the state of Virginia, be it called what it may—state right, veto, nullification, or by any other name—I conceive to be the fundamental principle of our system, resting on facts, historically as certain as our revolution itself, and deductions as simple and demonstrative as that of any political or moral truth whatever; and I firmly believe that on its recognition depends the stability and safety of our political institutions.

I am not ignorant that those opposed to the doctrine have always, now and formerly, regarded it in a very different light, as anarchical and revolutionary. Could I believe such in fact to be its tendency, to me it would be no recommendation. I yield to none, I trust, in a deep and sincere attachment to our political institutions, and the union of these states. I never breathed an opposite sentiment; but, on the contrary, I have ever considered them the great instruments of preserving our liberty, and promoting the happiness of ourselves and our posterity; and next to these, I have ever held them most dear. Nearly half my life has passed in the service of the Union, and whatever public reputation I have acquired, is indissolubly identified with it. To be too national has, indeed, been considered, by many, even of my friends, to be my greatest political fault. With these strong feelings of attachment, I have examined, with the utmost care, the bearing of the doctrine in question; and so far from anarchical or revolutionary, I solemnly believe it to be the only solid foundation of our system, and of the Union itself, and that the opposite doctrine, which denies to the states the right of protecting their reserved powers, and which would vest in the general government (it matters not through what department) the right of determining exclusively and finally the powers delegated to it, is incompatible with the sovereignty of the states, and of the Constitution itself, considered as the basis of a Federal Union. As strong as this language is, it is not stronger than that used by the illustrious Jefferson, who said, to give to the general government the final and exclusive right to judge of its powers, is to make "its discretion and not the Constitution the measure of its powers;" and that "in all cases of compact between parties having no common judge, each party has an equal right to judge for itself, as well of the operation, as of the mode and measure of redress." Language cannot be more explicit; nor can higher authority be adduced.

That different opinions are entertained

on this subject, I consider but as an additional evidence of the great diversity of the human intellect. Had not able, experienced, and patriotic individuals, for whom I have the highest respect, taken different views, I would have thought the right too clear to admit of doubt; but I am taught by this, as well as by many similar instances, to treat with deference opinions differing from my own. The error may possibly be with me; but, if so, I can only say, that after the most mature and conscientious examination, I have not been able to detect it. But with all proper deference, I must think that theirs is the error, who deny what seems to be an essential attribute of the conceded sovereignty of the states; and who attribute to the general government a right utterly incompatible with what all acknowledge to be its limited and restricted character; an error originating principally, as I must think, in not duly reflecting on the nature of our institutions, and on what constitutes the only rational object of all political constitutions.

It has been well said by one of the most sagacious men of antiquity, that the object of a constitution is to restrain the government, as that of laws is to restrain individuals. The remark is correct, nor is it less true where the government is vested in a majority, than where it is in a single or a few individuals; in a republic, than a monarchy or aristocracy. No one can have a higher respect for the maxim that the majority ought to govern than I have, taken in its proper sense, subject to the restrictions imposed by the Constitution, and confined to subjects in which every portion of the community have similar interests; but it is a great error to suppose, as many do, that the right of a majority to govern is a natural and not a conventional right; and, therefore, absolute and unlimited. By nature every individual has the right to govern himself; and governments, whether founded on majorities or minorities, must derive their right from the assent, expressed or implied, of the governed, and be subject to such limitations as they may impose. Where the interests are the same, that is, where the laws that may benefit one will benefit all, or the reverse, it is just and proper to place them under the control of the majority; but where they are dissimilar, so that the law that may benefit one portion may be ruinous to another, it would be, on the contrary, unjust and absurd to subject them to its will: and such I conceive to be the theory on which our Constitution rests.

That such dissimilarity of interests may exist it is impossible to doubt. They are to be found in every community, in a greater or less degree, however small or homogeneous, and they constitute, every-

where, the great difficulty of forming and preserving free institutions. To guard against the unequal action of the laws, when applied to dissimilar and opposing interests, is in fact what mainly renders a constitution indispensable; to overlook which in reasoning on our Constitution, would be to omit the principal element by which to determine its character. Were there no contrariety of interests, nothing would be more simple and easy than to form and preserve free institutions. The right of suffrage alone would be a sufficient guarantee. It is the conflict of opposing interests which renders it the most difficult work of man.

Where the diversity of interests exists in separate and distinct classes of the community, as is the case in England, and was formerly the case in Sparta, Rome, and most of the free states of antiquity, the rational constitutional provision is, that each should be represented in the government as a separate estate, with a distinct voice, and a negative on the acts of its co-estates, in order to check their encroachments. In England the constitution has assumed expressly this form, while in the governments of Sparta and Rome the same thing was effected, under different but not much less efficacious forms. The perfection of their organization, in this particular, was that which gave to the constitutions of these renowned states all of their celebrity, which secured their liberty for so many centuries, and raised them to so great a height of power and prosperity. Indeed, a constitutional provision giving to the great and separate interests of the community the right of self-protection, must appear to those who will duly reflect on the subject, not less essential to the preservation of liberty than the right of suffrage itself. They in fact have a common object, to effect which the one is as necessary as the other—to secure responsibility; that is, that those who make and execute the laws should be accountable to those on whom the laws in reality operate; the only solid and durable foundation of liberty. If without the right to suffrage our rulers would oppress us, so without the right of self-protection, the major would equally oppress the minor interests of the community. The absence of the former would make the governed the slaves of the rulers, and of the latter the feebler interests the victim of the stronger.

Happily for us we have no artificial and separate classes of society. We have wisely exploded all such distinctions; but we are not, on that account, exempt from all contrariety of interests, as the present distracted and dangerous condition of our country unfortunately but too clearly proves. With us they are almost exclusively geographical, resulting mainly from difference of climate,

soil, situation, industry, and production, but are not, therefore, less necessary to be protected by an adequate constitutional provision than where the distinct interests exist in separate classes. The necessity is, in truth, greater, as such separate and dissimilar geographical interests are more liable to come into conflict, and more dangerous when in that state than those of any other description; so much so, that ours is the first instance on record where they have not formed in an extensive territory separate and independent communities, or subjected the whole to despotic sway. That such may not be our unhappy fate also, must be the sincere prayer of every lover of his country.

So numerous and diversified are the interests of our country, that they could not be fairly represented in a single government, organized so as to give to each great and leading interest a separate and distinct voice, as in governments to which I have referred. A plan was adopted better suited to our situation, but perfectly novel in its character. The powers of the government were divided, not as heretofore, in reference to classes, but geographically. One general government was formed for the whole, to which was delegated all of the powers supposed to be necessary to regulate the interests common to all of the states, leaving others subject to the separate control of the states, being from their local and peculiar character such that they could not be subject to the will of the majority of the whole Union, without the certain hazard of injustice and oppression. It was thus that the interests of the whole were subjected, as they ought to be, to the will of the whole, while the peculiar and local interests were left under the control of the states separately, to whose custody only they could be safely confided. This distribution of power, settled solemnly by a constitutional compact, to which all of the states are parties, constitutes the peculiar character and excellence of our political system. It is truly and emphatically American, without example or parallel.

To realize its perfection, we must view the general government and the states as a whole, each in its proper sphere, sovereign and independent; each perfectly adapted to their respective objects; the states acting separately, representing and protecting the local and peculiar interests; acting jointly, through one general government, with the weight respectively assigned to each by the Constitution, representing and protecting the interest of the whole, and thus perfecting, by an admirable but simple arrangement, the great principle of representation and responsibility, without which no government can be free or just. To preserve this sacred distribution as originally settled, by coercing each to

move in its prescribed orb, is the great and difficult problem, on the solution of which the duration of our Constitution, of our Union, and, in all probability our liberty, depends. How is this to be effected?

The question is new when applied to our peculiar political organization, where the separate and conflicting interests of society are represented by distinct but connected governments; but is in reality an old question under a new form, long since perfectly solved. Whenever separate and dissimilar interests have been separately represented in any government; whenever the sovereign power has been divided in its exercise, the experience and wisdom of ages have devised but one mode by which such political organization can be preserved; the mode adopted in England, and by all governments, ancient or modern, blessed with constitutions deserving to be called free; to give to each co-estate the right to judge of its powers, with a negative or veto on the acts of the others, in order to protect against encroachments the interests it particularly represents; a principle which all of our constitutions recognize in the distribution of power among their respective departments, as essential to maintain the independence of each, but which, to all who will duly reflect on the subject, must appear far more essential, for the same object, in that great and fundamental distribution of powers between the states and general government. So essential is the principle, that to withhold the right from either, where the sovereign power is divided, is, in fact, to annul the division itself, and to consolidate in the one left in the exclusive possession of the right, all of the powers of the government; for it is not possible to distinguish practically between a government having all power, and one having the right to take what powers it pleases. Nor does it in the least vary the principle, whether the distribution of power between co-estates, as in England, or between distinctly organized but connected governments, as with us. The reason is the same in both cases, while the necessity is greater in our case, as the danger of conflict is greater where the interests of a society are divided geographically than in any other, as has already been shown.

These truths do seem to me to be incontrovertible; and I am at a loss to understand how any one, who has maturely reflected on the nature of our institutions, or who has read history or studied the principles of free government to any purpose, can call them in question. The explanation must, it appears to me, be sought in the fact, that in every free state, there are those who look more to the necessity of maintaining power, than guarding against its abuses. I do not intend reproach, but

simply to state a fact apparently necessary to explain the contrariety of opinions, among the intelligent, where the abstract consideration of the subject would seem scarcely to admit of doubt. If such be the true cause, I must think the fear of weakening the government too much in this case to be in a great measure unfounded, or at least that the danger is much less from that than the opposite side. I do not deny that a power of so high a nature may be abused by a state, but when I reflect that the states unanimously called the general government into existence with all of its powers, which they freely surrendered on their part, under the conviction that their common peace, safety and prosperity required it; that they are bound together by a common origin, and the recollection of common suffering and common triumph in the great and splendid achievement of their independence; and the strongest feelings of our nature, and among them, the love of national power and distinction, are on the side of the Union; it does seem to me, that the fear which would strip the states of their sovereignty, and degrade them, in fact, to mere dependent corporations, lest they should abuse a right indispensable to the peaceable protection of those interests which they reserved under their own peculiar guardianship when they created the general government, is unnatural and unreasonable. If those who voluntarily created the system, cannot be trusted to preserve it; what power can?

So far from extreme danger, I hold that there never was a free state, in which this great conservative principle, indispensable in all, was ever so safely lodged. In others, when the co-estates, representing the dissimilar and conflicting interests of the community, came into contact, the only alternative was compromise, submission or force. Not so in ours. Should the general government and a state come into conflict, we have a higher remedy; the power which called the general government into existence, which gave it all its authority, and can enlarge, contract, or abolish its powers at its pleasure, may be invoked. The states themselves may be appealed to, three-fourths of which, in fact, form a power, whose decrees are the constitution itself, and whose voice can silence all discontent. The utmost extent then of the power is, that a state acting in its sovereign capacity, as one of the parties to the constitutional compact, may compel the government, created by that compact, to submit a question touching its infraction to the parties who created it; to avoid the supposed dangers of which, it is proposed to resort to the novel, the hazardous, and, I must add, fatal project of giving to the general government

the sole and final right of interpreting the Constitution, thereby reserving the whole system, making that instrument the creature of its will, instead of a rule of action impressed on it at its creation, and annihilating in fact the authority which imposed it, and from which the government itself derives its existence.

That such would be the result, were the right in question vested in the legislative or executive branch of the government, is conceded by all. No one has been so hardy as to assert that Congress or the President ought to have the right, or to deny that, if vested finally and exclusively in either, the consequences which I have stated would not necessarily follow; but its advocates have been reconciled to the doctrine, on the supposition that there is one department of the general government, which, from its peculiar organization, affords an independent tribunal through which the government may exercise the high authority which is the subject of consideration, with perfect safety to all.

I yield, I trust, to few in my attachment to the judiciary department. I am fully sensible of its importance, and would maintain it to the fullest extent in its constitutional powers and independence; but it is impossible for me to believe that it was ever intended by the Constitution, that it should exercise the power in question, or that it is competent to do so, and, if it were, that it would be a safe depository of the power.

Its powers are judicial and not political, and are expressly confined by the Constitution "to all cases in law and equity arising under this Constitution, the laws of the United States, and the treaties made, or which shall be made, under its authority;" and which I have high authority in asserting, excludes political questions, and comprehends those only where there are parties amenable to the process of the court.\* Nor is its incompetency less clear, than its want of constitutional authority. There may be many and the most dangerous infractions on the part of Congress, of which it is conceded by all, the court, as a judicial tribunal, cannot from its nature take cognisance. The tariff itself is a strong case in point; and the reason applies equally to all others, where Congress perverts a power from an object intended to one not intended, the most insidious and dangerous of all the infractions; and which may be extended to all of its powers, more especially to the taxing and appropriating. But supposing it competent to take cognisance of all infractions of every description, the insuperable objection still remains, that it would not be a safe tribunal to exercise the power in question.

\*I refer to the authority of Chief Justice Marshall in the case of Jonathan Robbins. I have not been able to refer to the speech, and speak from memory.

It is an universal and fundamental political principle, that the power to protect, can safely be confided only to those interested in protecting, or their responsible agents—a maxim not less true in private than in public affairs. The danger in our system is, that the general government, which represents the interests of the whole, may encroach on the states, which represent the peculiar and local interests, or that the latter may encroach on the former.

In examining this point, we ought not to forget that the government, through all of its departments, judicial as well as others, is administered by delegated and responsible agents; and that the power which really controls ultimately all the movements, is not in the agents, but those who elect or appoint them. To understand then its real character, and what would be the action of the system in any supposable case, we must raise our view from the mere agents, to this high controlling power which finally impels every movement of the machine. By doing so, we shall find all under the control of the will of a majority, compounded of the majority of the states, taken as corporate bodies, and the majority of the people of the states estimated in federal numbers. These united constitute the real and final power, which impels and directs the movements of the general government. The majority of the states elect the majority of the Senate; of the people of the states, that of the House of Representatives; the two united, the President; and the President and a majority of the Senate appoint the judges, a majority of whom and a majority of the Senate and the House with the President, really exercise all of the powers of the government with the exception of the cases where the Constitution requires a greater number than a majority. The judges are, in fact, as truly the judicial representatives of this united majority, as the majority of Congress itself, or the President, is its legislative or executive representative; and to confide the power to the judiciary to determine finally and conclusively what powers are delegated and what reserved, would be in reality to confide it to the majority, whose agents they are, and by whom they can be controlled in various ways; and, of course, to subject (against the fundamental principle of our system, and all sound political reasoning) the reserved powers of the states, with all of the local and peculiar interests they were intended to protect, to the will of the very majority against which the protection was intended. Nor will the tenure by which the judges hold their office, however valuable the provision in many other respects, materially vary the case. Its highest possible effect

would be to retard, and not finally to resist, the will of a dominant majority.

But it is useless to multiply arguments. Were it possible that reason could settle a question where the passions and interests of men are concerned, this point would have been long since settled for ever, by the state of Virginia. The report of her legislature, to which I have already referred, has really, in my opinion, placed it beyond controversy. Speaking in reference to this subject, it says, "It has been objected" (to the right of a state to interpose for the protection of her reserved rights), "that the judicial authority is to be regarded as the sole expositor of the Constitution; on this subject it might be observed first that there may be instances of usurped powers which the forms of the Constitution could never draw within the control of the judicial department; secondly, that if the decision of the judiciary be raised above the sovereign parties to the Constitution, the decisions of the other departments, not carried by the forms of the Constitution before the judiciary, must be equally authoritative and final with the decision of that department. But the proper answer to the objection is, that the resolution of the General Assembly relates to those great and extraordinary cases, in which all of the forms of the Constitution may prove ineffectual against infraction dangerous to the essential rights of the parties to it. The resolution supposes that dangerous powers not delegated, may not only be usurped and executed by the other departments, but that the judicial department may also exercise or sanction dangerous powers beyond the grant of the Constitution, and consequently that the ultimate right of the parties to the Constitution to judge whether the compact has been dangerously violated, must extend to violations by one delegated authority, as well as by another—by the judiciary, as well as by the executive or legislative."

Against these conclusive arguments, as they seem to me, it is objected, that if one of the parties has the right to judge of infractions of the Constitution, so has the other, and that consequently in cases of contested powers between a state and the general government, each would have a right to maintain its opinion, as is the case when sovereign powers differ in the construction of treaties or compacts, and that of course it would come to be a mere question of force. The error is in the assumption that the general government is a party to the constitutional compact. The states, as has been shown, formed the compact, acting as sovereign and independent communities. The general government is but its creature; and though in reality a government with all the rights and authority which belong to any other government,

within the orb of its powers, it is, nevertheless, a government emanating from a compact between sovereigns, and partaking, in its nature and object, of the character of a joint commission, appointed to superintend and administer the interests in which all are jointly concerned, but having, beyond its proper sphere, no more power than if it did not exist. To deny this would be to deny the most incontestable facts, and the clearest conclusions; while to acknowledge its truth, is to destroy utterly the objection that the appeal would be to force, in the case supposed. For if each party has a right to judge, then under our system of government, the final cognisance of a question of contested power would be in the states, and not in the general government. It would be the duty of the latter, as in all similar cases of a contest between one or more of the principals and a joint commission or agency, to refer the contest to the principals themselves. Such are the plain dictates of reason and analogy both. On no sound principle can the agents have a right to final cognisance, as against the principals, much less to use force against them, to maintain their construction of their powers. Such a right would be monstrous; and has never, heretofore, been claimed in similar cases.

That the doctrine is applicable to the case of a contested power between the states and the general government, we have the authority not only of reason and analogy, but of the distinguished statesman already referred to. Mr. Jefferson, at a late period of his life, after long experience and mature reflection, says, "With respect to our state and federal governments, I do not think their relations are correctly understood by foreigners. They suppose the former subordinate to the latter. This is not the case. They are co-ordinate departments of one simple and integral whole. But you may ask if the two departments should claim each the same subject of power, where is the umpire to decide between them? In cases of little urgency or importance, the prudence of both parties will keep them aloof from the questionable ground; but if it can neither be avoided nor compromised, a convention of the states must be called to ascribe the doubtful power to that department which they may think best."—It is thus that our Constitution, by authorizing amendments, and by prescribing the authority and mode of making them, has by a simple contrivance, with its characteristic wisdom, provided a power which, in the last resort, supersedes effectually the necessity and even the pretext for force; a power to which none can fairly object; with which the interests of all are safe; which can definitely close all controversies in the only effectual mode, by freeing the com-

pact of every defect and uncertainty, by an amendment of the instrument itself. It is impossible for human wisdom, in a system like ours, to devise another mode which shall be safe and effectual, and at the same time consistent with what are the relations and acknowledged powers of the two great departments of our government. It gives a beauty and security peculiar to our system, which, if duly appreciated, will transmit its blessings to the remotest generations; but, if not, our splendid anticipations of the future will prove but an empty dream. Stripped of all its covering, and the naked question is, whether ours is a federal or a consolidated government: a constitutional or absolute one; a government resting ultimately on the solid basis of the sovereignty of the states, or on the unrestrained will of a majority; a form of government, as in all other unlimited ones, in which injustice and violence, and force, must finally prevail. Let it never be forgotten, that where the majority rules, the minority is the subject; and that if we should absurdly attribute to the former the exclusive right of construing the Constitution, there would be in fact between the sovereign and subject, under such a government, no constitution; or at least nothing deserving the name, or serving the legitimate object of so sacred an instrument.

How the states are to exercise this high power of interposition which constitutes so essential a portion of their reserved rights that it cannot be delegated without an entire surrender of their sovereignty, and converting our system from a federal into a consolidated government, is a question that the states only are competent to determine. The arguments which prove that they possess the power, equally prove that they are, in the language of Jefferson, "the rightful judges of the mode and measure of redress." But the spirit of forbearance, as well as the nature of the right itself, forbids a recourse to it, except in cases of dangerous infractions of the Constitution; and then only in the last resort, when all reasonable hope of relief from the ordinary action of the government has failed; when, if the right to interpose did not exist, the alternative would be submission and oppression on the one side, or resistance by force on the other. That our system should afford, in such extreme cases, an intermediate point between these dire alternatives, by which the government may be brought to a pause, and thereby an interval obtained to compromise differences, or, if impracticable, be compelled to submit the question to a constitutional adjustment, through an appeal to the states themselves, is an evidence of its high wisdom; an element not, as is supposed by some, of weakness, but of

strength; not of anarchy or revolution, but of peace and safety. Its general recognition would of itself, in a great measure, if not altogether, supersede the necessity of its exercise, by impressing on the movements of the government that moderation and justice so essential to harmony and peace, in a country of such vast extent and diversity of interests as ours; and would, if controversy should come, turn the resentment of the aggrieved from the system to those who had abused its powers (a point all important), and cause them to seek redress, not in revolution or overthrow, but in reformation. It is, in fact, properly understood, a substitute where the alternative would be force, tending to prevent, and if that fails, to correct peaceably the aberrations to which all political systems are liable, and which, if permitted to accumulate, without correction, must finally end in a general catastrophe.

#### Speech of Henry Clay

*In Defence of the American System\* in which is given the Previous History of Tariff Contests in the Senate of the United States, February 2d, 3d and 6th, 1832.*

[Mr. CLAY, having retired from Congress soon after the establishment of the American System, by the passage of the Tariff of 1824, did not return to it till 1831-2, when the opponents of this system had acquired the ascendancy, and were bent on its destruction. An act reducing the duties on many of the protected articles, was devised and passed. The bill being under consideration in the Senate, Mr. CLAY addressed that body as follows:]

In one sentiment, Mr. President, expressed by the honorable gentleman from South Carolina, (General Hayne,) though perhaps not in the sense intended by him, I entirely concur. I agree with him, that the decision on the system of policy embraced in this debate, involves the future destiny of this growing country. One way I verily believe, it would lead to deep and general distress, general bankruptcy and national ruin, without benefit to any part of the Union: the other, the existing prosperity will be preserved and augmented, and the nation will continue rapidly to advance in wealth, power, and greatness, without prejudice to any section of the confederacy.

Thus viewing the question, I stand here as the humble but zealous advocate, not of the interests of one State, or seven States only, but of the whole Union. And never before have I felt more intensely, the overpowering weight of that share of responsibility which belongs to me in these deliberations. Never before have I had more occasion than I now have to lament my want of those intellectual powers, the possession of which might enable me to unfold to this Senate, and to illustrate to this

\*In this extended abstracts are given and data references omitted not applicable to these times.

people great truths, intimately connected with the lasting welfare of my country. I should, indeed, sink overwhelmed and subdued beneath the appalling magnitude of the task which lies before me, if I did not feel myself sustained and fortified by a thorough consciousness of the justness of the cause which I have espoused, and by a persuasion I hope not presumptuous, that it has the approbation of that Providence who has so often smiled upon these United States.

Eight years ago it was my painful duty to present to the other House of Congress, an unexaggerated picture of the general distress pervading the whole land. We must all yet remember some of its frightful features. We all know that the people were then oppressed and borne down by an enormous load of debt; that the value of property was at the lowest point of depression; that ruinous sales and sacrifices were everywhere made of real estate; that stop laws, and relief laws, and paper money were adopted to save the people from impending destruction; that a deficit in the public revenue existed, which compelled government to seize upon, and divert from its legitimate object the appropriations to the sinking fund, to redeem the national debt; and that our commerce and navigation were threatened with a complete paralysis. In short, sir, if I were to select any term of seven years since the adoption of the present constitution which exhibited a scene of the most wide-spread dismay and desolation, it would be exactly that term of seven years which immediately preceded the establishment of the tariff of 1824.

I have now to perform the more pleasing task of exhibiting an imperfect sketch of the existing state of the unparalleled prosperity of the country. On a general survey, we behold cultivation extended, the arts flourishing, the face of the country improved, our people fully and profitably employed, and the public countenance exhibiting tranquillity, contentment and happiness. And if we descend into particulars, we have the agreeable contemplation of a people out of debt, land rising slowly in value, but in a secure and salutary degree; a ready though not extravagant market for all the surplus productions of our industry; innumerable flocks and herds browsing and gamboling on ten thousand hills and plains, covered with rich and verdant grasses; our cities expanded, and whole villages springing up, as it were, by enchantment; our exports and imports increased and increasing; our tonnage, foreign and coastwise, swelling and fully occupied; the rivers of our interior animated by the perpetual thunder and lightning of countless steam-boats; the currency sound and abundant; the public debt of two wars nearly redeemed; and, to



crowd all, the public treasury overflowing, embarrassing Congress, not to find subjects of taxation, but to select the objects which shall be liberated from the impost. If the term of seven years were to be selected, of the greatest prosperity which this people have enjoyed since the establishment of their present constitution, it would be exactly that period of seven years which immediately followed the passage of the tariff of 1824.

This transformation of the condition of the country from gloom and distress to brightness and prosperity, has been mainly the work of American legislation, fostering American industry, instead of allowing it to be controlled by foreign legislation, cherishing foreign industry. The foes of the American System, in 1824, with great boldness and confidence, predicted, 1st. The ruin of the public revenue, and the creation of a necessity to resort to direct taxation. The gentleman from South Carolina, (General Hayne,) I believe, thought that the tariff of 1824 would operate a reduction of revenue to the large amount of eight millions of dollars. 2d. The destruction of our navigation. 3d. The desolation of commercial cities. And 4th. The augmentation of the price of objects of consumption, and further decline in that of the articles of our exports. Every prediction which they made has failed—utterly failed. Instead of the ruin of the public revenue, with which they then sought to deter us from the adoption of the American System, we are now threatened with its subversion, by the vast amount of the public revenue produced by that system. Every branch of our navigation has increased.

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Whilst we thus behold the entire failure of all that was foretold against the system, it is a subject of just felicitation to its friends, that all their anticipations of its benefits have been fulfilled, or are in progress of fulfillment. The honorable gentleman from South Carolina has made an allusion to a speech made by me, in 1824, in the other House, in support of the tariff, and to which, otherwise, I should not have particularly referred. But I would ask any one, who can now command the courage to peruse that long production, what principle there laid down is not true? what prediction then made has been falsified by practical experience?

It is now proposed to abolish the system, to which we owe so much of the public prosperity, and it is urged that the arrival of the period of the redemption of the public debt has been confidently looked to as presenting a suitable occasion to rid the country of evils with which the system is alleged to be fraught. Not an inattentive observer of passing events, I have been

aware that, among those who were most early pressing the payment of the public debt, and upon that ground were opposing appropriations to other great interests, there were some who cared less about the debt than the accomplishment of other objects. But the people of the United States have not coupled the payment of *their* public debt with the destruction of the protection of *their* industry, against foreign laws and foreign industry. They have been accustomed to regard the extinction of the public debt as relief from a burthen, and not as the infliction of a curse. If it is to be attended or followed by the subversion of the American system, and an exposure of our establishments and our productions to the unguarded consequences of the selfish policy of foreign powers, the payment of the public debt will be the bitterest of curses. Its fruit will be like the fruit

“Of that forbidden tree, whose mortal taste  
Brought death into the world, and all our woe,  
With loss of Eden.”

If the system of protection be founded on principles erroneous in theory, pernicious in practice—above all if it be unconstitutional, as is alleged, it ought to be forthwith abolished, and not a vestige of it suffered to remain. But, before we sanction this sweeping denunciation, let us look a little at this system, its magnitude, its ramifications, its duration, and the high authorities which have sustained it. We shall see that its foes will have accomplished comparatively nothing, after having achieved their present aim of breaking down our iron-foundries, our woolen, cotton, and hemp manufactories, and our sugar plantations. The destruction of these would, undoubtedly, lead to the sacrifice of immense capital, the ruin of many thousands of our fellow citizens, and incalculable loss to the whole community. But their prostration would not disfigure, nor produce greater effect upon the *whole* system of protection, in all its branches, than the destruction of the beautiful dome upon the capitol would occasion to the magnificent edifice which they surmount. Why, sir, there is scarcely an interest, scarcely a vocation in society, which is not embraced by the beneficence of this system.

It comprehends our coasting tonnage and trade, from which all foreign tonnage is absolutely excluded.

It includes all our foreign tonnage, with the inconsiderable exception made by treaties of reciprocity with a few foreign powers.

It embraces our fisheries, and all our hardy and enterprising fishermen.

It extends to almost every mechanic art: \* \* \* \* \*

It extends to all lower Louisiana, the Delta of which might as well be submerged again in the Gulf of Mexico, from which it has been a gradual conquest, as now to be deprived of the protecting duty upon its great staple.

It affects the cotton planter himself, and the tobacco planter, both of whom enjoy protection.

Such are some of the items of this vast system of protection, which it is now proposed to abandon. We might well pause and contemplate, if human imagination could conceive the extent of mischief and ruin from its total overthrow, before we proceed to the work of destruction. Its duration is worthy also of serious consideration. Not to go behind the constitution, its date is coeval with that instrument. It began on the ever memorable fourth day of July—the fourth day of July, 1789. The second act which stands recorded in the statute book, bearing the illustrious signature of George Washington, laid the corner-stone of the whole system. That there might be no mistake about the matter, it was then solemnly proclaimed to the American people and to the world, that it was *necessary* for “the encouragement and *protection* of manufactures,” that duties should be laid. It is in vain to urge the small amount of the measure of the protection then extended. The great principle was then established by the fathers of the constitution, with the father of his country at their head. And it cannot now be questioned, that, if the government had not then been new and the subject untried, a greater measure of protection would have been applied, if it had been supposed necessary. Shortly after, the master minds of Jefferson and Hamilton were brought to act on this interesting subject. Taking views of it appertaining to the departments of foreign affairs and of the treasury, which they respectively filled, they presented, severally, reports which yet remain monuments of their profound wisdom, and came to the same conclusion of protection to American industry. Mr. Jefferson argued that foreign restrictions, foreign prohibitions, and foreign high duties, ought to be met at home by American restrictions, American prohibitions, and American high duties. Mr. Hamilton, surveying the entire ground, and looking at the inherent nature of the subject, treated it with an ability, which, if ever equalled, has not been surpassed, and earnestly recommended protection.

The wars of the French revolution commenced about this period, and streams of gold poured into the United States through a thousand channels, opened or enlarged by the successful commerce which our neutrality enabled us to prosecute. We forgot or overlooked, in the general pros-

perity, the necessity of encouraging our domestic manufactures. Then came the edicts of Napoleon, and the British orders in council; and our embargo, non-intercourse, non-importation, and war, followed in rapid succession. These national measures, amounting to a total suspension, for the period of their duration, of our foreign commerce, afforded the most efficacious encouragement to American manufactures; and accordingly they everywhere sprung up. While these measures of restriction, and this state of war continued, the manufacturers were stimulated in their enterprise by every assurance of support, by public sentiment, and by legislative resolves. It was about that period (1808) that South Carolina bore her high testimony to the wisdom of the policy, in an act of her legislature, the preamble of which, now before me, reads:

“Whereas, the establishment and *encouragement* of domestic manufactures, is conducive to the interests of a State, by adding new *incentives to industry*, and as being the means of disposing to advantage the surplus productions of the *agriculturist*: and whereas, in the present unexampled state of the world, their establishment in our country is not only *expedient*, but politic in rendering us *independent* of foreign nations.”

The legislature, not being competent to afford the most efficacious aid, by imposing duties on foreign rival articles, proceeded to incorporate a company.

Peace, under the treaty of Ghent, returned in 1815, but there did not return with it the golden days which preceded the edicts levelled at our commerce by Great Britain and France. It found all Europe tranquilly resuming the arts and business of civil life. It found Europe no longer the consumer of our surplus, and the employer of our navigation, but excluding, or heavily burthening, almost all the productions of our agriculture, and our rivals in manufactures, in navigation, and in commerce. It found our country, in short, in a situation totally different from all the past—new and untried. It became necessary to adapt our laws, and especially our laws of impost, to the new circumstances in which we found ourselves. Accordingly, that eminent and lamented citizen, then at the head of the treasury, (Mr. Dallas,) was required, by a resolution of the House of Representatives, under date the twenty-third day of February, 1815, to prepare and report to the succeeding session of Congress, a system of revenue conformable with the actual condition of the country. He had the circle of a whole year to perform the work, consulted merchants, manufacturers, and other practical men, and opened an extensive correspondence. The report which he made at the

session of 1816, was the result of his inquiries and reflections, and embodies the principles which he thought applicable to the subject. It has been said, that the tariff of 1816 was a measure of mere revenue, and that it only reduced the war duties to a peace standard. It is true that the question then was, how much and in what way should the double duties of the war be reduced? Now, also, the question is, on what articles shall the duties be reduced so as to subject the amounts of the future revenue to the wants of the government? Then it was deemed an inquiry of the first importance, as it should be now, how, the reduction should be made, so as to secure proper encouragement to our domestic industry. That this was a leading object in the arrangement of the tariff of 1816, I well remember, and it is demonstrated by the language of Mr. Dallas. He says in his report:

"There are few, if any governments, which do not regard the establishment of domestic manufactures as a chief object of public policy. The United States have *always* so regarded it. \* \* \* \* The demands of the country, while the acquisitions of supplies from foreign nations was either prohibited or impracticable, may have afforded sufficient inducement for this investment of capital, and this application of labor; but the inducement, in its necessary extent, must fail when the day of *competition* returns. Upon that change in the condition of the country, the preservation of the manufactures, which private citizens under favorable auspices have constituted the property of the nation, becomes a consideration of general policy, to be resolved by a recollection of past embarrassments; by the certainty of an increased difficulty of reinstating, upon any emergency, the manufactures which shall be allowed to perish and pass away," &c.

The measure of protection which he proposed was not adopted, in regard to some leading articles, and there was great difficulty in ascertaining what it ought to have been. But the *principle* was then distinctly asserted and fully sanctioned.

The subject of the American system was again brought up in 1820, by the bill reported by the chairman of the committee of manufactures, now a member of the bench of the Supreme Court of the United States, and the principle was successfully maintained by the representatives of the people; but the bill which they passed was defeated in the Senate. It was revived in 1824; the whole ground carefully and deliberately explored, and the bill then introduced, receiving all the sanctions of the constitution, became the law of the land. An amendment of the system was proposed in 1828, to the history of which I refer with no agreeable recollections. The bill

of that year, in some of its provisions, was framed on principles directly adverse to the declared wishes of the friends of the policy of protection. I have heard, without vouching for the fact, that it was so framed, upon the advice of a prominent citizen, now abroad, with the view of ultimately defeating the bill, and with assurances that, being altogether unacceptable to the friends of the American system, the bill would be lost. Be that as it may, the most exceptional features of the bill were stamped upon it, against the earnest remonstrances of the friends of the system, by the votes of southern members, upon a principle, I think, as unsound in legislation as it is reprehensible in ethics. The bill was passed, notwithstanding all this, it having been deemed better to take the bad along with the good which it contained, than reject it altogether. Subsequent legislation has corrected the error then perpetrated, but still that measure is vehemently denounced by gentlemen who contributed to make it what it was.

Thus, sir, has this great system of protection been gradually built, stone upon stone, and step by step, from the fourth of July, 1789, down to the present period. In every stage of its progress it has received the deliberate sanction of Congress. A vast majority of the people of the United States has approved and continue to approve it. Every chief magistrate of the United States, from Washington to the present, in some form or other, has given to it the authority of his name; and however the opinions of the existing President are interpreted South of Mason's and Dixon's line, on the north they are at least understood to favor the establishment of a *judicious* tariff.

The question, therefore, which we are now called upon to determine, is not whether we shall establish a new and doubtful system of policy, just proposed, and for the first time presented to our consideration, but whether we shall break down and destroy a long established system, patiently and carefully built up and sanctioned, during a series of years, again and again, by the nation and its highest and most revered authorities. Are we not bound deliberately to consider whether we can proceed to this work of destruction without a violation of the public faith? The people of the United States have justly supposed that the policy of protecting their industry against foreign legislation and foreign industry was fully settled, not by a single act, but by repeated and deliberate acts of government, performed at distant and frequent intervals. In full confidence that the policy was firmly and unchangeably fixed, thousands upon thousands have invested their capital, purchased a vast amount of real and other estate, made per-

manent establishments, and accommodated their industry. Can we expose to utter and irretrievable ruin this countless multitude, without justly incurring the reproach of violating the national faith?

Such are the origin, duration, extent and sanctions of the policy which we are now called upon to subvert. Its beneficial effects, although they may vary in degree, have been felt in all parts of the Union. To none, I verily believe, has it been prejudicial. In the North, every where, testimonials are borne to the high prosperity which it has diffused. There, all branches of industry are animated and flourishing. Commerce, foreign and domestic, active; cities and towns springing up, enlarging and beautifying; navigation fully and profitably employed, and the whole face of the country smiling with improvement, cheerfulness and abundance.

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When gentlemen have succeeded in their design of an immediate or gradual destruction of the American System, what is their substitute? Free trade! Free trade! The call for free trade is as unavailing as the cry of a spoiled child, in its nurse's arms, for the moon, or the stars that glitter in the firmament of heaven. It never has existed, it never will exist. Trade implies, at least two parties. To be free, it should be fair, equal and reciprocal. But if we throw our ports wide open to the admission of foreign productions, free of all duty, what ports of any other foreign nation shall we find open to the free admission of our surplus produce? We may break down all barriers to free trade on our part, but the work will not be complete until foreign powers shall have removed theirs. There would be freedom on one side, and restrictions, prohibitions and exclusions on the other. The bolts, and the bars, and the chains of all other nations will remain undisturbed. It is, indeed, possible, that our industry and commerce would accommodate themselves to this unequal and unjust state of things; for, such is the flexibility of our nature, that it bends itself to all circumstances. The wretched prisoner incarcerated in a jail, after a long time becomes reconciled to his solitude, and regularly notches down the passing days of his confinement.

Gentlemen deceive themselves. It is not free trade that they are recommending to our acceptance. It is in effect, the British colonial system that we are invited to adopt; and, if their policy prevail, it will lead substantially to the re-colonization of these States, under the commercial dominion of Great Britain. And whom do we find some of the principal supporters, out of Congress, of this foreign system? Mr. President, there are are some foreigners who always remain exotics, and never be-

come naturalized in our country; whilst, happily, there are many others who readily attach themselves to our principles and our institutions. The honest, patient and industrious German readily unites with our people, establishes himself upon some of our fat land, fills his capacious barn, and enjoys in tranquillity, the abundant fruits which his diligence gathers around him, always ready to fly to the standard of his adopted country, or of its laws, when called by the duties of patriotism. The gay, the versatile, the philosophic Frenchman, accommodating himself cheerfully to all the vicissitudes of life, incorporates himself without difficulty in our society. But, of all foreigners, none amalgamate themselves so quickly with our people as the natives of the Emerald Isle. In some of the visions which have passed through my imagination, I have supposed that Ireland was originally, part and parcel of this continent, and that, by some extraordinary convulsion of nature, it was torn from America, and drifting across the ocean, was placed in the unfortunate vicinity of Great Britain. The same open-heartedness; the same generous hospitality; the same careless and uncalculating indifference about human life, characterize the inhabitants of both countries. Kentucky has been sometimes called the Ireland of America. And I have no doubt, that if the current of emigration were reversed, and set from America upon the shores of Europe, instead of bearing from Europe to America, every American emigrant to Ireland would there find, as every Irish emigrant here finds, a hearty welcome and a happy home!

But I have said that the system nominally called "free trade," so earnestly and eloquently recommended to our adoption, is a mere revival of the British colonial system, forced upon us by Great Britain during the existence of our colonial vassalage. The whole system is fully explained and illustrated in a work published as far back as the year 1750, entitled "The Trade and Navigation of Great Britain considered, by Joshua Gee," with extracts from which I have been furnished by the diligent researches of a friend. It will be seen from these, that the South Carolina policy now, is identical with the long cherished policy of Great Britain, which remains the same as it was when the thirteen colonies were part of the British empire.

I regret, Mr. President, that one topic has, I think, unnecessarily been introduced into this debate. I allude to the charge brought against the manufacturing system, as favoring the growth of aristocracy. If it were true, would gentlemen prefer supporting foreign accumulations of wealth, by that description of industry, rather than in their own country? But is

it correct? The joint stock companies of the north, as I understand them, are nothing more than associations, sometimes of hundreds, by means of which the small earnings of many are brought into a common stock, and the associates, obtaining corporate privileges, are enabled to prosecute, under one superintending head, their business to better advantage. Nothing can be more essentially democratic or better devised to counterpoise the influence of individual wealth. In Kentucky, almost every manufactory known to me, is in the hands of enterprising and self-made men, who have acquired whatever wealth they possess by patient and diligent labor. Comparisons are odious, and but in defence, would not be made by me. But is there more tendency to aristocracy in a manufactory supporting hundreds of freemen, or in a cotton plantation, with its not less numerous slaves, sustaining perhaps only two white families—that of the master and the overseer?

I pass, with pleasure, from this disagreeable topic, to two general propositions, which cover the entire ground of debate. The first is, that under the operation of the American System, the objects which it protects and fosters are brought to the consumer at cheaper prices than they commanded prior to its introduction, or, than they would command if it did not exist. If that be true, ought not the country to be contented and satisfied with the system, unless the second proposition, which I mean presently also to consider, is unfounded? And that is, that the tendency of the system is to sustain, and that it has upheld the prices of all our agricultural and other produce, including cotton.

And is the fact not indisputable, that all essential objects of consumption effected by the tariff, are cheaper and better since the act of 1824, than they were for several years prior to that law? I appeal for its truth to common observation and to all practical men. I appeal to the farmer of the country, whether he does not purchase on better terms his iron, salt, brown sugar, cotton goods, and woollens, for his laboring people? And I ask the cotton planter if he has not been better and more cheaply supplied with his cotton bagging? In regard to this latter article, the gentleman from South Carolina was mistaken in supposing that I complained that, under the existing duty the Kentucky manufacturer could not compete with the Scotch. The Kentuckian furnishes a more substantial and a cheaper article, and at a more uniform and regular price. But it was the frauds, the violations of law of which I did complain; not smuggling, in the common sense of that practice, which has something bold, daring, and enterprising in it, but mean, barefaced cheating, by

fraudulent invoices and false denomination.

I plant myself upon this fact, of cheapness and superiority, as upon impregnable ground. Gentlemen may tax their ingenuity and produce a thousand speculative solutions of the fact, but the fact itself will remain undisturbed.

This brings me to consider what I apprehend to have been the most efficient of all the causes in the reduction of the prices of manufactured articles—and that is COMPETITION. By competition, the total amount of the supply is increased, and by increase of the supply, a competition in the sale ensues, and this enables the consumer to buy at lower rates. Of all human powers operating on the affairs of mankind, none is greater than that of competition. It is action and re-action. It operates between individuals in the same nation, and between different nations. It resembles the meeting of the mountain torrent, grooving by its precipitous motion, its own channel, and ocean's tide. Unopposed, it sweeps everything before it; but, counterpoised, the waters become calm, safe and regular. It is like the segments of a circle or an arch; taken separately, each is nothing; but in their combination they produce efficiency, symmetry, and perfection. By the American System this vast power has been excited in America, and brought into being to act in co-operation or collision with European industry. Europe acts within itself, and with America; and America acts within itself, and with Europe. The consequence is, the reduction of prices in both hemispheres. Nor is it fair to argue from the reduction of prices in Europe, to her own presumed skill and labor, exclusively. We affect her prices, and she affects ours. This must always be the case, at least in reference to any articles as to which there is not a total non-intercourse; and if our industry, by diminishing the demand for her supplies, should produce a diminution in the price of those supplies, it would be very unfair to ascribe that reduction to her ingenuity instead of placing it to the credit of our own skill and *excited* industry.

The great law of *price* is determined by supply and demand. Whatever affects either, affects the price. If the supply is increased, the demand remaining the same, the price declines; if the demand is increased, the supply remaining the same, the price advances; if both supply and demand are undiminished, the price is stationary, and the price is influenced exactly in proportion to the degree of disturbance to the demand or supply. It is therefore a great error to suppose that an existing or new duty *necessarily* becomes a component element to its exact amount of price. If the proportion of demand and supply are

varied by the duty, either in augmenting the supply, or diminishing the demand, or vice versa, price is affected to the extent of that variation. But the duty never becomes an integral part of the price, except in the instances where the demand and the supply remain after the duty is imposed, precisely what they were before, or the demand is increased, and the supply remains stationary.

Competition, therefore, wherever existing, whether at home or abroad, is the parent cause of cheapness. If a high duty excites production at home, and the quantity of the domestic article exceeds the amount which had been previously imported the price will fall. This accounts for an extraordinary fact stated by a Senator from Missouri. Three cents were laid as a duty upon a pound of lead, by the act of 1828. The price at Galena, and the other lead mines, afterwards fell to one and a half cents per pound. Now it is obvious that the duty did not, in this case, enter into the price: for it was twice the amount of the price. What produced the fall? It was *stimulated* production at home, excited by the temptation of the exclusive possession of the home market. This state of things could not last. Men would not continue an unprofitable pursuit; some abandoned the business, or the total quantity produced was diminished, and living prices have been the consequence. But, break down the domestic supply, place us again in a state of dependence on the foreign source, and can it be doubted that we should ultimately have to supply ourselves at dearer rates? It is not fair to credit the foreign market with the depression of prices produced there by the influence of our competition. Let the competition be withdrawn, and their prices would instantly rise.

But, it is argued that if, by the skill, experience, and perfection which we have acquired in certain branches of manufacture, they can be made as cheap as similar articles abroad, and enter fairly into competition with them, why not repeal the duties as to those articles? And why should we? Assuming the truth of the supposition the foreign article would not be introduced in the regular course of trade, but would remain excluded by the possession of the home market, which the domestic article had obtained. The repeal, therefore, would have no legitimate effect. But might not the foreign article be imported in vast quantities, to glut our markets, break down our establishments, and ultimately to enable the foreigner to monopolize the supply of our consumption? America is the greatest foreign market for European manufactures. It is that to which European attention is constantly directed. If a great house becomes bankrupt there, its store-

houses are emptied, and the goods are shipped to America, where, in consequence of our auctions, and our custom-house credits, the greatest facilities are afforded in the sale of them. Combinations among manufacturers might take place, or even the operations of foreign governments might be directed to the destruction of our establishments. A repeal, therefore, of one protecting duty, from some one or all of these causes, would be followed by flooding the country with the foreign fabric, surcharging the market, reducing the price, and a complete prostration of our manufactories; after which the foreigner would leisurely look about to indemnify himself in the increased prices which he would be enabled to command by his monopoly of the supply of our consumption. What American citizen, after the government had displayed this vacillating policy, would be again tempted to place the smallest confidence in the public faith, and adventure once more in this branch of industry?

Gentlemen have allowed to the manufacturing portions of the community no peace; they have been constantly threatened with the overthrow of the American System. From the year 1820, if not from 1816, down to this time, they have been held in a condition of constant alarm and insecurity. Nothing is more prejudicial to the great interests of a nation than unsettled and varying policy. Although every appeal to the national legislature has been responded to in conformity with the wishes and sentiments of the great majority of the people, measures of protection have only been carried by such small majorities as to excite hopes on the one hand, and fears on the other. Let the country breathe, let its vast resources be developed, let its energies be fully put forth, let it have tranquillity, and my word for it, the degree of perfection in the arts which it will exhibit, will be greater than that which has been presented, astonishing as our progress has been. Although some branches of our manufactures might, and in foreign markets now do, fearlessly contend with similar foreign fabrics, there are many others yet in their infancy, struggling with the difficulties which encompass them. We should look at the whole system, and recollect that time, when we contemplate the great movements of a nation, is very different from the short period which is allotted for the duration of individual life. The honorable gentleman from South Carolina well and eloquently said, in 1824, "No great interest of any country ever yet grew up in a day; no new branch of industry can become firmly and profitably established but in a long course of years; every thing, indeed, great or good, is matured by slow degrees: that which attains a speedy maturity is of small value, and is

destined to a brief existence. It is the order of Providence, that powers gradually developed, shall alone attain permanency and perfection. Thus must it be with our national institutions, and national character itself."

I feel most sensibly, Mr. President, how much I have trespassed upon the Senate. My apology is a deep and deliberate conviction, that the great cause under debate involves the prosperity and the destiny of the Union. But the best requital I can make, for the friendly indulgence which has been extended to me by the Senate, and for which I shall ever retain sentiments of lasting gratitude, is to proceed with as little delay as practicable, to the conclusion of a discourse which has not been more tedious to the Senate than exhausting to me. I have now to consider the remaining of the two propositions which I have already announced. That is:

Secondly. That under the operation of the American System, the products of our agriculture command a higher price than they would do without it, by the creation of a home market; and by the augmentation of wealth produced by manufacturing industry, which enlarges our powers of consumption both of domestic and foreign articles. The importance of the home market is among the established maxims which are universally recognized by all writers and all men. However some may differ as to the relative advantages of the foreign and the home market, none deny to the latter great value and high consideration. It is nearer to us; beyond the control of foreign legislation; and undisturbed by those vicissitudes to which all international intercourse is more or less exposed. The most stupid are sensible of the benefit of a residence in the vicinity of a large manufactory, or of a market town, of a good road, or of a navigable stream, which connects their farms with some great capital. If the pursuits of all men were perfectly the same, although they would be in possession of the greatest abundance of the particular produce of their industry, they might, at the same time, be in extreme want of other necessary articles of human subsistence. The uniformity of the general occupation would preclude all exchanges, all commerce. It is only in the diversity of the vocations of the members of a community that the means can be found for those salutary exchanges which conduce to the general prosperity. And the greater that diversity, the more extensive and the more animating is the circle of exchange. Even if foreign markets were freely and widely open to the reception of our agricultural produce, from its bulky nature, and the distance of the interior, and the dangers

of the ocean, large portions of it could never profitably reach the foreign market. But let us quit this field of theory, clear as it is, and look at the practical operation of the system of protection, beginning with the most valuable staple of our agriculture.

But if all this reasoning were totally fallacious—if the price of manufactured articles were really higher, under the American system, than without it, I should still argue that high or low prices were themselves relative—relative to the ability to pay them. It is in vain to tempt, to tantalize us with the lower prices of European fabrics than our own, if we have nothing wherewith to purchase them. If, by the home exchanges, we can be supplied with necessary, even if they are dearer and worse, articles of American production than the foreign, it is better than not to be supplied at all. And how would the large portion of our country which I have described be supplied, but for the home exchanges? A poor people, destitute of wealth or of exchangeable commodities, has nothing to purchase foreign fabrics. To them they are equally beyond their reach, whether their cost be a dollar or a guinea. It is in this view of the matter that Great Britain, by her vast wealth—her *excited and protected* industry—is enabled to bear a burden of taxation which, when compared to that of other nations, appears enormous; but which, when her immense riches are compared to theirs, is light and trivial. The gentleman from South Carolina has drawn a lively and flattering picture of our coasts, bays, rivers, and harbors; and he argues that these proclaimed the design of Providence, that we should be a commercial people. I agree with him. We differ only as to the means. He would cherish the foreign, and neglect the internal trade. I would foster both. What is navigation without ships, or ships without cargoes? By penetrating the bosoms of our mountains, and extracting from them their precious treasures; by cultivating the earth, and *securing* a home market for its rich and abundant products; by employing the water power with which we are blessed; by stimulating and protecting our native industry, in all its forms; we shall but nourish and promote the prosperity of commerce, foreign and domestic.

I have hitherto considered the question in reference only to a state of peace; but a season of war ought not to be entirely overlooked. We have enjoyed near twenty years of peace; but who can tell when the storm of war shall again break forth? Have we forgotten so soon, the privations to which, not merely our brave soldiers and our gallant tars were subjected, but the whole community, during the last

war, for the want of absolute necessaries? To what an enormous price they rose! And how inadequate the supply was, at any price! The statesman who justly elevates his views, will look behind, as well as forward, and at the existing state of things; and he will graduate the policy which he recommends, to all the probable exigencies which may arise in the Republic. Taking this comprehensive range, it would be easy to show that the higher prices of peace, if prices were higher in peace, were more than compensated by the lower prices of war, during which supplies of all essential articles are indispensable to its vigorous, effectual and glorious prosecution. I conclude this part of the argument with the hope that my humble exertions have not been altogether unsuccessful in showing—

1. That the policy which we have been considering ought to continue to be regarded as the genuine American System.

2. That the Free Trade System, which is proposed as its substitute, ought really to be considered as the British Colonial System.

3. That the American System is beneficial to all parts of the Union, and absolutely necessary to much the larger portion.

4. That the price of the great staple of cotton, and of all our chief productions of agriculture, has been sustained and upheld, and a decline averted by the Protective System.

5. That if the foreign demand for cotton has been at all diminished by the operation of that system, the diminution has been more than compensated in the additional demand created at home.

6. That the constant tendency of the system, by creating competition among ourselves, and between American and European industry, reciprocally acting upon each other, is to reduce prices of manufactured objects.

7. That in point of fact, objects within the scope of the policy of protection have greatly fallen in price.

8. That if, in a season of peace, these benefits are experienced, in a season of war, when the foreign supply might be cut off, they would be much more extensively felt.

9. And finally, that the substitution of the British Colonial System for the American System, without benefiting any section of the Union, by subjecting us to a foreign legislation, regulated by foreign interests, would lead to the prostration of our manufactures, general impoverishment, and ultimate ruin.

The danger to our Union does not lie on the side of persistence in the American System, but on that of its abandonment. If, as I have supposed and believe, the

inhabitants of all north and east of James river, and all west of the mountains, including Louisiana, are deeply interested in the preservation of that system, would they be reconciled to its overthrow? Can it be expected that two-thirds, if not three-fourths, of the people of the United States, would consent to the destruction of a policy, believed to be indispensably necessary to their prosperity? When, too, the sacrifice is made at the instance of a single interest, which they verily believe will not be promoted by it? In estimating the degree of peril which may be incident to two opposite courses of human policy, the statesman would be shortsighted who should content himself with viewing only the evils, real or imaginary, which belong to that course which is in practical operation. He should lift himself up to the contemplation of those greater and more certain dangers which might inevitably attend the adoption of the alternative course. What would be the condition of this Union, if Pennsylvania and New York, those mammoth members of our confederacy, were firmly persuaded that their industry was paralyzed, and their prosperity blighted, by the enforcement of the British colonial system, under the delusive name of free trade? They are now tranquil and happy, and contented, conscious of their welfare, and feeling a salutary and rapid circulation of the products of home manufactures and home industry throughout all their great arteries. But let that be checked, let them feel that a foreign system is to predominate, and the sources of their subsistence and comfort dried up; let New England and the west, and the middle States, all feel that they too are the victims of a mistaken policy, and let these vast portions of our country despair of any favorable change, and then indeed might we tremble for the continuance and safety of this Union!

And now, sir, I would address a few words to the friends of the American System in the Senate. The revenue must—ought to be reduced. The country will not, after, by the payment of the public debt, ten or twelve millions of dollars become unnecessary, bear such an annual surplus. Its distribution would form a subject of perpetual contention. Some of the opponents of the system understand the stratagem by which to attack it, and are shaping their course accordingly. It is to crush the system by the accumulation of revenue, and by the effort to persuade the people that they are unnecessarily taxed, while those would really tax them who would break up the native sources of supply, and render them dependent upon the foreign. But the revenue ought to be reduced, so as to accommodate it to the fact of the payment of the public debt. And



the alternative is or may be, to preserve the protecting system, and repeal the duties on the unprotected articles, or to *preserve* the duties on *unprotected* articles, and endanger if not destroy the system. Let us then adopt the measure before us, which will benefit all classes; the farmer, the professional man, the merchant, the manufacturer, the mechanic; and the cotton planter more than all. A few months ago there was no diversity of opinion as to the expediency of this measure. All, then, seemed to unite in the selection of these objects for a repeal of duties which were not produced within the country. Such a repeal did not touch our domestic industry, violated no principle, offended no prejudice.

Can we not all, whatever may be our favorite theories, cordially unite on this neutral ground? When that is occupied, let us look beyond it, and see if anything can be done in the field of protection, to modify, or improve it, or to satisfy those who are opposed to the system. Our southern brethren believe that it is injurious to them, and ask its repeal. We believe that its abandonment will be prejudicial to them, and ruinous to every other section of the Union. However strong their convictions may be, they are not stronger than ours. Between the points of the preservation of the system and its absolute repeal, there is no principle of union. If it can be shown to operate immoderately on any quarter—if the measure of protection to any article can be demonstrated to be undue and inordinate, it would be the duty of Congress to interpose and apply a remedy. And none will co-operate more heartily than I shall in the performance of that duty. It is quite probable that beneficial modifications of the system may be made without impairing its efficacy. But to make it fulfill the purposes of its institution, the measure of protection ought to be adequate. If it be not, all interests will be injuriously affected. The manufacturer, crippled in his exertions, will produce less perfect and dearer fabrics, and the consumer will feel the consequence. This is the spirit, and these are the principles only, on which, it seems to me, that a settlement of the great question can be made, satisfactorily to all parts of our Union.

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**Mr. Buchanan's Speech on the Independent Treasury,**

*January 22, 1840, which gave rise to the "ten cent" charge.*

"We are also charged by the Senator from Kentucky with a desire to reduce the wages of the poor man's labor. We have often been termed agrarians on our side of the House. It is something new under the sun, to hear the Senator and his friends

attribute to us a desire to elevate the wealthy manufacturer, at the expense of the laboring man and the mechanic. From my soul, I respect the laboring man. Labor is the foundation of the wealth of every country; and the free laborers of the North deserve respect, both for their probity and their intelligence. Heaven forbid that I should do them wrong! Of all the countries on the earth, we ought to have the most consideration for the laboring man. From the very nature of our institutions, the wheel of fortune is constantly revolving, and producing such mutations in property, that the wealthy man of to-day may become the poor laborer of to-morrow. Truly, wealth often takes to itself wings and flies away. A large fortune rarely lasts beyond the third generation, even if it endure so long. We must all know instances of individuals obliged to labor for their daily bread, whose grandfathers were men of fortune. The regular process of society would almost seem to consist of the efforts of one class to dissipate the fortunes which they have inherited, whilst another class, by their industry and economy, are regularly rising to wealth. We have all, therefore, a common interest, as it is our common duty, to protect the rights of the laboring man: and if I believed for a moment that this bill would prove injurious to him, it should meet my unqualified opposition.

"Although this bill will not have as great an influence as I could desire, yet, as far as it goes, it will benefit the laboring man as much, and probably more than any other class of society. What is it he ought most to desire? Constant employment, regular wages, and uniform reasonable prices for the necessaries and comforts of life which he requires. Now, sir, what has been his condition under our system of expansions and contractions? He has suffered more by them than any other class of society. The rate of his wages is fixed and known; and they are the last to rise with the increasing expansion and the first to fall when the corresponding revulsion occurs. He still continues to receive his dollar per day, whilst the price of every article which he consumes is rapidly rising. He is at length made to feel that, although he nominally earns as much, or even more than he did formerly, yet, from the increased price of all the necessaries of life, he cannot support his family. Hence the strikes for higher wages, and the uneasy and excited feelings which have at different periods, existed among the laboring classes. But the expansion at length reaches the exploding point, and what does the laboring man now suffer? He is for a season thrown out of employment altogether. Our manufactures are suspended; our public works are stopped; our private enterprises

of different kinds are abandoned; and, whilst others are able to weather the storm, he can scarcely procure the means of bare subsistence.

“Again, sir; who, do you suppose, held the greater part of the worthless paper of the one hundred and sixty-five broken banks to which I have referred? Certainly it was not the keen and wary speculator, who snuffs danger from afar. If you were to make the search, you would find more broken bank notes in the cottages of the laboring poor than anywhere else. And these miserable shinplasters, where are they? After the revulsion of 1837, laborers were glad to obtain employment on any terms; and they often received it upon the express condition that they should accept this worthless trash in payment. Sir, an entire suppression of all bank notes of a lower denomination than the value of one week’s wages of the laboring man is absolutely necessary for his protection. He ought always to receive his wages in gold and silver. Of all men on the earth, the laborer is most interested in having a sound and stable currency.

“All other circumstances being equal, I agree with the Senator from Kentucky that that country is most prosperous where labor commands the highest wages. I do not, however, mean by the terms ‘highest wages,’ the greatest nominal amount. During the revolutionary war, one day’s work commanded a hundred dollars of continental paper; but this would have scarcely purchased a breakfast. The more proper expression would be, to say that that country is most prosperous where labor commands the greatest reward; where one day’s labor will procure not the greatest nominal amount of a depreciated currency, but most of the necessaries and comforts of life. If, therefore, you should, in some degree, reduce the nominal price paid for labor, by reducing the amount of your bank issues within reasonable and safe limits, and establishing a metallic basis for your paper circulation, would this injure the laborer? Certainly not; because the price of all the necessaries and comforts of life are reduced in the same proportion, and he will be able to purchase more of them for one dollar in a sound state of the currency, than he could have done, in the days of extravagant expansion, for a dollar and a quarter. So far from injuring, it will greatly benefit the laboring man. It will insure to him constant employment and regular prices, paid in a sound currency, which, of all things, he ought most to desire; and it will save him from being involved in ruin by a recurrence of those periodical expansions and contractions of the currency, which have hitherto convulsed the country.

“This sound state of the currency will

have another most happy effect upon the laboring man. He will receive his wages in gold and silver; and this will induce him to lay up, for future use, such a portion of them as he can spare, after satisfying his immediate wants. This he will not do at present, because he knows not whether the trash which he is now compelled to receive as money, will continue to be of any value a week or a month hereafter. A knowledge of this fact tends to banish economy from his dwelling, and induces him to expend all his wages as rapidly as possible, lest they may become worthless on his hands.

“Sir, the laboring classes understand this subject perfectly. It is the hard-handed and firm-fisted men of the country on whom we must rely in the day of danger, who are the most friendly to the passage of this bill. It is they who are the most ardently in favor of infusing into the currency of the country a very large amount of the precious metals.”

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#### Lewis Cass on the Missouri Compromise.

*From a speech made on the 20th of February, 1854.*

Mr. President: I have not withheld the expression of my regret elsewhere, nor shall I withhold it here, that this question of repeal of the Missouri compromise, which opens all the disputed points connected with the subject of Congressional action upon slavery in the territories of the United States, has been brought before us. I do not think the practical advantages to result from the measure will outweigh the injury which the ill-feeling, fated to accompany the discussion of this subject through the country, is sure to produce. And I was confirmed in this impression from what was said by the Senator from Tennessee, (Mr. Jones,) by the Senator from Kentucky, (Mr. Dixon,) and from North Carolina, (Mr. Badger,) and also by the remarks which fell from the Senator from Virginia, (Mr. Hunter,) and in which I fully concur, that the South will never receive any benefit from this measure, so far as respects the extension of slavery; for, legislate as we may, no human power can establish it in the regions defined by these bills. And such were the sentiments of two eminent patriots, to whose exertions we are greatly indebted for the satisfactory termination of the difficulties of 1850, and who since passed from their labors, and, I trust, to their reward. Thus believing, I should have been better content had the whole subject been left as it was by the bill when first introduced by the Senator from Illinois, without any provision regarding the Missouri compromise. I am aware that it was reported that I intended to pro-

pose the repeal of that measure, but it was an error. My intentions were wholly misunderstood. I had no design whatever to take such a step, and thus resuscitate a deed of conciliation which had done its work, and done it well, and which was hallowed by patriotism, by success, and by its association with great names, now transferred to history. It belonged to a past generation; and in the midst of a political tempest which appalled the wisest and firmest in the land, it had said to the waves of agitation, *Peace, be still*, and they became still. It would have been better, in my opinion, not to disturb its slumber, as all useful and practical objects could have been attained without it. But the question is here without my agency.

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**Clement L. Vallandigham on Slavery.**

October 29, 1855.

“Slavery, gentlemen, older in other countries also, than the records of human society, existed in America at the date of its discovery. The first slaves of the European, were natives of the soil: and a Puritan governor of Massachusetts, founder of the family of Winthrop, bequeathed his soul to God, and his Indian slaves to the lawful heirs of his body. Negro slavery was introduced into Hispaniola in 1501: more than a century before the colonization of America by the English. Massachusetts, by express enactment in 1641 punishing ‘manstealing’ with death:—and it is so punished to this day under the laws of the United States—legalized yet the enslaving of captives taken in war, and of such ‘strangers,’ *foreigners*, as should be acquired by purchase: while confederate New England, two years later, providing for the equitable division of lands, goods and ‘*persons*,’ as equally a part of the ‘spoils’ of war, enacted also the first fugitive slave law in America. White slaves—convicts and paupers some of them; others at a later day, prisoners taken at the battles of Dunbar and Worcester, and of Sedgemoor—were at the first, employed in Virginia and the British West Indies. Bought in England by English dealers, among whom was the queen of James II., with many of his nobles and courtiers, some of them perhaps of the house of Sutherland; they were imported and sold at auction to the highest bidder. In 1620, a Dutch man-of-war first landed a cargo of slaves upon the banks of James River. But the earliest slave ship belonging to English colonists, was fitted out in 1645, by a member of the Puritan church of Boston. Fostered still by English princes and nobles: confirmed and cherished by British legislation and

judicial decisions, even against the wishes and in spite of the remonstrances of the Colonies, the traffic increased; slaves multiplied, and on the Fourth of July, 1776, every colony was now become a slave state; and the sun went down that day upon four hundred and fifty thousand of those who in the cant of eighty years later, are styled ‘human chattels,’ but who were not by the act of that day emancipated.

“Eleven years afterwards, delegates assembled at Philadelphia, from every state except Rhode Island, ignoring the question of the sinfulness and immorality of slavery, as a subject with which they as the representatives of separate and independent states had no concern, founded a union and framed a constitution, which leaving with each state the exclusive control and regulation of its own domestic institutions, and providing for the taxation and representation of slaves, gave no right to Congress to debate or to legislate concerning slavery in the states or territories, except for the interdiction of the slave trade and the extradition of fugitive slaves. The Plan of Union proposed by Franklin in 1754, had contained no allusion even to slavery; and the articles of Confederation of 1778, but a simple recognition of its existence—so wholly was it regarded then, a domestic and local concern. In 1787 every state, except perhaps Massachusetts, tolerated slavery either absolutely or conditionally.—But the number of slaves north of Maryland, never great, was even yet comparatively small; not exceeding forty thousand in a total slave population of six hundred thousand. In the North, chief carrier of slaves to others even as late as 1807, slavery never took firm root. Nature warred against it in that latitude; otherwise every state in the Union would have been a slave-holding state to this day. It was not profitable there; and it died out—lingering indeed in New York till July, 1827. It died out: but not so much by the manumission of slaves, as by their transportation and sale in the South: and thus New England, sir, turned an honest penny with her left hand, and with her right, modestly wrote herself down in history, as both generous and just.

“In the South, gentlemen, all this was precisely reversed. The earliest and most resolute enemies to slavery, were Southern men. But climate had fastened the institution upon them; and they found no way to strike it down. From the beginning indeed, the Southern colonies especially had resisted the introduction of African slaves; and at the very outset of the revolution, Virginia and North Carolina interdicted the slave trade. The Continental Congress soon after, on the sixth of April, 1776, three months earlier than the De-

claration of Independence, resolved that no more slaves ought to be imported into the thirteen colonies. Jefferson, in his draught of the Declaration, had denounced the King of England alike for encouraging the slave trade, and for fomenting servile insurrection in the provinces. Ten years later, he boldly attacked slavery in his "Notes on Virginia;" and in the Congress of the Confederation, prior to the adoption of the Constitution, with its solemn compacts and compromises upon the subject of slavery, proposed to exclude it from the territory northwest the river Ohio. Colonel Mason of Virginia vehemently condemned it, in the convention of 1787. Nevertheless it had already become manifest that slavery must soon die away in the North, but in the South continue and harden into perhaps a permanent, uneradicable system. Hostile interests and jealousies sprang up, therefore, in bitterness even in the convention. But the blood of the patriot brothers of Carolina and Massachusetts smoked yet upon the battle fields of the revolution. The recollection of their kindred language, and common dangers and sufferings, burned still fresh in their hearts. Patriotism proved more powerful than jealousy, and good sense stronger than fanaticism. There were no Sewards, no Hales, no Sumners, no Greeleys, no Parkers, no Chase, in that convention. There was a *Wilson*; but he rejoiced not in the name of *Henry*; and he was a Scotchman. There was a clergyman—no, not in the convention of '87, but in the Congress of '76; but it was the devout, the learned, the pious, the patriotic Witherspoon; of foreign birth also, a native of Scotland, too. The men of that day and generation, sir were content to leave the question of slavery just where it belonged. It did not occur to them, that each one among them was accountable for 'the sin of slave-holding' in his fellow; and that to ease his tender conscience of the burden, all the fruits of revolutionary privation and blood and treasure; all the recollections of the past; all the hopes of the future: nay the Union, and with it, domestic tranquillity and national independence, ought to be offered up as a sacrifice. They were content to deal with political questions; and to leave cases of conscience to the church and the schools, or to the individual man. And accordingly to this Union and Constitution, based upon these compromises—execrated now as 'covenants with death and leagues with hell'—every state acceded: and upon these foundations, thus broad and deep, and stable, a political superstructure has, as if by magic, arisen, which in symmetry and proportion—and, if we would but be true to our trust, in strength and durabil-

ity—finds no parallel in the world's history.

"Patriotic sentiments, sir, such as marked the era of '89, continued to guide the statesmen and people of the country for more than thirty years, full of prosperity; till in a dead political calm, consequent upon temporary extinguishment of the ancient party lines and issues, the MISSOURI QUESTION resounded through the land with the hollow moan of the earthquake, shook the pillars of the republic even to their deep foundations.

"Within these thirty years, gentlemen, slavery as a system, had been abolished by law or disuse, quietly and without agitation, in every state north of Mason and Dixon's line—in many of them, lingering, indeed, in individual cases, so late as the census of 1840. But except in half a score of instances, the question had not been obtruded upon Congress. The Fugitive Slave Act of 1793 had been passed without opposition and without a division, in the Senate; and by a vote of forty-eight to seven, in the House. The slave trade had been declared piracy punishable with death. Respectful petitions from the Quakers of Pennsylvania, and others, upon the slavery question, were referred to a committee, and a report made thereon, which laid the matter at rest. Other petitions afterwards were quietly rejected, and, in one instance, returned to the petitioner. Louisiana and Florida, both slave-holding countries, had without agitation been added to our territory. Kentucky, Tennessee, Louisiana, Mississippi, and Alabama, slave states each one of them, had been admitted into the Union without a murmur. No Missouri Restriction, no Wilmot Proviso had as yet reared its discordant front to terrify and confound. NON-INTERVENTION was then both the practice and the doctrine of the statesmen and people of that period: though, as yet, no hollow platform enunciated it as an article of faith, from which, nevertheless, obedience might be withheld, and the platform 'spit upon,' provided the tender conscience of the recusant did not forbid him to support the candidate and help to secure the 'spoils.'

"I know, sir, that it is easy, very easy, to denounce all this as a defence of slavery itself. Be it so: be it so. But I have not discussed the institution in any respect; moral, religious, or political. Hear me. I express no opinion in regard to it: and as a citizen of the north, I have ever refused, and will steadily refuse, to discuss the system in any of these particulars. It is precisely this continued and persistent discussion and denunciation in the North, which has brought upon us this present most perilous crisis: since to teach men to hate, is to prepare them to destroy, at

every hazard, the object of their hatred. Sir, I am resolved only to look upon slavery outside of Ohio, just as the founders of the constitution and Union regarded it. It is no concern of mine; none, none: nor of yours, Abolitionist. Neither of us will attain heaven, by denunciations of slavery: nor shall we, I trow, be cast into hell for the sin of others who may hold slaves. I have not so learned the moral government of the universe: nor do I presumptuously and impiously aspire to the attributes of Godhead; and seek to bear upon my poor body the iniquities of the world.

"I know well indeed, Mr. President, that in the evil day which has befallen us, all this and he who utters it, shall be denounced as 'pro-slavery;' and already from ribald throats, there comes up the slaving, drivelling, idiot epithet of 'dough-face.' Again, be it so. These, Abolitionist, are your only weapons of warfare: and I hurl them back defiantly into your teeth. I speak thus boldly, because I speak in and to and for the North. It is time that the truth should be known, and heard, in this the age of trimming and subterfuge. I speak this day not as a northern man, nor a southern man; but, God, be thanked, still as a United States man, with United States principles;—and though the worst happen which can happen—though all be lost, if that shall be our fate; and I walk through the valley of the shadow of political death, I will live by them and die by them. If to love my country; to cherish the Union; to revere the Constitution: if to abhor the madness and hate the treason which would lift up a sacrilegious hand against either; if to read that in the past, to behold it in the present, to foresee it in the future of this land, which is of more value to us and the world for ages to come, than all the multiplied millions who have inhabited Africa from the creation to this day:—if this it is to be *pro-slavery*, then, in every nerve, fibre, vein, bone, tendon, joint and ligament, from the topmost hair of the head to the last extremity of the foot, I am all over and altogether a PRO-SLAVERY MAN."

#### Speech of Horace Greeley on the Grounds of Protection.\*

MR. PRESIDENT AND RESPECTED AUDITORS:—It has devolved on me, as junior

\* Speech at the Tabernacle, New York, February 10, 1843, in public debate on this resolution:—

Resolved, That a Protective Tariff is conducive to our National Prosperity.

Affirmative: JOSEPH BLUNT,  
HORACE GREELEY.

Negative: SAMUEL J. TILDEN.  
PARKE GODWIN.

From Greeley's "Recollections of a Busy Life."

advocate for the cause of Protection, to open the discussion of this question. I do this with less diffidence than I should feel in meeting able opponents and practiced disputants on almost any other topic, because I am strongly confident that you, my hearers, will regard this as a subject demanding logic rather than rhetoric, the exhibition and proper treatment of homely truths, rather than the indulgence of flights of fancy. As sensible as you can be of my deficiencies as a debater, I have chosen to put my views on paper, in order that I may present them in as concise a manner as possible, and not consume my hour before commencing my argument. You have nothing of oratory to lose by this course; I will hope that something may be gained to my cause in clearness and force. And here let me say that, while the hours I have been enabled to give to preparation for this debate have been few indeed, I feel the less regret in that my *life* has been in some measure a preparation. If there be any subject to which I have devoted time, and thought, and patient study, in a spirit of anxious desire to learn and follow the truth, it is this very question of Protection; if I have totally misapprehended its character and bearings, then am I ignorant, hopelessly ignorant indeed. And, while I may not hope to set before you, in the brief space allotted me, all that is essential to a full understanding of a question which spans the whole arch of Political Economy,—on which able men have written volumes without at all exhausting it—I *do* entertain a sanguine hope that I shall be able to set before you considerations conclusive to the candid and unbiassed mind of the policy and necessity of Protection. Let us not waste our time on non-essentials. That unwise and unjust measures have been adopted under the *pretence* of Protection, I stand not here to deny; that laws *intended* to be Protective have sometimes been injurious in their tendency, I need not dispute. The logic which would thence infer the futility or the danger of Protective Legislation would just as easily prove *all* laws and all policy mischievous and destructive. Political Economy is one of the latest born of the Sciences; the very fact that we meet here this evening to discuss a question so fundamental as this proves it to be yet in its comparative infancy. The sole favor I shall ask of my opponents, therefore, is that they will not waste their efforts and your time in attacking positions that we do not maintain, and hewing down straw giants of their own manufacture, but meet directly the arguments which I shall advance, and which, for the sake of simplicity and clearness, I will proceed to put before you in the form of Propositions and their Illustrations, as follows:—

PROPOSITION I. *A Nation which would be prosperous, must prosecute various branches of Industry, and supply its vital Wants mainly by the Labor of its own Hands.*

Cast your eyes where you will over the face of the earth, trace back the History of Man and of Nations to the earliest recorded periods, and I think you will find this rule uniformly prevailing, that the nation which is eminently Agricultural and Grain-exporting,—which depends mainly or principally on other nations for its regular supplies of Manufactured fabrics,—has been comparatively a *poor* nation, and ultimately a *dependent* nation. I do not say that this is the *instant* result of exchanging the rude staples of Agriculture for the more delicate fabrics of Art; but I maintain that it is the inevitable *tendency*. The Agricultural nation falls in debt, becomes impoverished, and ultimately subject. The palaces of “merchant princes” may emblazon its harbors and overshadow its navigable waters; there may be a mighty Alexandria, but a miserable Egypt behind it; a flourishing Odessa or Dantzic, but a rude, thinly peopled southern Russia or Poland; the exchangers may flourish and roll in luxury, but the producers famish and die. Indeed, few old and civilized countries become largely exporters of grain until they have lost, or by corruption are prepared to surrender, their independence; and these often present the spectacle of the laborer starving on the fields he has tilled, in the midst of their fertility and promise. These appearances rest upon and indicate a law, which I shall endeavor hereafter to explain. I pass now to my

PROPOSITION II. *There is a natural tendency in a comparatively new Country to become and continue an Exporter of Grain and other rude Staples and an Importer of Manufactures.*

I think I hardly need waste time in demonstrating this proposition, since it is illustrated and confirmed by universal experience, and rests on obvious laws. The new country has abundant and fertile soil, and produces Grain with remarkable facility; also, Meats, Timber, Ashes, and most rude and bulky articles. Labor is there in demand, being required to clear, to build, to open roads, &c., and the laborers are comparatively few; while, in older countries, Labor is abundant and cheap, as also are Capital, Machinery, and all the means of the cheap production of Manufactured fabrics. I surely need not waste words to show that, in the absence of any counteracting policy, the new country will import, and continue to import, largely of the fabrics of older countries, and to pay for them, so far as she may, with her Agricultural staples. I will en-

deavor to show hereafter that she will continue to do this long after she has attained a condition to manufacture them as cheaply for herself, even regarding the *money* cost alone. But that does not come under the present head. The whole history of our country, and especially from 1782 to '90, when we had no Tariff and scarcely any Paper Money,—proves that, whatever may be the Currency or the internal condition of the new country, it will continue to draw its chief supplies from the old,—large or small according to its measure of ability to pay or obtain credit for them; but still, putting Duties on Imports out of the question, it will continue to buy its Manufactures abroad, whether in prosperity or adversity, inflation or depression.

I now advance to my

PROPOSITION III. *It is injurious to the New Country thus to continue dependent for its supplies of Clothing and Manufactured Fabrics on the Old.*

As this is probably the point on which the doctrines of Protection first come directly in collision with those of Free Trade, I will treat it more deliberately, and endeavor to illustrate and demonstrate it.

I presume I need not waste time in showing that the ruling price of Grain (as any Manufacture) in a region whence it is considerably exported, will be *its price at the point to which it is exported, less the cost of such transportation*. For instance: the cost of transporting Wheat hither from large grain-growing sections of Illinois was last fall sixty cents; and, New York being their most available market, and the price here ninety cents, the market there at once settled at thirty cents. As this adjustment of prices rests on a law obvious, immutable as gravitation, I presume I need not waste words in establishing it.

I proceed, then, to my next point. The average price of Wheat throughout the world is something less than one dollar per bushel; higher where the consumption largely exceeds the adjacent production, lower where the production largely exceeds the immediate consumption (I put out of view in this statement the inequalities created by Tariffs, as I choose at this point to argue the question on the basis of universal Free Trade, which is of course the basis most favorable to my opponents). I say, then, if all Tariffs were abolished to-morrow, the price of Wheat in England—that being the most considerable ultimate market of surpluses, and the chief supplier of our manufactures—would govern the price in this country, while it would be itself governed by the price at which that staple could be procured in sufficiency from other grain-growing regions. Now, Southern Russia and Central Poland produce Wheat for exportation at thirty to fifty cents per bushel; but the

price is so increased by the cost of transportation that at Dantzic it averages some ninety and at Odessa some eighty cents per bushel. The cost of importation to England from these ports being ten and fifteen cents respectively, the actual cost of the article in England, all charges paid, and allowing for a small increase of price consequent on the increased demand, would not in the absence of all Tariffs whatever, exceed one dollar and ten cents per bushel; and this would be the average price at which we must sell it in England in order to buy thence the great bulk of our Manufactures. I think no man will dispute or seriously vary this calculation. Neither can any reflecting man seriously contend that we could purchase forty or fifty millions' worth or more of Foreign Manufactures per annum, and pay for them in additional products of our Slave Labor—in Cotton and Tobacco. The consumption of these articles is now pressed to its utmost limit,—that of Cotton especially is borne down by the immense weight of the crops annually thrown upon it, and almost constantly on the verge of a glut. If we are to buy our Manufactures principally from Europe, we must pay for the additional amount mainly in the products of Northern Agricultural industry,—that is universally agreed on. The point to be determined is, whether we could obtain them abroad cheaper—*really* and positively cheaper, all Tariffs being abrogated—than under an efficient system of Protection.

Let us closely scan this question. Illinois and Indiana, natural grain-growing States, need cloths; and, in the absence of all tariffs, these can be transported to them from England for two to three per cent. of their value. It follows, then, that, in order to undersell any American competition, the British manufacturer need only put his cloths at his factory *five* per cent. below the wholesale price of such cloths in Illinois, in order to command the American market. That is, allowing a fair broadcloth to be manufactured in or near Illinois for three dollars and a quarter per yard, cash price, in the face of British rivalry, and paying American prices for materials and labor, the British manufacturer has only to make that same cloth at three dollars per yard in Leeds or Huddersfield, and he can decidedly undersell his American rival, and drive him out of the market. Mind, I do not say that he *would* supply the Illinois market at that price *after* the American rivalry had been crushed; I know he *would not*; but, so long as any serious effort to build up or sustain manufactures in this country existed, the large and strong European establishments would struggle for the additional market which our growing and plenteous country so invitingly proffers. It is well known that in 1815-16, after the

close of the last war, British manufactures were offered for sale in our chief markets at the rate of "*pound for pound*,"—that is, fabrics of which the first cost to the manufacturer was \$4.44 were offered in Boston market at \$3.33, duty paid. This was not sacrifice—it was dictated by a profound forecast. Well did the foreign fabricants know that their self-interest dictated the utter overthrow, at whatever cost, of the young rivals which the war had built up in this country, and which our government and a majority of the people had blindly or indolently abandoned to their fate. William Cobbett, the celebrated radical, but with a sturdy English heart, boasted upon his first return to England that he had been actively engaged here in promoting the interests of his country by compassing the destruction of American manufactories in various ways which he specified—"*sometimes (says he) by Fire.*" We all know that great sacrifices are often submitted to by a rich and long established stage owner, steamboat proprietor, or whatever, to break down a young and comparatively penniless rival. So in a thousand instances, especially in a rivalry for so large a prize as the supplying with manufactures of a great and growing nation. But I here put aside all calculations of a temporary sacrifice; I suppose merely that the foreign manufacturers will supply our grain growing states with cloths at a trifling profit so long as they encounter American rivalry; and I say it is perfectly obvious that, if it cost three dollars and a quarter a yard to make a fair broadcloth in or near Illinois in the infancy of our arts and a like article could be made in Europe for three dollars, then the utter destruction of the American manufacture is inevitable. The foreign drives it out of the market and its maker into bankruptcy; and now our farmers, in purchasing their cloths, "buy where they can buy cheapest," which is the first commandment of free trade, and get their cloth of England at three dollars a yard. I maintain that this would not last a year after the American factories had been silenced—that then the British operator would begin to think of *profits* as well as bare cost for his cloth, and to adjust his prices so as to recover what it had cost him to put down the dangerous competition. But let this pass for the present, and say the foreign cloth is sold to Illinois for three dollars per yard. We have yet to ascertain how much she has gained or lost by the operation.

This, says Free Trade, is very plain and easy. The four simple rules of arithmetic suffice to measure it. She has bought, say a million yards of foreign cloth for three dollars, where she formerly paid three and a quarter for American; making a clear saving of a quarter of a million dollars.

But not so fast—we have omitted one important element of the calculation. We have yet to see what effect the purchase of her cloth in Europe, as contrasted with its manufacture at home, will have on the price of her Agricultural staples. We have seen already that, in case she is forced to sell a portion of her surplus product in Europe, the price of that surplus must be the price which can be procured for it in England, *less* the cost of carrying it there. In other words: the average price in England being one dollar and ten cents, and the average cost of bringing it to New York being at least fifty cents and then of transporting it to England at least twenty-five more, the net proceeds to Illinois cannot exceed thirty-five cents per bushel. I need not more than state so obvious a truth as that the price at which the surplus can be sold governs the price of the whole crop; nor, indeed, if it were possible to deny this, would it at all affect the argument. The real question to be determined is, not whether the American or the British manufacturers will furnish the most cloth for the least *cash*, but which will supply the requisite quantity of Cloth for the least *Grain in Illinois*. Now we have seen already that the price of Grain at any point where it is readily and largely produced is governed by its nearness to or remoteness from the market to which its surplus tends, and the least favorable market in which any portion of it must be sold. For instance: If Illinois produces a surplus of five million bushels of Grain, and can sell one million of bushels in New York, and two millions in New England, and another million in the West Indies, and for the fifth million is compelled to seek a market in England, and that, being the remotest point at which she sells, and the point most exposed to disadvantageous competition, is naturally the poorest market, that farthest and lowest market to which she sends her surplus will govern, to a great extent if not absolutely, the price she receives for the whole surplus. But, on the other hand, let her Cloths, her wares, be manufactured in her midst, or on the junctions and waterfalls in her vicinity, thus affording an immediate market for her Grain, and now the average price of it rises, by an irresistible law, nearly or quite to the average of the world. Assuming that average to be one dollar, the price in Illinois, making allowance for the fertility and cheapness of her soil, could not fall below an average of seventy-five cents. Indeed, the experience of the periods when her consumption of Grain has been equal to her production, as well as that of other sections where the same has been the case, proves conclusively that the average price of her Wheat would exceed that sum.

We are now ready to calculate the profit and loss. Illinois, under Free Trade, with her “workshops in Europe,” will buy her cloth twenty-five cents per yard cheaper, and thus make a nominal saving of two hundred and fifty thousand dollars in her year’s supply; but, she thereby compels herself to pay for it in Wheat at thirty-five instead of seventy-five cents per bushel, or to give over *nine* and one third bushels of Wheat for every yard under Free Trade, instead of *four* and a third under a system of Home Production. In other words, while she is making a quarter of a million dollars by buying her Cloth “where she can buy cheapest,” she is losing nearly Two Millions of Dollars on the net product of her Grain. The striking of a balance between her profit and her loss is certainly not a difficult, but rather an unpromising, operation.

Or, let us state the result in another form: She can buy her cloth a little cheaper in England,—Labor being there lower, Machinery more perfect, and Capital more abundant; but, in order to pay for it, she must not merely sell her own products at a correspondingly low price, but enough lower to overcome the cost of transporting them from Illinois to England. She will give the cloth-maker in England less Grain for her Cloth than she would give to the man who made it on her own soil; but for every bushel she sends him in payment for his fabric, she must give two to the wagoner, boatman, shipper, and factor who transport it thither. On the whole product of her industry, two thirds is tolled out by carriers and bored out by Inspectors, until but a beggarly remnant is left to satisfy the fabricator of her goods.

And here I trust I have made obvious to you the law which dooms an Agricultural Country to inevitable and ruinous disadvantage in exchanging its staples for Manufactures, and involves it in perpetual and increasing debt and dependence. The *fact*, I early alluded to; is not the *reason* now apparent? It is not that Agricultural communities are more extravagant or less industrious than those in which Manufactures or Commerce preponderate,—it is because there is an inevitable disadvantage to Agriculture in the very nature of all distant exchanges. Its products are far more perishable than any other; they cannot so well await a future demand; but in their excessive bulk and density is the great evil. We have seen that, while the English Manufacturer can send his fabrics to Illinois for less than five per cent. on their first cost, the Illinois farmer must pay two hundred per cent. on his Grain for its transportation to English consumers. In other words: the English manufacturer need only produce his goods five per cent. below the American to drive the latter out of the



Illinois market, the Illinoisan must produce wheat for *one-third* of its English price in order to compete with the English and Polish grain-grower in Birmingham and Sheffield.

And here is the answer to that scintillation of Free Trade wisdom which flashes out in wonder that *Manufactures* are eternally and especially in want of Protection, while Agriculture and Commerce need none. The assumption is false in any sense,—our Commerce and Navigation cannot live without Protection,—never did live so,—but let that pass. It is the interest of the whole country which demands that that portion of its Industry which is *most exposed* to ruinous foreign rivalry should be cherished and sustained. The wheat-grower, the grazier, is protected by ocean and land; by the fact that no foreign article can be introduced to rival his except at a cost for transportation of some thirty to one hundred per cent. on its value; while our Manufactures can be inundated by foreign competition at a cost of some two to ten per cent. It is the grain-grower, the cattle-raiser, who is protected by a duty on Foreign Manufactures, quite as much as the spinner or shoemaker. He who talks of Manufactures being protected and nothing else, might just as sensibly complain that we fortify Boston and New York and not Pittsburg and Cincinnati.

Again: You see here our answer to those philosophers who modestly tell us that their views are liberal and enlightened, while ours are benighted, selfish, and un-Christian. They tell us that the foreign factory-laborer is anxious to exchange with us the fruits of his labor,—that he asks us to give him of our surplus of grain for the cloth that he is ready to make cheaper than we can now get it, while we have a superabundance of bread. Now, putting for the present out of the question the fact that, though *our* Tariff were abolished, *his* could remain,—that neither England, nor France, nor any great manufacturing country, would receive our Grain untaxed though we offered so to take their goods,—especially the fact that they never *did* so take of us while we were freely taking of them,—we say to them, “Sirs, we are willing to take Cloth of you for Grain; but why prefer to trade at a ruinous disadvantage to both? Why should there be half the diameter of the earth between him who makes coats and him who makes bread, the one for the other? We are willing to give you bread for clothes; but we are not willing to pay two-thirds of our bread as the cost of transporting the other third to you, because we sincerely believe it needless and greatly to our disadvantage. We are willing to work for and buy of you, but not to support the

useless and crippling activity of a falsely directed Commerce; not to contribute by our sweat to the luxury of your nobles, the power of your kings. But come to us, you who are honest, peaceable, and industrious; bring hither your machinery, or, if that is not yours, bring out your sinews; and we will aid you to reproduce the implements of your skill. We will give you more bread for your cloth here than you can possibly earn for it where you are, if you will but come among us and aid us to sustain the policy that secures steady employment and a fair reward to Home Industry. We will no longer aid to prolong your existence in a state of semi-starvation where you are; but we are ready to share with you our Plenty and our Freedom here.” Such is the answer which the friends of Protection make to the demand and the imputation; judge ye whether our policy be indeed selfish, un-Christian, and insane.

I proceed now to set forth my

PROPOSITION IV. *That Equilibrium between Agriculture, Manufactures and Commerce, which we need, can only be maintained by means of Protective Duties.*

You will have seen that the object we seek is not to make our country a Manufacturer for other nations, but for herself,—not to make her the baker and brewer and tailor of other people, but of her own household. If I understand at all the first rudiments of National Economy, it is best for each and all nations that each should mainly fabricate for itself, freely purchasing of others all such staples as its own soil or climate proves ungenial to. We appreciate quite as well as our opponents the impolicy of attempting to grow coffee in Greenland or glaciers in Malabar,—to extract blood from a turnip or sunbeams from cucumbers. A vast deal of wit has been expended on our stupidity by our acuter adversaries, but it has been quite thrown away, except as it has excited the hollow laughter of the ignorant as well as thoughtless. All this, however sharply pushed, falls wide of our true position. To all the fine words we hear about “the impossibility of counteracting the laws of Nature,” “Trade Regulating itself,” &c., &c., we bow with due deference, and wait for the sage to resume his argument. What we *do* affirm is this, *that it is best for every nation to make at home all those articles of its own consumption that can just as well—that is, with nearly or quite as little labor—be made there as anywhere else.* We say it is not wise, it is not well, to send to France for boots, to Germany for hose, to England for knives and forks, and so on; because the real cost of them would be less,—even though the nominal price should be slightly more,—if we made them in our own country; while the facility of paying for them would

be much greater. We do not object to the occasional importation of choice articles to operate as specimens and incentives to our own artisans to improve the quality and finish of their workmanship,—where the home competition does not avail to bring the process to its perfection, as it often will. In such cases, the rich and luxurious will usually be the buyers of these choice articles, and can afford to pay a good duty. There are gentlemen of extra polish in our cities and villages who think no coat good enough for them which is not woven in an English loom,—no boot adequately transparent which has not been fashioned by a Parisian master. I quarrel not with their taste: I only say that, since the Government *must* have Revenue and the American artisan *should* have Protection, I am glad it is so fixed that these gentlemen shall contribute handsomely to the former, and gratify their aspirations with the least possible detriment to the latter. It does not invalidate the fact nor the efficiency of Protection that foreign competition with American workmanship is not entirely shut out. It is the *general* result which is important, and not the exception. Now, he who can seriously contend, as some have seemed to do, that Protective Duties do not aid and extend the domestic production of the articles so protected might as well undertake to argue the sun out of the heavens at mid-day. All experience, all common sense, condemn him. Do we not know that our Manufactures first shot up under the stringent Protection of the Embargo and War? that they withered and crumbled under the comparative Free Trade of the few succeeding years? that they were revived and extended by the Tariffs of 1824 and '28? Do we not know that Germany, crippled by British policy, which inundated her with goods yet excluded her grain and timber, was driven, years since, to the establishment of her "Zoll-Verein" or Tariff Union,—a measure of careful and stringent Protection, under which Manufactures have grown up and flourished through all her many States? She has adhered steadily, firmly, to her Protective Policy, while we have faltered and oscillated; and what is the result? She has created and established her Manufactures; and in doing so has vastly increased her wealth and augmented the reward of her industry. Her public sentiment, as expressed through its thousand channels, is almost unanimous in favor of the Protective Policy; and now, when England, finding at length that her cupidity has overreached itself,—that she cannot supply the Germans with clothes refuse to buy their bread,—talks of relaxing her Corn-Laws in order to coax back her ancient and profitable customer, the answer is, "No; it is now too late. We

have built up Home Manufactures in repelling your rapacity,—we cannot destroy them at your caprice. What guarantee have we that, should we accede to your terms, you would not return again to your policy of taking all and giving none so soon as our factories had crumbled into ruin? Besides, we have found that we can "make cheaper—really cheaper—than we were able to buy,—can pay better wages to our laborers, and secure a better and steadier market for our products. We are content to abide in the position to which you have driven us. Pass on!"

But this is not the sentiment of Germany alone. All Europe acts on the principle of self-protection; because all Europe sees its benefits. The British journals complain that, though they have made a show of relaxation in their own Tariff, and their Premier has made a Free Trade speech in Parliament, the chaff has caught no birds; *but six hostile Tariffs*—all Protective in their character, and all aimed at the supremacy of British Manufactures—were enacted within the year 1842. And thus, while schoolmen plausibly talk of the adoption and spread of Free Trade principles, and their rapid advances to speedy ascendancy, the practical man knows that the truth is otherwise, and that many years must elapse before the great Colossus of Manufacturing monopoly will find another Portugal to drain of her life-blood under the delusive pretence of a commercial reciprocity. And, while Britain continues to pour forth her specious treatises on Political Economy, proving Protection a mistake and an impossibility through her Parliamentary Reports and Speeches in Praise of Free Trade, the shrewd statesmen of other nations humor the joke with all possible gravity, and pass it on to the next neighbor; yet all the time take care of their own interests, just as though Adam Smith had never speculated nor Peel soberly expatiated on the blessings of Free Trade, looking round occasionally with a curious interest to see whether anybody was really taken in by it.

I have partly anticipated, yet I will state distinctly, my

PROPOSITION V. *Protection is necessary and proper to sustain as well as to create a beneficent adjustment of our National Industry.*

"Why can't our Manufacturers go alone?" petulantly asks a Free-Trader; "they have had Protection long enough. They ought not to need it any more." To this I answer that, if Manufactures were protected as a matter of special bounty or favor to the Manufacturers, a single day were too long. I would not consent that they should be sustained one day longer than the interests of the *whole* Country required. I think you have already seen that, not for the

sake of Manufacturers, but for the sake of all Productive Labor, should Protection be afforded. If I have been intelligible, you will have seen that the purpose and essence of Protection is LABOR-SAVING, — the making two blades of grass grow instead of one. This it does by “planting the Manufacturer as nearly as may be by the side of the Farmer,” as Mr. Jefferson expressed it, and thereby securing to the latter a market for which he had looked to Europe in vain. Now, the market of the latter is certain as the recurrence of appetite; but that is not all. The Farmer and the Manufacturer, being virtually neighbors, will interchange their productions directly, or with but one intermediate, instead of sending them reciprocally across half a continent and a broad ocean, through the hands of many holders, until the toll taken out by one after another has exceeded what remains of the grist. “Dear-bought and far-fetched” is an old maxim, containing more *essential* truth than many a chapter by a modern Professor of Political Economy. Under the Protective policy, instead of having one thousand men making Cloth in one hemisphere, and an equal number raising Grain in the other, with three thousand factitiously employed in transporting and interchanging these products, we have over two thousand producers of Grain, and as many of Cloth, leaving far too little employment for one thousand in making the exchanges between them. This consequence is inevitable; although the production on either side is not confined to the very choicest locations, the total product of their labor is twice as much as formerly. In other words, there is a double quantity of food, clothing, and all the necessaries and comforts of life, to be shared among the producers of wealth, simply from the diminution of the number of non-producers. If all the men now enrolled in Armies and Navies were advantageously employed in Productive Labor, there would doubtless be a larger dividend of comforts and necessaries of life for all, because more to be divided than now and no greater number to receive it; just so in the case before us. Every thousand persons employed in needless Transportation and in factitious Commerce are so many subtracted from the great body of Producers, from the proceeds of whose labor all must be subsisted. The dividend for each must, of course, be governed by the magnitude of the quotient.

But, if this be so advantageous, it is queried, why is any legislation necessary? Why would not all voluntarily see and embrace it? I answer, because the apparent individual advantage is often to be pursued by a course directly adverse to the general welfare. We know that Free Trade asserts the contrary of this; maintain-

ing that, if every man pursues that course most conducive to his individual interest, the general good will thereby be most certainly and signally promoted. But, to say nothing of the glaring exceptions to this law which crowd our statute-books with injunctions and penalties, we are everywhere met with pointed contradictions of its assumption, which hallows and blesses the pursuits of the gambler, the distiller, and the libertine, making the usurer a saint and the swindler a hero. Adam Smith himself admits that there are avocations which enrich the individual but impoverish the community. So in the case before us. A B is a farmer in Illinois, and has much grain to sell or exchange for goods. But, while it is demonstrable that, if *all* the manufactures consumed in Illinois were produced there, the price of grain must rise nearly to the average of the world, it is equally certain that A B's *single act*, in buying and consuming American cloth, will not raise the price of grain generally, nor of *his* grain. It will not perceptibly affect the price of grain at all. A solemn compact of the whole community to use only American fabrics would have some effect; but this could never be established, or never enforced. A few Free-Traders standing out, selling their grain at any advance which might accrue, and buying “where they could buy cheapest,” would induce one after another to look out for No. 1, and let the public interests take care of themselves: so the whole compact would fall to pieces like a rope of sand. Many a one would say, “Why should I aid to keep up the price of Produce? I am only a *consumer* of it,”—not realizing or caring for the interest of the community, even though it less palpably involved his own; and that would be an end. Granted that it is desirable to encourage and prefer Home Production and Manufacture, a Tariff is the obvious way, and the only way, in which it can be effectively and certainly accomplished.

But why is a Tariff necessary after Manufactures are once established? “You say,” says a Free-Trader, “that you can Manufacture cheaper if Protected than we can buy abroad: then why not do it *without* Protection, and save all trouble?” Let me answer this cavil:—

I will suppose that the Manufactures of this Country amount in value to One Hundred Millions of Dollars per annum, and those of Great Britain to Three Hundred Millions. Let us suppose also that, under an efficient Protective Tariff, ours are produced five per cent. cheaper than those of England, and that our own markets are supplied entirely from the Home Product. But at the end of this year, 1843, we,—concluding that our Manufactures have been protected long enough and ought

now to go alone,—repeal absolutely our Tariff, and commit our great interests thoroughly to the guidance of “Free Trade.” Well: at this very time the British Manufacturers, on making up the account and review of their year’s business, find that they have manufactured goods costing them Three Hundred Millions, as aforesaid, and have sold to just about that amount, leaving a residue or surplus on hand of Fifteen or Twenty Millions’ worth. These are to be sold; and their net proceeds will constitute the interest on their capital and the profit on their year’s business. But *where* shall they be sold? If crowded on the Home or their established Foreign Markets, they will glut and depress those markets, causing a general decline of prices and a heavy loss, not merely on this quantity of goods, but on the whole of their next year’s business. They know better than to do any such thing. Instead of it, they say, “Here is the American Market just thrown open to us by a repeal of their Tariff: let us send thither our surplus, and sell it for what it will fetch.” They ship it over accordingly, and in two or three weeks it is rattling off through our auction stores, at prices first five, then ten, fifteen, twenty, and down to thirty per cent. below our previous rates. Every jobber and dealer is tickled with the idea of buying goods of novel patterns so wonderfully cheap; and the sale proceeds briskly, though, at constantly declining prices, till the whole stock is disposed of and our market is gorged to repletion.

Now, the British manufacturers may not have received for the whole Twenty Millions’ worth of Goods over Fourteen or Fifteen Millions; but what of it? Whatever it may be is clear profit on their year’s business in cash or its full equivalent. All their established markets are kept clear and eager; and they can now go on vigorously and profitably with the business of the new year. But more: they have crippled an active and growing rival; they have opened a new market, which shall ere long be theirs also.

Let us now look at our side of the question:—

The American Manufacturers have also a stock of goods on hand, and they come into our market to dispose of them. But they suddenly find that market forestalled and depressed by rival fabrics of attractive novelty, and selling in profusion at prices which rapidly run down to twenty-five per cent. below cost. What are they to do? They cannot force sales at any price not utterly ruinous; there is no demand at any rate. They cannot retaliate upon England the mischief they must suffer,—her Tariff forbids; and the other markets of the world are fully supplied, and will bear but

a limited pressure. The foreign influx has created a scarcity of money as well as a plethora of goods. Specie has largely been exported in payment, which has compelled the Banks to contract and deny loans. Still, their obligations must be met; if *they* cannot make sales, *the Sheriff* will, and must. It is not merely their surplus, but their whole product, which has been depreciated and made unavailable at a blow. The end is easily foreseen: our Manufacturers become bankrupt and are broken up; their works are brought to a dead stand; the Laborers therein, after spending months in constrained idleness, are driven by famine into the Western wilderness, or into less productive and less congenial vocations; their acquired skill and dexterity, as well as a portion of their time, are a dead loss to themselves and the community; and we commence the slow and toilsome process of rebuilding and rearranging our industry on the one-sided or Agricultural basis. Such is the process which we have undergone twice already. How many repetitions shall satisfy us?

Now, will any man gravely argue that we have *made* Five or Six Millions by this cheap purchase of British goods,—by “buying where we could buy cheapest?” Will he not see that, though the *price* was low, the *cost* is very great? But the apparent saving is doubly deceptive; for the British manufacturers, having utterly crushed their American rivals by one or two operations of this kind, soon find here a market, not for a beggarly surplus of Fifteen or Twenty Millions, but they have now a demand for the amount of our whole consumption, which, making allowance for our diminished ability to pay, would probably still reach Fifty Millions per annum. This increased demand would soon produce activity and buoyancy in the general market; and now the foreign Manufacturers would say in their consultations, “We have sold some millions’ worth of goods to America for less than cost, in order to obtain control of that market; now we have it, and must retrieve our losses,”—and they *would* retrieve them, with interest. They would have a perfect right to do so. I hope no man has understood me as implying any infringement of the dictates of honesty on their part, still less of the laws of trade. They have a perfect right to sell goods in our markets on such terms as we prescribe and they can afford; it is *we*, who set up our own vital interests to be bowled down by their rivalry, who are alone to be blamed.

Who does not see that this sending out our great Industrial Interests unarmed and unshielded to battle against the mail-clad legions opposed to them in the arena of Trade is to insure their destruction? It were just as wise to say that, because our

people are brave, therefore they shall repel any invader without fire-arms, as to say that the restrictions of other nations ought not to be opposed by us because our artisans are skilful and our manufactures have made great advances. The very fact that our manufactures are greatly extended and improved is the strong reason why they should not be exposed to destruction. If they were of no amount or value, their loss would be less disastrous; but now the Five or Six Millions we should make on the cheaper importation of goods would cost us One Hundred Millions in the destruction of Manufacturing Property alone.

Yet this is but an item of our damage. The manufacturing classes feel the first effect of the blow, but it would paralyze every muscle of society. One hundred thousand artisans and laborers, discharged from our ruined factories, after being some time out of employment, at a waste of millions of the National wealth, are at last driven by famine to engage in other avocations,—of course with inferior skill and at an inferior price. The farmer, gardener, grocer, lose them as customers to meet them as rivals. They crowd the labor-markets of those branches of industry which we are still permitted to pursue, just at the time when the demand for their products has fallen off, and the price is rapidly declining. The result is just what we have seen in a former instance: all that any man may make by buying Foreign goods cheap, he loses ten times over by the decline of his own property, product, or labor; while to nine-tenths of the whole people the result is unmixed calamity. The disastrous consequences to a nation of the mere derangement and paralysis of its Industry which must follow the breaking down of any of its great Producing Interests have never yet been sufficiently estimated. Free Trade, indeed, assures us that every person thrown out of employment in one place or capacity has only to choose another; but almost every working-man knows from experience that such is not the fact,—that the loss of situation through the failure of his business is often a sore calamity. I know a worthy citizen who spent six years in learning the trade of a hatter, which he had just perfected in 1798, when an immense importation of foreign hats utterly paralyzed the manufacture in this country. He traveled and sought for months, but could find no employment at any price, and at last gave up the pursuit, found work in some other capacity, and has never made a hat since. He lives yet, and now comfortably, for he is industrious and frugal; but the six years he gave to learn his trade were utterly lost to him,—lost for the want of adequate and steady Protection to Home Industry. I insist that the Government has failed of

discharging its proper and rightful duty to that citizen and to thousands, and tens of thousands who have suffered from like causes. I insist that, if the Government had permitted without complaint a foreign force to land on our shores and plunder that man's house of the savings of six years of faithful industry, the neglect of duty would not have been more flagrant. And I firmly believe that the people of this country are One Thousand Millions of Dollars poorer at this moment than they would have been had their entire Productive Industry been constantly protected, on the principles I have laid down, from the formation of the Government till now. The steadiness of employment and of recompense thus secured, the comparative absence of constrained idleness, and the more efficient application of the labor actually performed, would have vastly increased the product,—would have improved and beautified the whole face of the country; and the Moral and Intellectual advantages thence accruing would alone have been inestimable. A season of suspension of labor in a community is usually one of aggravated dissipation, drunkenness, and crime.

But let me more clearly illustrate the effect of foreign competition in raising prices to the consumer. To do this, I will take my own calling for an example, because I understand that best; though any of you can apply the principle to that with which he may be better acquainted. I am a publisher of newspapers, and suppose I afford them at a cheap rate. But the ability to maintain that cheapness is based on the fact that I can certainly sell a large edition daily, so that no part of that edition shall remain a dead loss on my hands. Now, if there were an active and formidable Foreign competition in newspapers,—if the edition which I printed during the night were frequently rendered unsalable by the arrival of a foreign ship freighted with newspapers early in the morning,—the present rates could not be continued: the price must be increased or the quality would decline. I presume this holds equally good of the production of calicoes, glass, and penknives as of newspapers, though it may be somewhat modified by the nature of the article to which it is applied. That it does hold true of sheetings, nails, and thousands of articles, is abundantly notorious.

I have not burdened you with statistics,—you know they are the reliance, the stronghold, of the cause of Protection, and that we can produce them by acres. My aim has been to exhibit not mere collections of facts, however pertinent and forcible, but the laws on which those facts are based,—not the immediate manifestation, but the ever-living necessity from which it springs. The contemplation of these laws assures

me that those articles which are supplied to us by Home Production alone are relatively cheaper than those which are rivalled and competed with from abroad. And I am equally confident that the shutting out of Foreign competition from our markets for other articles of general necessity and liberal consumption which can be made here with as little labor as anywhere would be followed by a corresponding result,—a reduction of the price to the consumer at the same time with increased employment and reward to our Producing Classes.

But, Mr. President, were this only on one side true,—were it certain that the price of the Home product would be permanently higher than that of the Foreign, I should still insist on efficient Protection, and for reasons I have sufficiently shown. Grant that a British cloth costs but \$3 per yard, and a corresponding American fabric \$4, I still hold that the latter would be decidedly the cheaper for us. The Fuel, Timber, Fruits, Vegetables, &c., which make up so large a share of the cost of the Home product, would be rendered comparatively valueless by having our workshops in Europe. I look not so much to the nominal price as to the comparative facility of payment. And, where cheapness is only to be attained by a depression of the wages of Labor to the neighborhood of the European standard, I prefer that it should be dispensed with. One thing must answer to another; and I hold that the farmers of this country can better afford, as a matter of pecuniary advantage, to pay a good price for manufactured articles than to obtain them lower through the depression and inadequacy of the wages of the artisan and laborer.

You will understand me, then, to be utterly hostile to that idol of Free Trade worship, known as Free or unlimited Competition. The sands of my hour are running low, and I cannot ask time to examine this topic more closely; yet I am confident I could show that this Free Competition is a most delusive and dangerous element of Political Economy. Bear with a brief illustration: At this moment, common shirts are made in London at the incredibly low price of *three cents per pair*. Should we admit these articles free of duty and buy them because they are so cheap? Free trade says Yes; but I say No! Sound Policy as well as Humanity forbids it. By admitting them, we simply reduce a large and worthy and suffering class of our population from the ability they now possess of procuring a bare subsistence by their labor to unavoidable destitution and pauperism. They must now subsist upon the charity of relatives or of the community,—unless we are ready to adopt the demoniac doctrine of the Free Trade philosopher Malthus, that the dependent Poor

ought to be rigorously starved to death. Then what have we gained by getting these articles so exorbitantly cheap? or, rather, what have we not lost? The labor which formerly produced them is mainly struck out of existence; the poor widows and seamstresses among us must still have a subsistence; and the imported garments must be paid for: where are the profits of our speculation?

But even this is not the worst feature of the case. The labor which we have here thrown out of employment by the cheap importation of this article is now ready to be employed again at any price,—if not one that will afford bread and straw, then it must accept one that will produce potatoes and rubbish; and with the product some Free-Trader proceeds to break down the price and destroy the reward of similar labor in some other portion of the earth. And thus each depression of wages produces another, and that a third, and so on, making the circuit of the globe,—the aggravated necessities of the Poor acting and reacting upon each other, increasing the omnipotence of Capital and deepening the dependence of Labor, swelling and pampering a bloated and factitious Commerce, grinding down and grinding down the destitute, until Malthus's remedy for Poverty shall become a grateful specific, and, amid the splendors and luxuries of an all-devouring Commercial Feudalism, the squalid and famished Millions, its dependants and victims, shall welcome death as a deliverer from their sufferings and despair.

I wish time permitted me to give a hasty glance over the doctrines and teachings of the Free Trade sophists, who esteem themselves *the* Political Economists, christen their own views liberal and enlightened, and complacently put ours aside as benighted and barbarous. I should delight to show you how they mingle subtle fallacy with obvious truth, how they reason acutely from assumed premises, which, being mistaken or incomplete, lead to false and often absurd conclusions,—how they contradict and confound each other, and often, from Adam Smith, their patriarch, down to McCulloch and Ricardo, either make admissions which undermine their whole fabric, or confess themselves ignorant or in the dark on points the most vital to a correct understanding of the great subject they profess to have reduced to a Science. Yet even Adam Smith himself expressly approves and justifies the British Navigation Act, the most aggressively Protective measure ever enacted,—a measure which, not being understood and seasonably counteracted by other nations, changed for centuries the destinies of the World,—which silently sapped and overthrew the Commercial and Political greatness of Holland,—which silenced the thunder of Van

Tromp, and swept the broom from his mast-head. But I must not detain you longer. I do not ask you to judge of this matter by authority, but from facts which come home to your reason and your daily experience. There is not an observing and strong-minded mechanic in our city who could not set any one of these Doctors of the Law right on essential points. I beg you to consider how few great practical Statesmen they have ever been able to win to their standard,—I might almost say none; for Huskisson was but a nominal disciple, and expressly contravened their whole system upon an attempt to apply it to the Corn Laws; and Calhoun is but a Free-Trader by location, and has never yet answered his own powerful arguments in behalf of Protection. On the other hand, we point you to the long array of mighty names which have illustrated the annals of Statesmanship of modern times,—to Chatham, William Pitt, and the Great Frederick of Prussia; to the whole array of memorable French Statesmen, including Napoleon the first of them all; to our own WASHINGTON, HAMILTON, JEFFERSON, and MADISON; to our two CLINTONS, TOMPKINS, to say nothing of the eagle-eyed and genial-hearted LIVING master-spirit [Henry Clay] of our time. The opinions and the arguments of all these are on record; it is by hearkening to and heeding their counsels that we shall be prepared to walk in the light of experience and look forward to a glorious National destiny. My friends! I dare not detain you longer. I commit to you the cause of the Nation's Independence, of her Stability and her Prosperity. Guard it wisely and shield it well; for it involves your own happiness and the enduring welfare of your countrymen!

Henry A. Wise

*Against Know-Nothingism, Sept. 18, 1852.*

The laws of the United States—federal and state laws—declare and defend the liberties of our people. They are free in every sense—free in the sense of Magna Charta and beyond Magna Charta; free by the surpassing franchise of *American* charters, which makes them sovereign and their wills the sources of constitutions and laws.

In this country, at this time, does any man think anything? Would he think aloud? Would he speak anything? Would he write anything? His mind is free; his person is safe; his property is secure; his house is his castle; the spirit of the laws is his body-guard and his house-guard; the fate of one is the fate of all measured by the same common rule of right; his voice is heard and felt in the general suffrage of freemen; his trial is in open court,

confronted by witnesses and accusers; his prison house has no secrets, and he has the judgment of his peers; and there is nought to make him afraid, so long as he respects the rights of his equals in the eye of the law. Would he propagate truth? Truth is free to combat error. Would he propagate error? Error itself may stalk abroad and do her mischief, and make night itself grow darker, provided truth is left free to follow, however slowly, with her torches to light up the wreck! Why, then, should any portion of the people desire to retire in secret, and by secret means to propagate a political thought, or word, or deed, by stealth? Why band together, exclusive of others, to do something which all may not know of, towards some political end? If it be good, why not make the good known? Why not think it, speak it, write it, act it out openly and aloud? Or, is it evil, which loveth darkness rather than light? When there is no necessity to justify a secret association for political ends, what else can justify it? A caucus may sit in secret to consult on the general policy of a great public party. That may be necessary or convenient; but that even is reprehensible, if carried too far. But here is proposed a great primary, national organization, in its inception—What? Nobody knows. To do what? Nobody knows. How organized? Nobody knows. Governed by whom? Nobody knows. How bound? By what rites? By what test oaths? With what limitations and restraints? Nobody, nobody knows! All we know is that persons of foreign birth and of Catholic faith are proscribed; and so are all others who don't proscribe them at the polls. This is certainly against the spirit of Magna Charta.

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A Prussian born subject came to this country. He complied with our naturalization laws in all respects of notice of intention, residence, oath of allegiance, and proof of good moral character. He remained continuously in the United States the full period of five years. When he had fully filled the measure of his probation and was consummately a naturalized citizen of the United States, he then, and not until then, returned to Prussia to visit an aged father. He was immediately, on his return, seized and forced into the Landwehr, or militia system of Prussia, under the maxim: "Once a citizen, always a citizen!" There he is forced to do service to the king of Prussia at this very hour. He applies for protection to the United States. Would the Know-Nothings interpose in his behalf or not? Look at the principles involved. We, by our laws, encouraged him to come to our country, and here he was allowed to become naturalized, and to that end required to renounce and abjure all allegiance and fidelity to the

king of Prussia, and to swear allegiance and fidelity to the United States. The king of Prussia now claims no legal forfeiture from him—he punishes him for no crime—he claims of him no legal debt—he claims alone that very allegiance and fidelity which we required the man to abjure and renounce. Not only so, but he hinders the man from returning to the United States, and from discharging the allegiance and fidelity we required him to swear to the United States. The king of Prussia says he should do him service for seven years, for this was what he was born to perform; his obligations were due to him first, and his laws were first binding him. The United States say—true, he was born under your laws, but he had a right to expatriate himself; he owed allegiance first to you, but he had a right to forswear it and to swear allegiance to us; your laws first applied, but this is a case of political obligation, not of legal obligation; it is not for any crime or debt you claim to bind him, but it is for allegiance; and the claim you set up to his services on the ground of his political obligation, his allegiance to you, which we allow him to abjure and renounce, is inconsistent with his political obligation, his allegiance, which we required him to swear to the United States; he has sworn fidelity to us, and we have, by our laws, pledged protection to him.

Such is the issue. Now, with which will the Know-Nothings take sides? With the king of Prussia against our naturalized citizen and against America, or with America and our naturalized citizen? Mark, now, Know-Nothingism is opposed to all foreign influence—against American institutions. The king of Prussia is a pretty potent foreign influence—he was one of the holy alliance of crowned heads. Will they take part with him, and not protect the citizen? Then they will aid a foreign influence against our laws! Will they take sides with our naturalized citizen? If so, then upon what grounds? Now, they must have a good cause of interposition to justify us against all the received dogmas of European despotism.

Don't they see, can't they perceive, that they have no other grounds than those I have urged? He is our citizen, naturalized, owing us allegiance and we owing him protection. And if we owe him protection abroad, because of his sworn allegiance to us as a naturalized citizen, what then can deprive him of his privileges at home among us when he returns? If he be a citizen at all, he must be allowed the privileges of citizenship, or he will not be the equal of his fellow-citizens. And must not Know-Nothingism strike at the very equality of citizenship, or allow him to enjoy all its lawful privileges? If Catholics

and naturalized citizens are to be citizens and yet to be proscribed from office, they must be rated as an inferior class—an excluded class of citizens. Will it be said that the law will not make this distinction? Then are we to understand that Know-Nothings would not make them equal by law? If not by law, how can they pretend to make them unequal, by their secret order, without law and against law? For them, by secret combination, to make them unequal, to impose a burthen or restriction upon their privileges which the law does not, is to set themselves up above the law, and to supersede by private and secret authority, intangible and irresponsible, the rule of public, political right. Indeed, is this not the very essence of the "Higher Law" doctrine? It cannot be said to be legitimate public sentiment and the action of its authority. Public sentiment, proper, is a concurrence of the common mind in some conclusion, conviction, opinion, taste, or action in respect to persons or things subject to its public notice. It will, and it must control the minds and actions of men, by public and conventional opinion. Count Molé said that in France it was stronger than statutes. It is so here. That it is which should decide at the polls of a republic. But, here is a secret sentiment, which may be so organized as to contradict the public sentiment. Candidate A. may be a native and a Protestant, and may concur with the community, if it be a Know-Nothing community, on every other subject except that of proscribing Catholics and naturalized citizens: and candidate B. may concur with the community on the subject of this proscription alone, and upon no other subject; and yet the Know-Nothings might elect B. by their secret sentiment against the public sentiment. Thus it attacks not only American doctrines of expatriation, allegiance, and protection, but the equality of citizenship, and the authority of public sentiment. In the affair of Koszta, how did our blood rush to his rescue? Did the Know-Nothing side with him and Mr. Marcy, or with Hulseman and Austria? If with Koszta, why? Let them ask themselves for the rationale, and see if it can in reason abide with their orders. There is no middle ground in respect to naturalization. We must either have naturalization laws and let foreigners become citizens, on equal terms of capacities and privileges, or we must exclude them altogether. If we abolish naturalization laws, we return to the European dogma: "Once a citizen, always a citizen." If we let foreigners be naturalized and don't extend to them equality of privileges, we set up classes and distinctions of persons wholly opposed to republicanism. We will, as Rome did, have citizens who may be scourged. The three alternatives are pre-



sented—Our present policy, liberal, and just, and tolerant, and equal; or the European policy of holding the noses of native born slaves to the grind-stone of tyranny all their lives; or, odious distinctions of citizenship tending to social and political aristocracy. I am for the present laws of naturalization.

As to religion, the Constitution of the United States, art. 6, sec. 3, especially provides that no religious test shall ever be required as a qualification to any office or public trust under the United States. The state of Virginia has, from her earliest history, passed the most liberal laws, not only towards naturalization, but towards foreigners. But I have said enough to show the spirit of American laws and the true sense of American maxims.

3d. Know-Nothingism is against the spirit of Reformation and of Protestantism.

What was there to reform?

Let the most bigoted Protestant enumerate what he defines to have been the abominations of the church of Rome. What would he say were the worst? The secrets of Jesuitism, of the Auto da fe, of the Monasteries and of the Nunneries. The private penalties of the Inquisition's Scavenger's Daughter. Proscription, persecution, bigotry, intolerance, shutting up of the book of the word. And do Protestants now mean to out-Jesuit the Jesuits? Do they mean to strike and not be seen? To be felt and not to be heard? To put a shudder upon humanity by the masks of mu'tes? Will they wear the monkish cowls? Will they inflict penalties at the polls without reasoning together with their fellows at the hustings? Will they proscribe? Persecute? Will they bloat up themselves into that bigotry which would burn non-conformists? Will they not tolerate freedom of conscience, but doom dissenters, in secret conclave, to a forfeiture of civil privileges for a religious difference? Will they not translate the scripture of their faith? Will they visit us with dark lanterns and execute us by signs, and test oaths, and in secrecy? Protestantism! forbid it!

If anything was ever open, fair, and free—if anything was ever blatant even—it was the Reformation. To quote from a mighty British pen: "It gave a mighty impulse and increased activity to thought and inquiry, agitated the inert mass of accumulated prejudices throughout Europe. The effect of the concussion was general, but the shock was greatest in this country" (England). It toppled down the full grown intolerable abuses of centuries at a blow; heaved the ground from under the feet of bigoted faith and slavish obedience; and the roar and dashing of opinions, loosened from their accustomed hold, might be heard like the noise of an angry sea, and has never yet subsided. Germany first broke

the spell of misbegotten fear, and gave the watchword; but England joined the shout, and echoed it back, with her island voice, from her thousand cliffs and craggy shores, in a longer and louder strain. With that cry the genius of Great Britain rose, and threw down the gauntlet to the nations. There was a mighty fermentation: the waters were out; public opinion was in a state of projection; liberty was held out to all to think and speak the truth; men's brains were busy; their spirits stirring; their hearts full; and their hands not idle. Their eyes were opened to expect the greatest things, and their ears burned with curiosity and zeal to know the truth, that the truth might make them free. The death blow which had been struck at scarlet vice and bloated hypocrisy, loosened tongues, and made the talismans and love tokens of popish superstitions with which she had beguiled her followers and committed abominations with the people, fall harmless from their necks."

The translation of the Bible was the chief engine in the great work. It threw open, by a secret spring, the rich treasures of religion and morality, which had then been locked up as in a shrine. It revealed the visions of the Prophets, and conveyed the lessons of inspired teachers to the meanest of the people. It gave them a common interest in a common cause. Their hearts burnt within them as they read. It gave a mind to the people, by giving them common subjects of thought and feeling. It cemented their Union of character and sentiment; it created endless diversity and collision of opinion. They found objects to employ their faculties, and a motive in the magnitude of the consequences attached to them, to exert the utmost eagerness in the pursuit of truth, and the most daring intrepidity in maintaining it. Religious controversy sharpens the understanding by the subtlety and remoteness of the topics it discusses, and braces the will by their infinite importance. We perceive in the history of this period a nervous, masculine intellect. No levity, no feebleness, no indifference; or, if there were, it is a relaxation from the intense activity which gives a tone to its general character. But there is a gravity approaching to piety, a seriousness of impression, a conscientious severity of argument, an habitual fervor of enthusiasm in their method of handling almost every subject. The debates of the schoolmen were sharp and subtle enough: but they wanted interest and grandeur, and were besides confined to a few. They did not affect the general mass of the community. But the Bible was thrown open to all ranks and conditions "to own and read," with its wonderful table of contents, from Genesis to the Revelation. Every village in England would present the scene so well

described in Burns's "Cotter's Saturday Night." How unlike this agitation, this shock, this angry sea, this fermentation, this shout and its echoes, this impulse and activity, this concussion, this general effect, this blow, this earthquake, this roar and dashing, this longer and louder strain, this public opinion, this liberty to all to think and speak the truth, this stirring of spirits, this opening of eyes, this zeal to know—not nothing—but the truth, that the truth might make them free. How unlike to this is Know-Nothingism, sitting and brooding in secret to proscribe Catholics and naturalized citizens! Protestantism protested against secrecy, it protested against shutting out the light of truth, it protested against proscription, bigotry, and intolerance. It loosened all tongues, and fought the owls and bats of night with the light of meridian day. The argument of Know-Nothings is the argument of silence. The order ignores all knowledge. And its proscription can't arrest itself within the limit of excluding Catholics and naturalized citizens. It must proscribe natives and Protestants both, who will not consent to unite in proscribing Catholics and naturalized citizens. Nor is that all; it must not only apply to birth and religion, it must necessarily extend itself to the business of life as well as to political preferments.

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**Kenneth Raynor, of North Carolina, on  
Fusion of Fremont and Fillmore  
Forces.**

*Extracts from his Speech at Philadelphia, November 1, 1856.*

My brother Americans, do you intend to let these mischief-makers put you and me together by the ears? [Many voices; "no, no."] Then let us beat James Buchanan for the Presidency. ["We will—we will," and great applause.] He is the representative of slavery agitation; he is the representative of discord between sections; he is the man whom Northern and Southern agitators have agreed to present as their candidate. If he be elected now, and the difficulties in Kansas be healed, at the end of four years they will spring upon you another question of slavery agitation. It will be the taking of Cuba from Spain, or cutting off another slice from Mexico for the purpose of embroiling the North against the South; and then, if I shall resist that agitation, I shall be called an Abolitionist, again.

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My countrymen, God forbid that I should attempt to dictate to you or even advise you. I am not competent to do so. I know that divisions exist among you, while I feel also confident that the same purpose animates all your hearts. Do not

suppose for one moment that I am the representative of any clique or faction.

Unfortunately, I find that our friends here are in the same condition in which the Jews were, when besieged by the Roman general, Titus. Whilst the battering-rams of the Romans were beating down their walls, and the firebrand of the heathen was consuming their temple, the historian tells us that that great people were engaged in intestine commotions, some advocating the claims of one, and some of another, to the high priesthood of that nation; and instead of the Romans devouring them, they devoured each other. God forbid that my brother Americans should devour each other, at a time when every heart and every hand should be enlisted in the same cause, of overthrowing the common enemy of us all.

Who is that common enemy? [Voices, "The Democratic party."] Yes, that party have reviled us, abused us, persecuted us, and all only because we are determined to adhere to the Constitution of our country. Give Buchanan a lease of power for four years, and we must toil through persecution, submit to degradation, or cause the streets of our cities to run blood. But we will submit to degradation provided we can see the end of our troubles. We are willing to go through a pilgrimage, not only of four years, but of ten, or twenty, or forty years, provided we can have an assurance that at last we shall reach the top of Pisgah, and see the promised land which our children are to inherit. God has not given to us poor frail mortals the power, at all times, of controlling events. When we cannot control events, should we not, where no sacrifice of honor is involved, pursue the policy of Lysander, and where the lion's skin is too short, eke it out with the fox's [applause]—not where principle is involved—not where a surrender of our devotion to our country is at stake. No; never, never!

I know nothing of your straight-out ticket; I know nothing of your Union ticket; I know nothing of Fremont. I do know something of Fillmore; but I would not give my Americanism, and the hopes which I cherish of seeing Americanism installed as the policy of this nation, for all the Fillmores, or Fremonts, or Buchanans, that ever lived on the face of the earth.

St. Paul says, "if it offends my brother, I will eat no meat;" and if it offends my brother here, I will not open my mouth. Nobody can suspect me. [Voices: "certainly not."] Then I say, can't you combine the vote of this state, and beat Buchanan? [This question was responded to in the affirmative, with the greatest enthusiasm. Repeated cheers were proposed for the straight ticket, but the responding voices were by no means numerous, and

were mingled with hisses. Such was the universal excitement, that for some minutes the speaker was obliged to pause. He finally raised his voice above the subsiding storm, and said:—

Come, my friends, we are all brothers; we are all seeking the same end. Our object is the same. We are all struggling to reach the same haven of safety. The only difference of opinion is as to the proper means by which to accomplish our common end. Will not Americans learn prudence from the past? Misfortune should have taught us charity for each other. We have passed through the ordeal of persecution together; we have been subjected to the same difficulties, and the same oppression; we have been baptized (I may say) in the same stream of calumny. Then, in the name of God—in the name of our common country—in the name of Americanism—in the name of American nationality—in the name of religious freedom—in the name of the Union, I beseech you to learn charity for the difference of opinion which prevails among you. Let brethren forbear with brethren. Let us recollect that it is not by vituperation, by the censure of our brethren, that we can ever accomplish this great end of conquering a common enemy. My friends, how long are we to suffer? How long will it be before we shall learn that it is only by a union of counsels, a concentration of energy, a combination of purpose, that we can destroy the common enemy of every conservative man. [Great applause.]

I shall not attempt to advise you, for I am not competent to do it. You have information which I do not possess. You know all the undercurrents of opinion which prevail here in your community, with which I am unacquainted; but will you allow an humble man to express his opinion to brethren whom he loves? May I do it? I am a Fillmore man—nothing but a Fillmore man, and if I resided here, I would vote no ticket which had not the name of Millard Fillmore at its head, and I would advise no Fillmore man to vote a ticket with Fremont's name on it; but I would vote for that ticket which would make my voice tell at the polls.

Now let us look at this thing practically. In reading history I have always admired the character of Oliver Cromwell. What was the great motive by which he was actuated in overthrowing the house of Stuart? It was unfailing devotion to principle. His motto was, "Put your trust in God, and keep your powder dry." I admire the devotion to principle in every man who says that he does not intend to vote any but the straight ticket, for it shows that Americanism has such a lodgment in his heart, that he cannot bear even seemingly to compromise it. That is

"putting your trust in God;" but, my friends, is it "keeping your powder dry?" The enemy may steal into the camp while you are asleep, and may pour water upon your cartridges, so that when the day of battle shall come, you may shoot, but you will kill nobody. I want the vote of every American, on Tuesday next, to tell. Would to God that you could give the twenty-seven electoral votes of Pennsylvania to Fillmore. Then vote the straight ticket, if that will give him the twenty-seven votes. But suppose it will not (and I am afraid it will not), then the question is, had you better give Buchanan the twenty-seven votes, or give Fillmore eight, ten, twelve, or twenty, as the case may be. I go for beating Buchanan.

Gentlemen, you do not know what we Americans suffer at the South. I am abused and reviled for standing up in defence of you. When I hear the whole North denounced as a set of Abolitionists, whose purpose it is to interfere with the peculiar institutions of the South, I brand such charges as slanders on the Northern people. I tell them that the great mass of the Northern people are sound on this question; that they are opposed to slavery, as I should be if I were a Northern man; but that I do not believe that the great mass of the Northern people have any idea of interfering with the constitutional rights of the people of the South. I know that such men as Garrison and Forney have. I know that Garrison believes the Constitution to be a "league with hell," and would therefore destroy it if he could; and I know that Forney loves office so well, that even at the risk of snapping the Union, he will keep alive slavery agitation. But Garrison does not represent New England, and Forney does not represent you.

As much as I have been reviled for standing by you, I am so anxious to have Buchanan beaten, that were I residing here, if I could not give Fillmore the whole twenty-seven votes, I would give him all I could, by giving him the number to which he might be entitled by the numerical proportion of the votes at the ballot-box. Yet, if there is a brother American here who feels in his "heart of hearts," that by voting that Union ticket, he would compromise his Americanism, I say to such an one, "do not vote that ticket." At the same time, candor compels me to say, that I differ in opinion with him. If I believed that that ticket was a fusion, or that it called upon any Fillmore man to vote for Fremont, I would advise no one to vote it. I would not vote a ticket that had on it the name of Fremont; but I would vote a ticket with Fillmore's name upon it, and which would give him (if not the twenty-seven electoral votes) seven, or ten, or

twenty, just as the numerical proportion of the votes might decide.

I appeal to every conservative, Union-loving man in this nation, who is disposed to give to the South all the constitutional privileges to which she is entitled, and who wishes to rebuke the Democratic party for the repeal of the Missouri compromise, and for keeping up the eternal agitation of slavery. I appeal to you as a southern man—as a slaveholder. I do not ask you to be pro-slavery men, to be the advocates of slavery, when I say to you that we, your brethren of the South, expect you to preserve our constitutional rights—and, God knows, we ask nothing more—against fanatics, either north or south. Will you do it?

My friends, the election is fast approaching. There is but little time for deliberation left. Is there no way by which the votes of the anti-Buchanan party can be concentrated on the same ticket? I would shed tears of blood—God knows I would—if I could be instrumental in prevailing on all true Americans to combine. I cannot tell you how to combine; but is it yet too late? If it is too late to do it throughout the state, cannot you in Philadelphia do it? The Presidential election may depend upon the state of Pennsylvania, and the state of Pennsylvania may depend upon the city of Philadelphia. On the vote of the city of Philadelphia may depend not only our own rights, but the rights of our children and our children's children. I appeal to my brother Americans, for I have no right to appeal to anybody else; I cannot address the Fremont party, for I have no affiliation with them; I cannot address the Buchanan party, for my object is to destroy them if possible. To my American brethren, then, I appeal, for God's sake, do not let the sun rise upon that wrath, which I see divides you. Your object is the same—to rescue your common country.

Let me advise you who know nothing of your divisions—who belong neither to one clique or the other. I say with the deepest sincerity that I think all parties ought to have concentrated upon the Fillmore ticket. Mr. Fillmore is a northern man. Your southern brethren were willing to support him. He had guided the ship of state safely through the storm, and it was but reasonable to suppose that in time of difficulty he would again be found the same good pilot. But if we cannot get all others to unite on Mr. Fillmore, each of us must inquire, "What is my duty? If the mountain will not come to Mahomet, shall not Mahomet go to the mountain; and if he will not go to the mountain, in heaven's name, shall he not go half way?"

I am fighting for the victory which we may obtain in this contest. And what an

issue is now pending! We read in the Iliad how, for ten long years, a great people of antiquity were engaged in the siege of Troy. What was the stake for which they contended? It was nothing more than a beautiful woman, who had been ravished by a sprig of the royal line of Troy. What is the stake for which we contend? It is constitutional liberty—the right of the American people to govern their own country—the right of every citizen to worship God according to the dictates of his conscience. The great issue is, whether the American flag shall still wave in glory when we shall have gone to our graves, or whether it shall be trailed in dishonor—whether the "blackness of darkness" which would follow the dissolution of this Union, shall cover the land.

I do not tell you how to combine: but I urge you to resort to that mode (if there is such a mode possible), by which you can get together—by which your votes can be made effectual at the polls—by which Millard Fillmore can go before the House of Representatives with the strong moral power which a large electoral vote will give him.

That is the way in which we must view the question as practical men. Yet so different are the conditions of our nature, so different the sentiments which actuate us, that I will not be guilty of such presumption, as to tell any man what particular course he should take. You know my opinions; if they are worth anything, receive them into your hearts, simply as the sentiments of a brother American; if they are worth nothing, let them pass as the idle wind.

In conclusion I will only say that whether we be defeated or whether we be victorious, the only reward I ask for in the labor in which I am engaged is, that you may recollect me as one who had at heart only the welfare of his country, and who endeavored to promote it by appealing to the associations of the past, and all the hopes of the future.

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#### Religious Test.

*Debate in the Convention on that article in the Constitution in regard to it.*

MR. PINKNEY moved that no religious test shall ever be required as a qualification to any office or public trust under the United States.

MR. SHERMAN thought it unnecessary, the prevailing liberality being a sufficient security against all such tests.

REV. MR. BACKUS of Mass. I beg leave to offer a few thoughts upon the Constitution proposed to us; and I shall begin with the exclusion of any religious test. Many appear to be much concerned about

it; but nothing is more evident, both in reason and the Holy Scriptures, than that religion is ever a matter between God and individuals; and that, therefore, no man or set of men can impose any religious test without invading the essential prerogatives of our Lord Jesus Christ. Ministers first assumed this power under the Christian name, and then Constantine approved of the practice when he adopted the profession of Christianity as an engine of state policy. And let the history of all nations be searched, from that day to this, and it will appear that the imposing of religious tests hath been the greatest engine of tyranny in the world.

OLIVER WOLCOTT of Conn. For myself I should be content either with or without that clause in the Constitution which excludes test laws. Knowledge and liberty are so prevalent in this country, that I do not believe that the United States would ever be disposed to establish one religious sect and lay all others under legal disabilities. But as we know not what may take place hereafter, and any such test would be destructive of the rights of free citizens, I cannot think it superfluous to have added a clause which secures us from the possibility of such oppression.

MR. MADISON of Va. I confess to you, sir, that were uniformity of religion to be introduced by this system, it would, in my opinion, be ineligible; but I have no reason to conclude that uniformity of government will produce that of religion. This subject is, for the honor of America, left perfectly free and unshackled. The government has no jurisdiction over it—the least reflection will convince us there is no danger on this ground. Happily for the states, they enjoy the utmost freedom of religion. This freedom arises from that multiplicity of sects which pervades America, and which is the best and only security for religious liberty in any society. For, where there is such a variety of sects, there cannot be a majority of any one sect to oppress and persecute the rest.

MR. IREDELL of N. C. used this language: "Every person in the least conversant with the history of mankind, knows what dreadful mischiefs have been committed by religious persecution. Under the color of religious tests, the utmost cruelties have been exercised. Those in power have generally considered all wisdom centred in themselves, that they alone had the right to dictate to the rest of mankind, and that all opposition to their tenets was profane and impious. The consequence of this intolerant spirit has been that each church has in turn set itself up against every other, and persecutions and wars of the most implacable and bloody nature have taken place in every

part of the world. America has set an example to mankind to think more rationally—that a man may be of religious sentiments differing from our own, without being a bad member of society. The principles of toleration, to the honor of this age, are doing away those errors and prejudices which have so long prevailed even in the most intolerant countries. In Roman Catholic lands, principles of moderation are adopted, which would have been spurned a century or two ago. It will be fatal, indeed, to find, at the time when examples of toleration are set even by arbitrary governments, that this country, so impressed with the highest sense of liberty, should adopt principles on this subject that were narrow, despotic, and illiberal."

#### Speech of Henry W. Davis, of Maryland,

*On the Mission of the American Party.*

EXTRACT from Mr. Davis's speech in the House of Representatives, on the 6th of Jan., 1857, on the results of the recent Presidential election:—

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"The great lesson is taught by this election that both the parties which rested their hopes on sectional hostility, stand at this day condemned by the great majority of the country, as common disturbers of the public peace of the country.

"The Republican party was a hasty levy, en masse, of the Northern people to repel or revenge an intrusion by Northern votes alone. With its occasion it must pass away. The gentlemen of the Republican side of the House can now do nothing. They can pass no law excluding slavery from Kansas in the next Congress—for they are in a minority. Within two years Kansas must be a state of the Union. She will be admitted with or without slavery, as her people prefer. Beyond Kansas there is no question that is practically open. I speak to practical men. Slavery does not exist in any other territory,—it is excluded by law from several, and not likely to exist anywhere; and the Republican party has nothing to do and can do nothing. It has no future. Why cumber it the ground?

"Between these two stand the firm ranks of the American party, thinned by desertions, but still unshaken. To them the eye of the country turns in hope. The gentleman from Georgia saluted the Northern Democrats with the title of heroes—who swam vigorously down the current. The men of the American party faced, in each section, the sectional madness. They would cry neither free nor slave Kansas; but proposed a safe administration of the laws, before which every right would find protection. Their voice was drowned amid the din of factions. The

men of the North would have no moderation, and they have paid the penalty. The American party elected a majority of this House: had they of the North held fast to the great American principle of silence on the negro question, and, firmly refusing to join either agitation, stood by the American candidate, they would not now be writhing, crushed beneath an utter overthrow. If they would now destroy the Democrats, they can do it only by returning to the American party. By it alone can a party be created strong at the South as well as at the North. To it alone belongs a principle accepted wherever the American name is heard—the same at the North as at the South, on the Atlantic or the Pacific shore. It alone is free from sectional affiliations at either end of the Union which would cripple it at the other. Its principle is silence, peace, and compromise. It abides by the existing law. It allows no agitation. It maintains the present condition of affairs. It asks no change in any territory, and it will countenance no agitation for the aggrandizement of either section. Though thousands fell off in the day of trial—allured by ambition, or terrified by fear—at the North and at the South, carried away by the torrent of fanaticism in one part of the Union, or driven by the fierce onset of the Democrats in another, who shook Southern institutions by the violence of their attack, and half waked the sleeping negro by painting the Republican as his liberator, still a million of men, on the great day, in the face of both factions, heroically refused to bow the knee to either Baal. They knew the necessities of the times, and they set the example of sacrifice, that others might profit by it. They now stand the hope of the nation, around whose firm ranks the shattered elements of the great majority may rally and vindicate the right of the majority to rule, and of the native of the land to make the law of the land.

The recent election has developed, in an aggravated form, every evil against which the American party protested. Again in the war of domestic parties, Republican and Democrat have rivalled each other in bidding for the foreign vote to turn the balance of a domestic election. Foreign allies have decided the government of the country—men naturalized in thousands on the eve of the election—eagerly struggled for by competing parties, mad with sectional fury, and grasping any instrument which would prostrate their opponents. Again, in the fierce struggle for supremacy, men have forgotten the ban which the Republic puts on the intrusion of religious influence on the political arena. These influences have brought vast multitudes of foreign-born citizens to the polls, ignorant of American interests, without American

feelings, influenced by foreign sympathies, to vote on American affairs; and those votes have, in point of fact, accomplished the present result.

The high mission of the American is to restore the influence of the interests of the people in the conduct of affairs; to exclude appeals to foreign birth or religious feeling as elements of power in politics; to silence the voice of sectional strife—not by joining either section, but by recalling the people from a profitless and maddening controversy which aids no interest, and shakes the foundation not only of the common industry of the people, but of the Republic itself; to lay a storm amid whose fury no voice can be heard in behalf of the industrial interests of the country, no eye can watch and guard the foreign policy of the government, till our ears may be opened by the crash of foreign war waged for purposes of political and party ambition, in the name, but not by the authority nor for the interests, of the American people.

Return, then, Americans of the North, from the paths of error to which in an evil hour fierce passions and indignation have seduced you, to the sound position of the American party—silence on the slavery agitation. Leave the territories as they are—to the operation of natural causes. Prevent aggression by excluding from power the aggressors, and there will be no more wrong to redress. Awake the national spirit to the danger and degradation of having the balance of power held by foreigners. Recall the warnings of Washington against foreign influence—here in our midst—wielding part of our sovereignty; and with these sound words of wisdom let us recall the people from paths of strife and error to guard their peace and power; and when once the mind of the people is turned from the slavery agitation, that party which waked the agitation will cease to have power to disturb the peace of the land.

This is the great mission of the American party. The first condition of success is to prevent the administration from having a majority in the next Congress; for, with that, the agitation will be resumed for very different objects. The Ostend manifesto is full of warning; and they who struggle over Kansas may awake and find themselves in the midst of an agitation compared to which that of Kansas was a summer's sea; whose instruments will be, not words, but the sword.

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**Joshua R. Giddings Against the Fugitive Slave Law.**

*In the House of Representatives, April 25, 1848.*

“Why, sir, I never saw a panting fugitive speeding his way to a land of free-

dom, that an involuntary invocation did not burst from my lips, that God would aid him in his flight! Such are the feelings of every man in our free states, whose heart has not become hardened in iniquity. I do not confine this virtue to Republicans, nor to Anti-Slavery men; I speak of all men, of all parties, in all Christian communities. Northern Democrats feel it; they ordinarily bow to this higher law of their natures, and they only prove recreant to the law of the 'Most High,' when they regard the interests of the Democratic party as superior to God's law and the rights of mankind.

"Gentlemen will bear with me when I assure them and the President that I have seen as many as nine fugitives dining at one time in my own house—fathers, mothers, husbands, wives, parents, and children. When they came to my door, hungry and faint, cold and but partially clad, I did not turn round to consult the Fugitive Law, nor to ask the President what I should do. I knew the constitution of my country, and would not violate it. I obeyed the divine mandate, to feed the hungry and clothe the naked. I fed them. I clothed them, gave them money for their journey, and sent them on their way rejoicing. I obeyed God rather than the President. I obeyed my conscience, the dictates of my heart, the law of my moral being, the commands of Heaven, and, I will add, the constitution of my country; for no man of intelligence ever believed that the framers of that instrument intended to involve their descendants of the free states in any act that should violate the teachings of the Most High, by seizing a fellow-being, and returning him to the hell of slavery. If that be treason, make the most of it.

"MR. BENNETT, of Mississippi. I want to know if the gentleman would not have gone one step farther?

"MR. GIDDINGS. Yes, sir; I would have gone one step farther. I would have driven the slave-catcher who dared pursue them from my premises. I would have kicked him from my door-yard, if he had made his appearance there; or, had he attempted to enter my dwelling, I would have stricken him down upon the threshold of my door.

### Robert Toombs on Slavery,

*At Tremont Temple, Boston, January 24th, 1856.*

In 1790 there were less than seven hundred thousand slaves in the United States; in 1850 the number exceeded three and one quarter millions. The same authority shows their increase, for the ten years preceding the last census, to have been above twenty-eight per cent., or nearly three per

cent. per annum, an increase equal, allowing for the element of foreign immigration, to the white race, and nearly three times that of the free blacks of the North. But these legal rights of the slave embrace but a small portion of the privileges actually enjoyed by him. He has, by universal custom, the control of much of his own time, which is applied, at his own choice and convenience, to the mechanic arts, to agriculture, or to some other profitable pursuit, which not only gives him the power of purchase over many additional necessaries of life, but over many of its luxuries, and in numerous cases, enables him to purchase his freedom when he desires it. Besides, the nature of the relation of master and slave begets kindnesses, imposes duties (and secures their performance), which exist in no other relation of capital and labor. Interest and humanity co-operate in harmony for the well-being of slave labor. Thus the monster objection to our institution of slavery, that it deprives labor of its wages, cannot stand the test of a truthful investigation. A slight examination of the true theory of wages, will further expose its fallacy. Under a system of free labor, wages are usually paid in money, the representative of products—under ours, in products themselves. One of your most distinguished statesmen and patriots, President John Adams, said that the difference to the state was "imaginary." "What matters it (said he) whether a landlord, employing ten laborers on his farm, gives them annually as much money as will buy them the necessaries of life, or gives them those necessaries at short hand?" All experience has shown that if that be the measure of the wages of labor, it is safer for the laborer to take his wages in products than in their fluctuating pecuniary value. Therefore, if we pay in the necessaries and comforts of life more than any given amount of pecuniary wages will buy, then our laborer is paid higher than the laborer who receives that amount of wages. The most authentic agricultural statistics of England show that the wages of agricultural and unskilled labor in that kingdom, not only fail to furnish the laborer with the comforts of our slave, but even with the necessaries of life; and no slaveholder could escape a conviction for cruelty to his slaves who gave his slave no more of the necessaries of life for his labor than the wages paid to their agricultural laborers by the noblemen and gentlemen of England would buy. Under their system man has become less valuable and less cared for than domestic animals; and noble dukes will depopulate whole districts of men to supply their places with sheep, and then with intrepid audacity lecture and denounce American slaveholders.

The great conflict between labor and

capital, under free competition, has ever been how the earnings of labor shall be divided between them. In new and sparsely settled countries, where land is cheap, and food is easily produced, and education and intelligence approximate equality, labor can successfully struggle in this warfare with capital. But this is an exceptional and temporary condition of society. In the Old World this state of things has long since passed away, and the conflict with the lower grades of labor has long since ceased. There the compensation of unskilled labor, which first succumbs to capital, is reduced to a point scarcely adequate to the continuance of the race. The rate of increase is scarcely one per cent. per annum, and even at that rate, population, until recently, was considered a curse; in short, capital has become the master of labor, with all the benefits, without the natural burdens of the relation.

In this division of the earnings of labor between it and capital, the southern slave has a marked advantage over the English laborer, and is often equal to the free laborer of the North. Here again we are furnished with authentic data from which to reason. The census of 1850 shows that, on the cotton estates of the South, which is the chief branch of our agricultural industry, one-half of the arable lands are annually put under food crops. This half is usually wholly consumed on the farm by the laborers and necessary animals; out of the other half must be paid all the necessary expenses of production, often including additional supplies of food beyond the produce of the land, which usually equals one-third of the residue, leaving but one-third for net rent. The average rent of land in the older non-slaveholding states is equal to one-third of the gross product, and it not unfrequently amounts to one-half of it (in England it is sometimes even greater), the tenant, from his portion, paying all expenses of production and the expenses of himself and family. From this statement it is apparent that the farm laborers of the South receive always as much, and frequently a greater portion of the produce of the land, than the laborer in the New or Old England. Besides, here the portion due the slave is a charge upon the whole product of capital and the capital itself; it is neither dependent upon seasons nor subject to accidents, and survives his own capacity for labor, and even the ruin of his master.

But it is objected that religious instruction is denied the slave—while it is true that religious instruction and privileges are not enjoined by law in all of the states, the number of slaves who are in connection with the different churches abundantly proves the universality of their enjoyment of those privileges. And a much larger

number of the race in slavery enjoy the consolations of religion than the efforts of the combined Christian world have been able to convert to Christianity out of all the millions of their countrymen who remained in their native land.

The immoralities of the slaves, and of those connected with slavery, are constant themes of abolition denunciation. They are lamentably great; but it remains to be shown that they are greater than with the laboring poor of England, or any other country. And it is shown that our slaves are without the additional stimulant of want to drive them to crime—we have at least removed from them the temptation and excuse of hunger. Poor human nature is here at least spared the wretched fate of the utter prostration of its moral nature at the feet of its physical wants. Lord Ashley's report to the British Parliament shows that in the capital of that empire, perhaps within the hearing of Stafford House and Exeter Hall, hunger alone daily drives its thousands of men and women into the abyss of crime.

It is also objected that our slaves are debarred the benefits of education. This objection is also well taken, and is not without force. And for this evil the slaves are greatly indebted to the abolitionists. Formerly in none of the slaveholding states was it forbidden to teach slaves to read and write; but the character of the literature sought to be furnished them by the abolitionists caused these states to take counsel rather of their passions than their reason, and to lay the axe at the root of the evil; better counsels will in time prevail, and this will be remedied. It is true that the slave, from his protected position, has less need of education than the free laborer, who has to struggle for himself in the warfare of society; yet it is both useful to him, his master, and society.

The want of legal protection to the marriage relation is also a fruitful source of agitation among the opponents of slavery. The complaint is not without foundation. This is an evil not yet removed by law; but marriage is not inconsistent with the institution of slavery as it exists among us, and the objection, therefore, lies rather to an incident than to the essence of the system. But in the truth and fact marriage does exist to a very great extent among slaves, and is encouraged and protected by their owners; and it will be found, upon careful investigation, that fewer children are born out of wedlock among slaves than in the capitals of two of the most civilized countries of Europe—Austria and France; in the former, one-half of the children are thus born; in the latter, more than one-fourth. But even in this we have deprived the slave of no pre-existing right. We found the race



without any knowledge of or regard for the institution of marriage, and we are reproached with not having as yet secured to it that, with all other blessings of civilization. To protect that and other domestic ties by laws forbidding, under proper regulations, the separation of families, would be wise, proper, and humane; and some of the slave-holding states have already adopted partial legislation for the removal of these evils. But the objection is far more formidable in theory than in practice. The accidents and necessities of life, the desire to better one's condition, produce infinitely a greater amount of separation in families of the white than ever happens to the colored race. This is true even in the United States, where the general condition of the people is prosperous. But it is still more marked in Europe. The injustice and despotism of England towards Ireland has produced more separation of Irish families, and sundered more domestic ties within the last ten years, than African slavery has effected since its introduction into the United States. The twenty millions of freemen in the United States are witnesses of the dispersive injustice of the Old World. The general happiness, cheerfulness, and contentment of slaves attest both the mildness and humanity of the system and their natural adaptation to their condition. They require no standing armies to enforce their obedience; while the evidence of discontent, and the appliances of force to repress it, are everywhere visible among the toiling millions of the earth; even in the northern states of this Union, strikes and mobs, unions and combinations against employers, attest at once the misery and discontent of labor among them. England keeps one hundred thousand soldiers in time of peace, a large navy, and an innumerable police, to secure obedience to her social institutions; and physical force is the sole guarantee of her social order, the only cement of her gigantic empire.

I have briefly traced the condition of the African race through all ages and all countries, and described it fairly and truly under American slavery, and I submit that the proposition is fully proven, that his position in slavery among us is superior to any which he has ever attained in any age or country. The picture is not without shade as well as light; evils and imperfections cling to man and all of his works, and this is not exempt from them.

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**Judah P. Benjamin, of Louisiana,**

*On Slave Property, in U. S. Senate, March 11, 1858.*

Examine your Constitution; are slaves the only species of property there recog-

nized as requiring peculiar protection? Sir, the inventive genius of our brethren of the north is a source of vast wealth to them and vast benefit to the nation. I saw a short time ago in one of the New York journals, that the estimated value of a few of the patents now before us in this Capitol for renewal was \$40,000,000. I cannot believe that the entire capital invested in inventions of this character in the United States can fall short of one hundred and fifty or two hundred million dollars. On what protection does this vast property rest? Just upon that same constitutional protection which gives a remedy to the slave owner when his property is also found outside of the limits of the state in which he lives.

Without this protection what would be the condition of the northern inventor? Why, sir, the Vermont inventor protected by his own law would come to Massachusetts, and there say to the pirate who had stolen his property, "render me up my property, or pay me value for its use." The Senator from Vermont would receive for answer, if he were the counsel of this Vermont inventor, "Sir, if you want protection for your property go to your own state; property is governed by the laws of the state within whose jurisdiction it is found; you have no property in your invention outside of the limits of your state; you cannot go an inch beyond it." Would not this be so? Does not every man see at once that the right of the inventor to his discovery, that the right of the poet to his inspiration, depends upon those principles of eternal justice which God has implanted in the heart of man, and that wherever he cannot exercise them, it is because man, faithless to the trust that he has received from God, denies them the protection to which they are entitled?

Sir, follow out the illustration which the Senator from Vermont himself has given; take his very case of the Delaware owner of a horse riding him across the line into Pennsylvania. The Senator says: "Now, you see that slaves are not property like other property; if slaves were property like other property, why have you this special clause in your constitution to protect a slave? You have no clause to protect the horse, because horses are recognized as property everywhere." Mr. President, the same fallacy lurks at the bottom of this argument, as of all the rest. Let Pennsylvania exercise her undoubted jurisdiction over persons and things within her own boundary; let her do as she has a perfect right to do—declare that hereafter, within the state of Pennsylvania, there shall be no property in horses, and that no man shall maintain a suit in her courts for the recovery of property in a horse; and where will your horse owner be then? Just.

where the English poet is now ; just where the slaveholder and the inventor would be if the Constitution, foreseeing a difference of opinion in relation to rights in these subject-matters, had not provided the remedy in relation to such property as might easily be plundered. Slaves, if you please, are not property like other property in this : that you can easily rob us of them ; but as to the *right* in them, that man has to overthrow the whole history of the world, he has to overthrow every treatise on jurisprudence, he has to ignore the common sentiment of mankind, he has to repudiate the authority of all that is considered sacred with man, ere he can reach the conclusion that the person who owns a slave, in a country where slavery has been established for ages, has no other property in that slave than the mere title which is given by the statute law of the land where it is found.

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**William Lloyd Garrison Upon the Slavery Question.**

“Tyrants! confident of its overthrow, proclaim not to your vassals, that the American Union is an experiment of freedom, which, if it fails, will forever demonstrate the necessity of whips for the backs, and chains for limbs of people. Know that its subversion is essential to the triumph of justice, the deliverance of the oppressed, the vindication of the brotherhood of the race. It was conceived in sin, and brought forth in iniquity ; and its career has been marked by unparalleled hypocrisy, by high-handed tyranny, by a bold defiance of the omniscience and omnipotence of God. Freedom indignantly disowns it, and calls for its extinction ; for within its borders are three millions of slaves, whose blood constitutes its cement, whose flesh forms a large and flourishing branch of its commerce, and who are ranked with four-footed beasts and creeping things. To secure the adoption of the constitution of the United States, first, that the African slave trade—till that time a feeble, isolated, colonial traffic—should, for at least twenty years, be prosecuted as a national interest, under the American flag, and protected by the national arm ; secondly, that slavery holding oligarchy, created by allowing three-fifths of the slave-holding population to be represented by their taskmasters, should be allowed a permanent seat in congress ; thirdly, that the slave system should be secured against internal revolt and external invasion, by the united physical force of the country ; fourthly, that not a foot of national territory should be granted, on which the panting fugitive from slavery might stand, and be safe from his pursuers, thus making

every citizen a slave-hunter and slave catcher. To say that this ‘covenant with death’ shall not be annulled—that this ‘agreement with hell’ shall continue to stand—that this refuge of lies shall not be swept away—is to hurl defiance at the eternal throne, and to give the lie to Him that sits thereon. It is an attempt, alike monstrous and impracticable, to blend the light of heaven with the darkness of the bottomless pit, to unite the living with the dead, to associate the Son of God with the Prince of Evil. Accursed be the American Union, as a stupendous, republican imposture !”

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I am accused of using hard language. I admit the charge. I have been unable to find a soft word to describe villainy, or to identify the perpetrator of it. The man who makes a chattel of his brother—what is he? The man who keeps back the hire of his laborers by fraud—what is he? They who prohibit the circulation of the Bible—what are they? They who compel three millions of men and women to herd together like brute beasts—what are they? They who sell mothers by the pound, and children in lots to suit purchasers—what are they? I care not what terms are applied to them, provided they do apply. If they are not thieves, if they are not tyrants, if they are not men stealers, I should like to know what is their true character, and by what names they may be called. It is as mild an epithet to say that a thief is a thief, as to say that a spade is a spade. Words are but the signs of ideas. ‘A rose by any other name would smell as sweet.’ Language may be misapplied, and so be absurd or unjust ; as for example, to say that an abolitionist is a fanatic, or that a slave-holder is an honest man. But to call things by their right names is to use neither hard nor improper language. Epithets may be rightly applied, it is true, and yet be uttered in a hard spirit, or with a malicious design. What then? Shall we discard all terms which are descriptive of crime, because they are not always used with fairness and propriety? He who, when he sees oppression, cries out against it—who, when he beholds his equal brother trodden under foot by the iron hoof of despotism, rushes to his rescue—who, when he sees the weak overborne by the strong, takes his side with the former, at the imminent peril of his own safety—such a man needs no certificate to the excellence of his temper, or the sincerity of his heart, or the disinterestedness of his conduct. Or is the apologist of slavery, he who can see the victim of thieves lying bleeding and helpless on the cold earth, and yet turn aside, like the callous-hearted priest or Levite, who needs absolution. Let us call tyrants,

*tyrants*; not to do so is to misuse language, to deal treacherously with freedom, to consent to the enslavement of mankind. It is neither amiable nor virtuous, but a foolish and pernicious thing, not to call things by their right names. 'Woe unto them,' says one of the world's great prophets, 'that call evil good, and good evil; that put darkness for light, and light for darkness; that put bitter for sweet, and sweet for bitter.'

**Theodore Parker Against the Fugitive Slave Law.**

*His Protest Against the Return of Simms by the U. S. Commissioner at Boston.*

"Come with me, my friends, a moment more, pass over this golgotha of human history, treading reverent as you go, for our feet are on our mother's graves, and our shoes defile our father's hallowed bones. Let us not talk of them; go further on, look and pass by. Come with me into the inferno of the nations, with such poor guidance as my lamp can lend. Let us disquiet and bring up the awful shadows of empires buried long ago, and learn a lesson from the tomb. "Come, old Assyria, with the Ninevite dove upon thy emerald crown! what laid thee low? 'I fell by my own injustice. Thereby Nineveh and Babylon came with me also to the ground.' "Oh, queenly Persia, flame of the nations, wherefore art thou so fallen, who trodest the people under thee, bridgest the Hellespont with ships, and pouredst thy temple-wasting millions on the world? Because I trod the people under me, and bridged the Hellespont with ships, and poured my temple-wasting millions on the western world, I fell by my own misdeeds." "Thou muse-like Grecian queen, fairest of all thy classic sisterhood of states, enchanting yet the world with thy sweet witchery, speaking in art and most seductive song, why liest thou there, with beauteous yet dishonored brow, reposing on thy broken harp? 'I scorned the law of God; banished and poisoned wisest, justest men; I loved the loveliness of thought, and treasured that in more than Parian speech. But the beauty of justice, the loveliness of love, I trod them down to earth! Lo, therefore have I become as those barbarian states—as one of them!'" "Oh, manly and majestic Rome, thy seven-fold mural crown all broken at thy feet, why art thou here? It was not injustice brought thee low; for thy great book of law is prefaced with these words—justice is the unchanged, everlasting will to give each man his right! 'It was not the saint's ideal; it was the hypocrite's pretense.' I made iniquity my law. I trod the nations under me. Their wealth gilded my palaces—where thou mayest see the fox and hear the owl—it

fed my courtiers and my courtesans. Wicked men were my cabinet counselors, the flatterer breathed his poison in my ear. Millions of bondsmen wet the soil with tears and blood. Do you not hear it crying yet to God? Lo, here have I my recompense, tormented with such downfall as you see! Go back and tell the new-born child who sitteth on the Alleghanies, laying his either hand upon a tributary sea, a crown of thirty stars upon his youthful brow—tell him that there are rights which states must keep, or they shall suffer wrongs! Tell him there is a God who keeps the black man and the white, and hurls to earth the loftiest realm that breaks his just, eternal law! Warn the young empire, that he come not down dim and dishonored to my shameful tomb! Tell him that justice is the unchanging, everlasting will to give each man his right. I knew it, broke it, and am lost. Bid him know it, keep it, and be safe."

*The same speaker protests against the return of Simms.*

"Where shall I find a parallel with men who will do such a deed—do it in Boston? I will open the tombs and bring up most hideous tyrants from the dead. Come, brood of monsters, let me bring up from the deep damnation of the graves wherein your hated memories continue for all time their never-ending rot. Come, birds of evil omen! come, ravens, vultures, carrion crows, and see the spectacle! come, see the meeting of congenial souls! I will disturb, disquiet, and bring up the greatest monsters of the human race! Tremble not, women! They cannot harm you now! Fear the living, not the dead!"

Come hither, Herod, the wicked. Thou that didst seek after that young child's life, and destroyed the innocents! Let me look on thy face! No, go! Thou wert a heathen! Go, lie with the innocents thou hast massacred. Thou art too good for this company! "Come, Nero; thou awful Roman emperor, come up! No, thou wast drunk with power! schooled in Roman depravity. Thou hadst, besides, the example of thy fancied gods. Go, wait another day. I will seek a worse man.

"Come hither, St. Dominic! come, Torquemada; fathers of the Inquisition! merciless monsters, seek your equal here. No; pass by. You are no companion for such men as these. You were the servants of the atheistic popes, of cruel kings. Go to, and get you gone. Another time I may have work for you—now, lie there, and persevere to rot. You are not yet quite wicked and corrupt enough for this comparison. Go, get you gone, lest the sun goes back at sight of ye!

"Come up, thou heap of wickedness, George Jeffries! thy hands deep purple with the blood of thy fellow-men. Ah! I

know thee, awful and accursed shade! Two hundred years after thy death men hate thee still, not without cause. Look me upon thee! I know thy history. Pause, and be still, while I tell to these men. \* \* \* Come, shade of judicial butcher. Two hundred years, thy name has been pillowed in face of the world, and thy memory gibbeted before mankind. Let us see how thou wilt compare with those who kidnap men in Boston. Go, seek companionship with them. Go, claim thy kindred if such they be. Go, tell them that the memory of the wicked shall rot; that there is a God; an eternity; ay, and a judgment, too, where the slave may appeal against him that made him a slave, to Him that made him a man.

“What! Dost thou shudder? Thou turn back! These not thy kindred! Why dost thou turn pale, as when the crowd clutched at thy life in London street? Forgive me, that I should send thee on such an errand, or bid thee seek companionship with such—with Boston hunters of the slave! Thou wert not base enough! It was a great bribe that tempted thee! Again, I say, pardon me for sending thee to keep company with such men! Thou only struckest at men accused of crime; not at men accused only of their birth! Thou wouldst not send a man into bondage for two pounds! I will not rank thee with men who, in Boston, for ten dollars, would enslave a negro now! Rest still, Herod! Be quiet, Nero! Sleep, St. Dominic, and sleep, O Torquemada, in your fiery jail! Sleep, Jeffries, underneath ‘the altar of the church’ which seeks, with Christian charity to hide your hated bones!”

**William H. Seward's Speech on the Higher Law.**

*In the U. S. Senate, March 11, 1850.*

“But it is insisted that the admission of California shall be attended by a COMPROMISE of questions which have arisen out of SLAVERY! I AM OPPOSED TO ANY SUCH COMPROMISE IN ANY AND ALL THE FORMS IN WHICH IT HAS BEEN PROPOSED. Because, while admitting the purity and the patriotism of all from whom it is my misfortune to differ, I think all legislative compromises radically wrong, and essentially vicious. They involve the surrender of the exercise of judgment and the conscience on distinct and separate questions, at distinct and separate times, with the indispensable advantages it affords for ascertaining the truth. They involve a relinquishment of the right to reconsider in future the decision of the present, on questions prematurely anticipated. And they are a usurpation as to future questions of the providence of future legislators.

“Sir, it seems to me as if slavery had laid its paralyzing hand upon myself, and the blood were coursing less freely than its wont through my veins, when I endeavor to suppose that such a compromise has been effected, and my utterance forever is arrested upon all the great questions, social, moral, and political, arising out of a subject so important, and yet so incomprehensible. What am I to receive in this compromise? Freedom in California. It is well; it is a noble acquisition; it is worth a sacrifice. But what am I to give as an equivalent? A recognition of a claim to perpetuate slavery in the District of Columbia; forbearance towards more stringent laws concerning the arrest of persons suspected of being slaves found in the free States; forbearance from the PROVISIO of freedom in the charter of new territories. None of the plans of compromise offered demand less than two, and most of them insist on all these conditions. The equivalent then is, some portion of liberty, some portion of human rights in one region, for liberty in another.”

“It is true indeed that the national domain is ours. It is true it was acquired by the valor and the wealth of the whole nation. But we hold, *nevertheless*, no arbitrary power over it. We hold no arbitrary power over anything, whether acquired by law or seized by usurpation. The constitution regulates our stewardship; the constitution devotes the domain to union, to justice, to welfare and to liberty. *But there is a higher law than the constitution, which regulates our authority over the domain, and devotes it to the same noble purpose.* The territory is a part, no inconsiderable part of the common heritage of mankind, bestowed upon them by the Creator of the universe. We are his stewards, and must so discharge our trust, as to secure in the highest attainable degree their happiness. This is a State, and we are deliberating for it, just as our fathers deliberated in establishing the institutions we enjoy. Whatever superiority there is in our condition and hopes over those of any other ‘kingdom’ or ‘estate,’ is due to the fortunate circumstance that our ancestors did not leave things to ‘take their chances’ but that they ‘added amplitude and greatness’ to our commonwealth ‘by introducing such ordinances, constitutions, and customs as were wise.’ We in our turn have succeeded to the same responsibilities, and we cannot approach the duty before us wisely or justly, except we raise ourselves to the great consideration of how we can most certainly ‘sow greatness to our posterity and successors.’

“And now the simple, bold, and awful question which presents itself to us is this: shall we, who are founding institutions, social and political, for countless millions,

shall we, who know by experience the wise and just, and are free to choose them, and to reject the erroneous and unjust; shall we establish human bondage, or permit it by our sufferance to be established? Sir, our forefathers would not have hesitated an hour. They found slavery existing here, and they left it only because they could not remove it. There is not only no free State which would now establish it, but there is no slave State which, if it had had the free alternative, as we now have, would have founded slavery. Indeed, our revolutionary predecessors had precisely the same question before them in establishing an organic law, under which the States of Ohio, Michigan, Illinois, Wisconsin, and Iowa have since come into the Union, and they solemnly repudiated and excluded slavery from those States forever."

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**Charles Sumner on the Fallibility of Judicial Tribunals.**

Let me here say that I hold judges, and especially the Supreme Court of the country, in much respect; but I am too familiar with the history of Judicial proceedings to regard them with any superstitious reverence. Judges are but men and in all ages have shown a full share of frailty. Alas! alas! the worst crimes of history have been perpetrated under their sanction. The blood of martyrs and of patriots, crying from the ground, summons them to judgment.

It was a judicial tribunal which condemned Socrates to drink the fatal hemlock, and which pushed the Saviour barefoot over the pavements of Jerusalem, bending beneath his cross. It was a judicial tribunal which, against the testimony and entreaties of her father, surrendered the fair Virginia as a slave; which arrested the teachings of the great apostle to the Gentiles, and sent him in bonds from Judea to Rome; which, in the name of the *old* religion, adjured the saints and fathers of the Christian Church to death, in all its most dreadful forms; and which afterwards in the name of the *new* religion, enforced the tortures of the Inquisition, amidst the shrieks and agonies of its victims, while it compelled Galileo to declare, in solemn denial of the great truth he had disclosed, that the earth did not move round the sun.

It was a judicial tribunal which, in France, during the long reign of her monarchs, lent itself to be the instrument of every tyranny, as during the brief reign of terror it did not hesitate to stand forth the un pitying accessory of the un pitying guillotine. Ay, sir, it was a judicial tribunal in England, surrounded by all the forms of law, which sanctioned every despotic caprice of Henry the eighth, from the unjust

divorce of his queen to the beheading of Sir Thomas Moore; which lighted the fires of persecution, that glowed at Oxford and Smithfield, over the cinders of Latimer, Ridley, and John Rodgers; which, after elaborate argument, upheld the fatal tyranny of ship money against the patriotic resistance of Hampden; which, in defiance of justice and humanity, sent Sydney and Russell to the block; which persistently enforced the laws of conformity that our Puritan Fathers persistently refused to obey; and which afterwards, with Jeffries on the bench, crimsoned the pages of English history with massacre and murder, even with the blood of innocent women. Ay, sir, and it was a judicial tribunal in *our* country, surrounded by all the forms of law, which hung witches at Salem, which affirmed the constitutionality of the Stamp Act, while it admonished "jurors and the people" to obey; and which now, in our day, has lent its sanction to the unutterable atrocity of the Fugitive Slave Law."

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**Galusha A. Grow's Speech on the Homestead Bill.**

*In the House of Representatives, March 30, 1852. "Man's Right to the Soil."*

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But even if the Government could derive any revenue from the actual sale of public lands, it is neither just nor sound policy to hold them for that purpose. Aware, however, that it is a poor place, under a one hour rule, to attempt to discuss any of the natural rights of men, for, surrounded by the authority of ages, it becomes necessary, without the time to do it, first to brush away the dust that has gathered upon their errors. Yet it is well sometimes to go back of the authority of books and treatises, composed by authors reared and educated under monarchical institutions, and whose opinions and habits of thought consequently were more or less shaped and moulded by such influences, and examine, by the light of reason and nature, the true foundation of government and the inherent rights of men.

The fundamental rights of man may be summed up in two words—Life and Happiness. The first is the gift of the Creator, and may be bestowed at his pleasure; but it is not consistent with his character for benevolence, that it should be bestowed for any other purpose than to be enjoyed, and that we call happiness. Therefore, whatever nature has provided for preserving the one, or promoting the other, belongs alike to the whole race. And as the means for sustaining life are derived almost entirely from the soil, every person has a right to so much of the earth's surface as is necessary for his support. To whatever unoccupied portion of it, there-

fore, he shall apply his labor for that purpose, from that time forth it becomes appropriated to his own exclusive use; and whatever improvements he may make by his industry become his property, and subject to his disposal.

The only true foundation of any right to property is man's labor. That is property, and that alone which the labor of man has made such. What right, then, can the Government have in the soil of a wild and uncultivated wilderness as a source of revenue, to which not a day nor hour's labor has been applied, to make it more productive, and answer the end for which it was created, the support and happiness of the race?

It is said by the great expounder of the common law in his commentaries, that "there is no foundation in nature or natural law, why a set of words upon parchment should convey the dominion of land." The use and occupancy alone gives to man, in the language of the commentaries, "an exclusive right to retain, in a permanent manner, that specific land which before belonged generally to everybody, but particularly to nobody." \* \* \*

It may be said, true, such would be man's right to the soil in a state of nature; but when he entered into society, he gave up part of his natural rights, in order to enjoy the advantages of an organized community. This is a doctrine, I am aware, of the books and treatises on society and government; but it is a doctrine of despotism, and belongs not to enlightened statesmen in a liberal age. It is the excuse of the despot in encroaching upon the rights of the subject. He admits the encroachment, but claims that the citizen gave up part of his natural rights when he entered into society; and who is to judge what ones he relinquished but the ruling power? It was not necessary that any of man's natural rights should be yielded to the state in the formation of society. He yielded no right, but the right to do wrong, and that he never had by nature. All that he yielded in entering into organized society, was a portion of his unrestrained liberty, which was, that he would submit his conduct, that before was subject to the control of no living being, to the tribunals to be established by the state, and with a tacit consent that society, or the Government, might regulate the mode and manner of the exercise of his rights. Why should he consent to be deprived of them? It is upon this ground that we justify resistance to tyrants. Whenever the ruling power so far encroaches upon the natural rights of men that an appeal to arms becomes preferable to submission, they appeal from human to divine laws, and plead the natural rights of man in their justification. That government, and that alone, is just,

which enforces and defends all of man's natural rights, and protects him against the wrongs of his fellow-men. But it may be said, although such might be the natural rights of men, yet the Government has a right to these lands, and may use them as a source of revenue, under the doctrine of eminent domain. \* \* \* \*

What is there in the constitution of things giving to one individual the sole and exclusive right to any of the bounties provided by nature for the benefit and support of the whole race, because, perchance, he was the first to look upon a mere fragment of creation? By the same process of reasoning, he who should first discover the source or mouth of a river, would be entitled to a monopoly of the waters that flow in the channel, or he who should first look upon one of the rills or fountains of the earth might prevent fainting man from quenching there his thirst, unless his right was first secured by parchment.

Why has the claim to monopolize any of the gifts of God to man been confined, by legal codes, to the soil alone? Is there any other reason than that it is a right which, having its origin in feudal times—under a system that regarded man but as an appendage of the soil that he tilled, and whose life, liberty and happiness, were but means of increasing the pleasures, pampering the passions and appetites of his liege lord—and, having once found a place in the books, it has been retained by the reverence which man is wont to pay to the past, and to time-honored precedents? The human mind is so constituted that it is prone to regard as right what has come down to us approved by long usage, and hallowed by gray age. It is a claim that had its origin with the kindred idea that royal blood flows only in the veins of an exclusive few, whose souls are more ethereal, because born amid the glitter of courts, and cradled amid the pomp of lords and courtiers, and, therefore, they are to be installed as rulers and law-givers of the race. Most of the evils that afflict society have had their origin in violence and wrong enacted into law by the experience of the past, and retained by the prejudices of the present.

Is it not time to sweep from the statute book its still lingering relics of feudalism; and to blot out the principles engrafted upon it by the narrow-minded policy of other times, and adapt the legislation of the country to the spirit of the age, and to the true ideas of man's rights and relations to his Government? If a man has a right on earth, he has a right to land enough to rear a habitation on. If he has a right to live, he has a right to the free use of whatever nature has provided for his sustenance—air to breathe, water to drink, and land enough to cultivate for his subsistence; for

these are the necessary and indispensable means for the enjoyment of his inalienable rights of "life, liberty and the pursuit of happiness." And is it for a Government that claims to dispense equal and exact justice to all classes of men, and that has laid down correct principles in its great chart of human rights, to violate those principles and its solemn declarations in its legislative enactments?

The struggle between capital and labor is an unequal one at best. It is a struggle between the bones and sinews of men, and dollars and cents. And in that struggle, is it for the government to stretch forth its arm to aid the strong against the weak? Shall it continue, by its legislation, to elevate and enrich idleness on the wail and woe of industry?

If the rule be correct as applied to governments as well as individuals, that whatever a person permits another to do, having the right and means to prevent it, he does himself, then indeed is the government responsible for all the evils that may result from speculation and land monopoly in the public domain. For it is not denied that Congress has the power to make any regulations for the disposal of these lands, not injurious to the general welfare. Now, when a new tract is surveyed, and you open the land office and expose it to sale, the man with the most money is the largest purchaser. The most desirable and available locations are seized upon by the capitalists of the country, who seek that kind of investment. The settler who chances not to have a pre-emption right, or to be there at the time of sale, when he comes to seek a home for himself and his family, must pay the speculator three or four hundred per cent. on his investment, or encounter the trials and hardships of a still more remote border life. And thus, under the operation of laws that are called equal and just, you take from the settler three or four dollars per acre, and put it in the pocket of the speculator—thus, by the operation of law, abstracting so much of his hard earnings for the benefit of capital; for not an hour's labor has been applied to the land since it was sold by the government, nor is it more valuable to the settler. Has not the laborer a right to complain of legislation that compels him to endure greater toils and hardships, or contribute a portion of his earnings for the benefit of the capitalist? But not upon the capitalist or the speculator is it proper that the blame should fall. Man must seek a livelihood and do business under the laws of the country; and whatever rights he may acquire under the laws, though they may be wrong, yet the well-being of society requires that they be respected and faithfully observed. If a person engage in a business legalized and regulated by the law, and

uses no fraud or deception in its pursuit, and evils result to the community, let them apply the remedy to the proper source—that is to the law-making power. The laws and the law-makers are responsible for whatever evils necessarily grow out of their enactments.

While the public lands are exposed to indiscriminate sale, as they have been since the organization of the government, it opens the door to the wildest system of *land monopoly*. It requires no lengthy dissertation to portray its evils. In the Old World its history is written in sighs and tears. Under its influence, you behold in England, the proudest and most splendid aristocracy, side by side with the most abject and destitute people; vast manors hemmed in by hedges as a sporting-ground for her nobility, while men are dying beside the enclosure for the want of land to till. Thirty thousand proprietors hold the title deeds to the soil of Great Britain, while in Ireland alone there are two and a-half millions of tenants who own no part of the land they cultivate, nor can they ever acquire a title to a foot of it, yet they pay annually from their hard earnings twenty millions of dollars to absentee landlords for the privilege of dying on their soil. Under its blighting influence you behold industry in rags and patience in despair. Such are some of the fruits of land monopoly in the Old World; and, shall we plant its seeds in the virgin soil of the New? \* \* \* \* \*

If you would raise fallen man from his degradation, elevate the servile from their grovelling pursuits to the rights and dignity of men, you must first place within their reach the means for satisfying their pressing physical wants, so that religion can exert its influence on the soul, and soothe the weary pilgrim in his pathway to the tomb. It is in vain you talk of the goodness and benevolence of an *Omniscient Ruler* to him, whose life from the cradle to the grave is one continued scene of pain, misery and want. Talk not of free agency to him whose only freedom is to choose his own method to die. In such cases, there might, perhaps, be some feeble conceptions of religion and its duties—of the infinite, everlasting, and pure; but unless there be a more than common intellect, they would be like the dim shadows that float in the twilight. \* \* \* \* \*

Riches, it is true, are not necessary to man's real enjoyment; but the means to prevent starvation are. Nor is a splendid palace necessary to his real happiness; but a shelter against the storm and winter's blast is.

If you would lead the erring back from the paths of vice and crime to virtue and honor, give him a home—give him a hearthstone, and he will surround it with house-

hold gods. If you would make men wiser and better, relieve the almshouse, close the doors of the penitentiary, and break in pieces the gallows, purify the influences of the domestic fireside. For that is the school in which human character is formed, and there its destiny is shaped. There the soul receives its first impress, and man his first lesson, and they go with him for weal or woe through life. For purifying the sentiments, elevating the thoughts, and developing the noblest impulses of man's nature, the influences of a moral fireside and agricultural life are the noblest and the best. \* \* \* \*

It was said by Lord Chatham, in his appeal to the House of Commons, in 1775, to withdraw the British troops from Boston, that "trade, indeed, increases the glory and wealth of a country; but its true strength and stamina are to be looked for in the cultivators of the land. In the simplicity of their lives is found the simplicity of virtue, the integrity and courage of freedom. These true, genuine sons of the soil are invincible."

The history of American prowess has recorded these words as prophetic: man, in defence of his hearth-stone and fireside, is invincible against a world of mercenaries. In battling for his home and all that is dear to him on earth, he is never conquered save with his life. In such a struggle every pass becomes a Thermopylæ, every plain a Marathon. With an independent yeomanry scattered over our vast domain, the "young eagle" may bid defiance to the world in arms. Even though a foe should devastate our seaboard, lay in ashes its cities, they have made not one single advance towards conquering the country; for from the interior comes its hardy yeomanry, with their hearts of oak and nerves of steel, to expel the invader. Their hearts are the citadel of a nation's power—their arms the bulwarks of liberty. \* \* \* \*

Every consideration of policy, then, both as to revenue for the general government, and increased taxation for the new States, as well as a means for removing the causes of pauperism and crime in the old, demands that the public lands be granted in limited quantities to the actual settler. Every consideration of justice and humanity calls upon us to restore man to his natural rights in the soil. \* \* \*

In a new country the first and most important labor, as it is the most difficult to be performed, is to subdue the forest, and to convert the lair of the wild beast into a home for civilized man. This is the labor of the pioneer settler. His achievements, if not equally brilliant with those of the plumed warrior, are equally, if not more, lasting; his life, if not at times exposed to so great a hazard, is still one of equal dan-

ger and death. It is a life of toil and adventure, spent upon one continued battle-field, unlike that, however, on which martial hosts contend, for there the struggle is short and expected, and the victim strikes not alone, while the highest meed of ambition crowns the victor. Not so with the hardy pioneer. He is oft called upon to meet death in a struggle with fearful odds, while no herald will tell to the world of the unequal combat. Startled at the midnight hour by the war-whoop, he wakes from his dreams to behold his cottage in flames; the sharer of his joys and sorrows, with perhaps a tender infant, hurled, with rude hands, to the distant council-fire. Still he presses on into the wilderness, snatching new areas from the wild beast, and bequeathing them a legacy to civilized man. And all he asks of his country and his Government is, to protect him against the cupidity of soulless capital and the iron grasp of the speculator. Upon his wild battle-field these are the only foes that his own stern heart and right arm cannot vanquish.

### Lincoln and Douglas.

*The Last Joint Debate, at Alton, October 15, 1858.\**

#### SENATOR DOUGLAS'S SPEECH.

LADIES AND GENTLEMEN: It is now nearly four months since the canvass between Mr. Lincoln and myself commenced. On the 16th of June the Republican Convention assembled at Springfield and nominated Mr. Lincoln as their candidate for the United States Senate, and he, on that occasion, delivered a speech in which he laid down what he understood to be the Republican creed and the platform on which he proposed to stand during the contest. The principal points in that speech of Mr. Lincoln's were: First, that this Government could not endure permanently divided into free and slave States, as our fathers made it; that they must all become free or all become slave; all become one thing or all become the other, otherwise this Union could not continue to exist. I give you his opinions almost in the identical language he used. His second proposition was a crusade against the Supreme Court of the United States because of the Dred Scot decision; urging as an especial reason for his opposition to that decision that it deprived the negroes of the rights and benefits of that clause in the Constitution of the United States which guaranties to the citizens of each State all the rights, privileges, and immunities of the citizens of the several States. On the 10th of July I returned home, and delivered a speech to the people of Chicago,

\* All the series were published in 1860 by Follet, Foster & Co., Columbus, Ohio.



in which I announced it to be my purpose to appeal to the people of Illinois to sustain the course I had pursued in Congress. In that speech I joined issue with Mr. Lincoln on the points which he had presented. Thus there was an issue clear and distinct made up between us on these two propositions laid down in the speech of Mr. Lincoln at Springfield, and controverted by me in my reply to him at Chicago. On the next day, the 11th of July, Mr. Lincoln replied to me at Chicago, explaining at some length, and reaffirming the positions which he had taken in his Springfield speech. In that Chicago speech he even went further than he had before, and uttered sentiments in regard to the negro being on an equality with the white man. He adopted in support of this position the argument which Lovejoy and Coddington, and other Abolition lecturers had made familiar in the northern and central portions of the State, to wit: that the Declaration of Independence having declared all men free and equal, by Divine law, also that negro equality was an inalienable right, of which they could not be deprived. He insisted, in that speech, that the Declaration of Independence included the negro in the clause, asserting that all men were created equal, and went so far as to say that if one man was allowed to take the position, that it did not include the negro, others might take the position that it did not include other men. He said that all these distinctions between this man and that man, this race and the other race, must be discarded, and we must all stand by the Declaration of Independence, declaring that all men were created equal.

The issue thus being made up between Mr. Lincoln and myself on three points, we went before the people of the State. During the following seven weeks, between the Chicago speeches and our first meeting at Ottawa, he and I addressed large assemblages of the people in many of the central counties. In my speeches I confined myself closely to those three positions which he had taken, controverting his proposition that this Union could not exist as our fathers made it, divided into free and Slave States, controverting his proposition of a crusade against the Supreme Court because of the Dred Scott decision, and controverting his proposition that the Declaration of Independence included and meant the negroes as well as the white men when it declared all men to be created equal. I supposed at that time that these propositions constituted a distinct issue between us, and that the opposite positions we had taken upon them we would be willing to be held to in every part of the State. I never intended to waver one hair's breadth from that issue either in the north or the south, or wherever I should address the

people of Illinois. I hold that when the time arrives that I cannot proclaim my political creed in the same terms not only in the northern but the southern part of Illinois, not only in the Northern but the Southern States, and wherever the American flag waves over American soil, that then there must be something wrong in that creed. So long as we live under a common Constitution, so long as we live in a confederacy of sovereign and equal States, joined together as one for certain purposes, that any political creed is radically wrong which cannot be proclaimed in every State, and every section of that Union, alike. I took up Mr. Lincoln's three propositions in my several speeches, analyzed them, and pointed out what I believed to be the radical errors contained in them. First, in regard to his doctrine that this Government was in violation of the law of God, which says that a house divided against itself cannot stand, I repudiated it as a slander upon the immortal framers of our Constitution. I then said, I have often repeated, and now again assert, that in my opinion our Government can endure forever, divided into free and slave States as our fathers made it,—each State having the right to prohibit, abolish or sustain slavery, just as it pleases. This Government was made upon the great basis of the sovereignty of the States, the right of each State to regulate its own domestic institutions to suit itself, and that right was conferred with the understanding and expectation that inasmuch as each locality had separate interests, each locality must have different and distinct local and domestic institutions, corresponding to its wants and interests. Our fathers knew when they made the Government, that the laws and institutions which were well adapted to the green mountains of Vermont, were unsuited to the rice plantations of South Carolina. They knew then, as well as we know now, that the laws and institutions which would be well adapted to the beautiful prairies of Illinois would not be suited to the mining regions of California. They knew that in a Republic as broad as this, having such a variety of soil, climate and interest, there must necessarily be a corresponding variety of local laws—the policy and institutions of each State adapted to its condition and wants. For this reason this Union was established on the right of each State to do as it pleased on the question of slavery, and every other question; and the various States were not allowed to complain of, much less interfere with the policy, of their neighbors.

Suppose the doctrine advocated by Mr. Lincoln and the Abolitionists of this day had prevailed when the Constitution was made, what would have been the result?

Imagine for a moment that Mr. Lincoln had been a member of the Convention that framed the Constitution of the United States, and that when its members were about to sign that wonderful document, he had arisen in that Convention as he did at Springfield this summer, and addressing himself to the President, had said, "A house divided against itself cannot stand; this Government, divided into free and slave States, cannot endure, they must all be free or all be slave, they must all be one thing or all be the other, otherwise, it is a violation of the law of God, and cannot continue to exist;"—suppose Mr. Lincoln had convinced that body of sages that that doctrine was sound, what would have been the result? Remember that the Union was then composed of thirteen States, twelve of which were slaveholding and one free. Do you think that the one free State would have outvoted the twelve slaveholding States, and thus have secured the abolition of slavery? On the other hand, would not the twelve slaveholding States have outvoted the one free State; and thus have fastened slavery, by a Constitutional provision, on every foot of the American Republic forever? You see that if this Abolition doctrine of Mr. Lincoln had prevailed when the Government was made, it would have established slavery as a permanent institution, in all the States, whether they wanted it or not, and the question for us to determine in Illinois now as one of the free States is, whether or not we are willing, having become the majority section, to enforce a doctrine on the minority, which we would have resisted with our hearts' blood had it been attempted on us when we were in a minority. How has the South lost her power as the majority section in this Union, and how have the free States gained it, except under the operation of that principle which declares the right of the people of each State and each Territory to form and regulate their domestic institutions in their own way. It was under that principle that slavery was abolished in New Hampshire, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania; it was under that principle that one half of the slaveholding States became free; it was under that principle that the number of free States increased until from being one out of twelve States, we have grown to be the majority of States of the whole Union, with the power to control the House of Representatives and Senate, and the power, consequently, to elect a President by Northern votes without the aid of a Southern State. Having obtained this power under the operation of that great principle, are you now prepared to abandon the principle and declare that merely because we have the power you will wage

a war against the Southern States and their institutions until you force them to abolish slavery everywhere.

After having pressed these arguments home on Mr. Lincoln for seven weeks, publishing a number of my speeches, we met at Ottawa in joint discussion, and he then began to crawl a little, and let himself down. I there propounded certain questions to him. Amongst others, I asked him whether he would vote for the admission of any more slave States in the event the people wanted them. He would not answer. I then told him that if he did not answer the question there I would renew it at Freeport, and would then trot him down into Egypt and again put it to him. Well, at Freeport, knowing that the next joint discussion took place in Egypt, and being in dread of it, he did answer my question in regard to no more slave States in a mode which he hoped would be satisfactory to me, and accomplish the object he had in view. I will show you what his answer was. After saying that he was not pledged to the Republican doctrine of "no more slave States," he declared:

"I state to you freely, frankly, that I should be exceedingly sorry to ever be put in the position of having to pass upon that question. I should be exceedingly glad to know that there never would be another slave State admitted into this Union."

Here permit me to remark, that I do not think the people will ever force him into a position against his will. He went on to say:

"But I must add in regard to this, that if slavery shall be kept out of the Territory during the territorial existence of any one given Territory, and then the people should, having a fair chance and a clear field when they come to adopt a Constitution, if they should do the extraordinary thing of adopting a slave Constitution, uninfluenced by the actual presence of the institution among them, I see no alternative, if we own the country, but we must admit it into the Union."

That answer Mr. Lincoln supposed would satisfy the old line Whigs, composed of Kentuckians and Virginians down in the southern part of the State. Now what does it amount to? I desired to know whether he would vote to allow Kansas to come into the Union with slavery or not, as her people desired. He would not answer; but in a roundabout way said that if slavery should be kept out of a Territory during the whole of its territorial existence, and then the people, when they adopted a State Constitution, asked admission as a slave State, he supposed he would have to let the State come in. The case I put to him was an entirely different one. I desired to know whether he would vote to admit a State if Congress had not prohib-

ited slavery in it during its territorial existence, as Congress never pretended to do under Clay's Compromise measures of 1850. He would not answer, and I have not yet been able to get an answer from him. I have asked him whether he would vote to admit Nebraska if her people asked to come in as a State with a Constitution recognizing slavery, and he refused to answer. I have put the question to him with reference to New Mexico, and he has not uttered a word in answer. I have enumerated the Territories, one after another, putting the same question to him with reference to each, and he has not said, and will not say, whether, if elected to Congress, he will vote to admit any Territory now in existence with such a Constitution as her people may adopt. He invents a case which does not exist, and cannot exist under this Government, and answers it; but he will not answer the question I put to him in connection with any of the Territories now in existence. The contract we entered into with Texas when she entered the Union obliges us to allow four States to be formed out of the old State, and admitted with or without slavery as the respective inhabitants of each may determine. I have asked Mr. Lincoln three times in our joint discussions whether he would vote to redeem that pledge, and he has never yet answered. He is as silent as the grave on the subject. He would rather answer as to a state of the case which will never arise than commit himself by telling what he would do in a case which would come up for his action soon after his election to Congress. Why can he not say whether he is willing to allow the people of each State to have slavery or not as they please, and to come into the Union when they have the requisite population as a slave or a free State as they decide? I have no trouble in answering the questions. I have said every where, and now repeat it to you, that if the people of Kansas want a slave State they have a right, under the Constitution of the United States, to form such a State, and I will let them come into the Union with slavery or without, as they determine. If the people of any other Territory desire slavery, let them have it. If they do not want it, let them prohibit it. It is their business, not mine. It is none of our business in Illinois whether Kansas is a free State or a slave State. It is none of your business in Missouri whether Kansas shall adopt slavery or reject it. It is the business of her people and none of yours. The people of Kansas have as much right to decide that question for themselves as you have in Missouri to decide it for yourselves, or we in Illinois to decide it for ourselves.

And here I may repeat what I have said

in every speech I have made in Illinois, that I fought the Lecompton Constitution to its death, not because of the slavery clause in it, but because it was not the act and deed of the people of Kansas. I said then in Congress, and I say now, that if the people of Kansas want a slave State, they have a right to have it. If they wanted the Lecompton Constitution, they had a right to have it. I was opposed to that Constitution because I did not believe that it was the act and deed of the people, but on the contrary, the act of a small, pitiful minority acting in the name of the majority. When at last it was determined to send that Constitution back to the people, and accordingly, in August last, the question of admission under it was submitted to a popular vote, the citizens rejected it by nearly ten to one, thus showing conclusively, that I was right when I said that the Lecompton Constitution was not the act and the deed of the people of Kansas, and did not embody their will.

I hold that there is no power on earth, under our system of Government, which has the right to force a Constitution upon an unwilling people. Suppose that there had been a majority of ten to one in favor of slavery in Kansas, and suppose there had been an Abolition President, and an Abolition Administration, and by some means the Abolitionists succeeded in forcing an Abolition Constitution on those slave-holding people, would the people of the South have submitted to that act for one instant? Well, if you of the South would not have submitted to it a day, how can you, as fair, honorable and honest men, insist on putting a slave Constitution on a people who desire a free State? Your safety and ours depend upon both of us acting in good faith, and living up to that great principle which asserts the right of every people to form and regulate their domestic institutions to suit themselves, subject only to the Constitution of the United States.

Most of the men who denounced my course on the Lecompton question, objected to it not because I was not right, but because they thought it expedient at that time, for the sake of keeping the party together, to do wrong. I never knew the Democratic party to violate any one of its principles out of policy or expediency, that it did not pay the debt with sorrow. There is no safety or success for our party unless we always do right, and trust the consequences to God and the people. I chose not to depart from principle for the sake of expediency in the Lecompton question, and I never intend to do it on that or any other question.

But I am told that I would have been all right if I had only voted for the Eng-

lish bill after Lecompton was killed. You know a general pardon was granted to all political offenders on the Lecompton question, provided they would only vote for the English bill. I did not accept the benefits of that pardon, for the reason that I had been right in the course I had pursued, and hence did not require any forgiveness. Let us see how the result has been worked out. English brought in his bill referring the Lecompton Constitution back to the people, with the provision that if it was rejected Kansas should be kept out of the Union until she had the full ratio of population required for a member of Congress, thus in effect declaring that if the people of Kansas would only consent to come into the Union under the Lecompton Constitution, and have a slave State when they did not want it, they should be admitted with a population of 35,000, but that if they were so obstinate as to insist upon having just such a Constitution as they thought best, and to desire admission as a free State, then they should be kept out until they had 93,420 inhabitants. I then said, and I now repeat to you, that whenever Kansas has people enough for a slave State she has people enough for a free State. I was and am willing to adopt the rule that no State shall ever come into the Union until she has the full ratio of population for a member of Congress, provided that rule is made uniform. I made that proposition in the Senate last winter, but a majority of the Senators would not agree to it; and I then said to them if you will not adopt the general rule I will not consent to make an exception of Kansas.

I hold that it is a violation of the fundamental principles of this Government to throw the weight of federal power into the scale, either in favor of the free or the slave States. Equality among all the States of this Union is a fundamental principle in our political system. We have no more right to throw the weight of the Federal Government into the scale in favor of the slaveholding than the free States, and last of all should our friends in the South consent for a moment that Congress should withhold its powers either way when they know that there is a majority against them in both Houses of Congress.

Fellow-citizens, how have the supporters of the English bill stood up to their pledges not to admit Kansas until she obtained a population of 93,420 in the event she rejected the Lecompton Constitution? How? The newspapers inform us that English himself, whilst conducting his canvass for re-election, and in order to secure it, pledged himself to his constituents that if returned he would disregard his own bill and vote to admit Kansas into the Union with such population as she might have when she made application.

We are informed that every Democratic candidate for Congress in all the States where elections have recently been held, was pledged against the English bill, with perhaps one or two exceptions. Now, if I had only done as these anti-Lecompton men who voted for the English bill in Congress, pledging themselves to refuse to admit Kansas if she refused to become a slave State until she had a population of 93,420, and then return to their people, forfeited their pledge, and made a new pledge to admit Kansas at any time she applied, without regard to population, I would have had no trouble. You saw the whole power and patronage of the Federal Government wielded in Indiana, Ohio and Pennsylvania to re-elect anti-Lecompton men to Congress who voted against Lecompton, then voted for the English bill, and then denounced the English bill, and pledged themselves to their people to disregard it. My sin consists in not having given a pledge, and then in not having afterward forfeited it. For that reason, in this State, every postmaster, every route agent, every collector of the ports, and every federal office-holder, forfeits his head the moment he expresses a preference for the Democratic candidates against Lincoln and his Abolition associates. A Democratic Administration which we helped to bring into power, deems it consistent with its fidelity to principle and its regard to duty, to wield its power in this State in behalf of the Republican Abolition candidates in every county and every Congressional District against the Democratic party. All I have to say in reference to the matter is, that if that Administration have not regard enough for principle, if they are not sufficiently attached to the creed of the Democratic party to bury forever their personal hostilities in order to succeed in carrying out our glorious principles, I have. I have no personal difficulty with Mr. Buchanan or his cabinet. He chose to make certain recommendations to Congress, as he had a right to do, on the Lecompton question. I could not vote in favor of them. I had as much right to judge for myself how I should vote as he had how he should recommend. He undertook to say to me, if you do not vote as I tell you, I will take off the heads of your friends. I replied to him, "You did not elect me, I represent Illinois and I am accountable to Illinois, as my constituency, and to God, but not to the President or to any other power on earth."

And now this warfare is made on me because I would not surrender my convictions of duty, because I would not abandon my constituency, and receive the orders of the executive authorities how I should vote in the Senate of the United States. I hold that an attempt to control

the Senate on the part of the Executive is subversive of the principles of our Constitution. The Executive department is independent of the Senate, and the Senate is independent of the President. In matters of legislation the President has a veto on the action of the Senate, and in appointments and treaties the Senate has a veto on the President. He has no more right to tell me how I shall vote on his appointments than I have to tell him whether he shall veto or approve a bill that the Senate has passed. Whenever you recognize the right of the Executive to say to a Senator, "Do this, or I will take off the heads of your friends," you convert this Government from a republic into a despotism. Whenever you recognize the right of a President to say to a member of Congress, "Vote as I tell you, or I will bring a power to bear against you at home which will crush you," you destroy the independence of the representative, and convert him into a tool of Executive power. I resisted this invasion of the constitutional rights of a Senator, and I intend to resist it as long as I have a voice to speak, or a vote to give. Yet, Mr. Buchanan cannot provoke me to abandon one iota of Democratic principles out of revenge or hostility to his course. I stand by the platform of the Democratic party, and by its organization, and support its nominees. If there are any who choose to bolt, the fact only shows that they are not as good Democrats as I am.

My friends, there never was a time when it was as important for the Democratic party, for all national men, to rally and stand together as it is to-day. We find all sectional men giving up past differences and continuing the one question of slavery, and when we find sectional men thus uniting, we should unite to resist them and their treasonable designs. Such was the case in 1850, when Clay left the quiet and peace of his home, and again entered upon public life to quell agitation and restore peace to a distracted Union. Then we Democrats, with Cass at our head, welcomed Henry Clay, whom the whole nation regarded as having been preserved by God for the times. He became our leader in that great fight, and we rallied around him the same as the Whigs rallied around old Hickory in 1832, to put down nullification. Thus you see that whilst Whigs and Democrats fought fearlessly in old times about banks, the tariff, distribution, the specie circular, and the sub-treasury, all united as a band of brothers when the peace, harmony, or integrity of the Union was imperilled. It was so in 1850, when Abolitionism had even so far divided this country, North and South, as to endanger the peace of the Union; Whigs and Democrats united in establishing the Compromise measures of that year, and restor-

ing tranquillity and good feeling. These measures passed on the joint action of the two parties. They rested on the great principle that the people of each State and each Territory should be left perfectly free to form and regulate their domestic institutions to suit themselves. You Whigs, and we Democrats justified them in that principle. In 1854, when it became necessary to organize the Territories of Kansas and Nebraska, I brought forward the bill on the same principle. In the Kansas-Nebraska bill you find it declared to be the true intent and meaning of the act not to legislate slavery into any State or Territory, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way. I stand on that same platform in 1858 that I did in 1850, 1854, and 1856. The *Washington Union*, pretending to be the organ of the Administration, in the number of the 5th of this month, devotes three columns and a half to establish these propositions: First, that Douglas, in his Freeport speech, held the same doctrine that he did in his Nebraska bill in 1854; second, that in 1854 Douglas justified the Nebraska bill upon the ground that it was based upon the same principle as Clay's Compromise measures of 1850. The *Union* thus proved that Douglas was the same in 1858 that he was in 1856, 1854, and 1850, and consequently argued that he was never a Democrat. Is it not funny that I was never a Democrat? There is no pretense that I have changed a hair's breadth. The *Union* proves by my speeches that I explained the Compromise measures of 1850 just as I do now, and that I explained the Kansas and Nebraska bill in 1854 just as I did in my Freeport speech, and yet says that I am not a Democrat, and cannot be trusted, because I have not changed during the whole of that time. It has occurred to me that in 1854 the author of the Kansas and Nebraska bill was considered a pretty good Democrat. It has occurred to me that in 1856, when I was exerting every nerve and every energy for James Buchanan, standing on the same platform then that I do now, that I was a pretty good Democrat. They now tell me that I am not a Democrat, because I assert that the people of a Territory, as well as those of a State, have the right to decide for themselves whether slavery can or cannot exist in such Territory. Let me read what James Buchanan said on that point when he accepted the Democratic nomination for the Presidency in 1856. In his letter of acceptance, he used the following language:

"The recent legislation of Congress respecting domestic slavery, derived as it has been from the original and pure fountain of legitimate political power, the will of the majority, promises ere long to allay the dan-

gerous excitement. This legislation is founded upon principles as ancient as free government itself, and in accordance with them has simply declared that the people of a Territory, like those of a State, shall decide for themselves whether slavery shall or shall not exist within their limits."

Dr. Hope will there find my answer to the question he propounded to me before I commenced speaking. Of course no man will consider it an answer, who is outside of the Democratic organization, bolts Democratic nominations, and indirectly aids to put Abolitionists into power over Democrats. But whether Dr. Hope considers it an answer or not, every fair-minded man will see that James Buchanan has answered the question, and has asserted that the people of a Territory like those of a State, shall decide for themselves whether slavery shall or shall not exist within their limits. I answer specifically if you want a further answer, and say that while under the decision of the Supreme Court, as recorded in the opinion of Chief Justice Taney, slaves are property like all other property, and can be carried into any Territory of the United States the same as any other description of property, yet when you get them there they are subject to the local law of the Territory just like all other property. You will find in a recent speech delivered by that able and eloquent statesman, Hon. Jefferson Davis, at Bangor, Maine, that he took the same view of this subject that I did in my Freeport speech. He there said :

"If the inhabitants of any Territory should refuse to enact such laws and police regulations as would give security to their property or to his, it would be rendered more or less valueless in proportion to the difficulties of holding it without such protection. In the case of property in the labor of man, or what is usually called slave property, the insecurity would be so great that the owner could not ordinarily retain it. Therefore, though the right would remain, the remedy being withheld, it would follow that the owner would be practically debarred, by the circumstances of the case, from taking slave property into a Territory where the sense of the inhabitants was opposed to its introduction. So much for the oft-repeated fallacy of forcing slavery upon any community."

You will also find that the distinguished Speaker of the present House of Representatives, Hon. Jas. L. Orr, construed the Kansas and Nebraska bill in this same way in 1856, and also that great intellect of the South, Alex. H. Stephens, put the same construction upon it in Congress that I did in my Freeport speech. The whole South are rallying to the support of the doctrine that if the people of a Territory want slavery they have a right to have it,

and if they do not want it that no power on earth can force it upon them. I hold that there is no principle on earth more sacred to all the friends of freedom than that which says that no institution, no law, no constitution, should be forced on an unwilling people contrary to their wishes ; and I assert that the Kansas and Nebraska bill contains that principle. It is the great principle contained in that bill. It is the principle on which James Buchanan was made President. Without that principle he never would have been made President of the United States. I will never violate or abandon that doctrine if I have to stand alone. I have resisted the blandishments and threats of power on the one side, and seduction on the other, and have stood immovably for that principle, fighting for it when assailed by Northern mobs, or threatened by Southern hostility. I have defended it against the North and South, and I will defend it against whoever assails it, and I will follow it wherever its logical conclusions lead me. I say to you that there is but one hope, one safety for this country, and that is to stand immovably by that principle which declares the right of each State and each Territory to decide these questions for themselves. This Government was founded on that principle, and must be administered in the same sense in which it was founded.

But the Abolition party really think that under the Declaration of Independence the negro is equal to the white man, and that negro equality is an inalienable right conferred by the Almighty, and hence that all human laws in violation of it are null and void. With such men it is no use for me to argue. I hold that the signers of the Declaration of Independence had no reference to negroes at all when they declared all men to be created equal. They did not mean negroes, nor savage Indians, nor the Fejee Islanders, nor any other barbarous race. They were speaking of white men. They alluded to men of European birth and European descent—to white men, and to none others, when they declared that doctrine. I hold that this Government was established on the white basis. It was established by white men for the benefit of white men and their posterity forever, and should be administered by white men, and none others. But it does not follow, by any means, that merely because the negro is not a citizen, and merely because he is not our equal, that, therefore, he should be a slave. On the contrary, it does follow that we ought to extend to the negro race, and to all other dependent races all the rights, all the privileges, and all the immunities which they can exercise consistently with the safety of society. Humanity requires that we should give them all these privileges ; Christianity commands

that we should extend those privileges to them. The question then arises what are these privileges, and what is the nature and extent of them. My answer is that that is a question which each State must answer for itself. We in Illinois have decided it for ourselves. We tried slavery, kept it up for twelve years, and finding that it was not profitable, we abolished it for that reason, and became a free State. We adopted in its stead the policy that a negro in this State shall not be a slave and shall not be a citizen. We have a right to adopt that policy. For my part I think it is a wise and sound policy for us. You in Missouri must judge for yourselves whether it is a wise policy for you. If you choose to follow our example, very good; if you reject it, still well, it is your business, not ours. So with Kentucky. Let Kentucky adopt a policy to suit herself. If we do not like it we will keep away from it, and if she does not like ours let her stay at home, mind her own business and let us alone. If the people of all the States will act on that great principle, and each State mind its own business, attend to its own affairs, take care of its own negroes and not meddle with its neighbors, then there will be peace between the North and the South, the East and the West, throughout the whole Union. Why can we not thus have peace? Why should we thus allow a sectional party to agitate this country, to array the North against the South, and convert us into enemies instead of friends, merely that a few ambitious men may ride into power on a sectional hobby? How long is it since these ambitious Northern men wished for a sectional organization? Did any one of them dream of a sectional party as long as the North was the weaker section and the South the stronger? Then all were opposed to sectional parties; but the moment the North obtained the majority in the House and Senate by the admission of California, and could elect a President without the aid of Southern votes, that moment ambitious Northern men formed a scheme to excite the North against the South, and make the people be governed in their votes by geographical lines, thinking that the North, being the stronger section, would out-vote the South, and consequently they, the leaders, would ride into office on a sectional hobby. I am told that my hour is out. It was very short.

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**Mr. Lincoln's Reply.**

LADIES AND GENTLEMEN:—I have been somewhat, in my own mind, complimented by a large portion of Judge Douglas's speech—I mean that portion which he devotes to the controversy between himself and the present Administration. This is the seventh time Judge Douglas and my-

self have met in these joint discussions, and he has been gradually improving in regard to his war with the administration. At Quincy, day before yesterday, he was a little more severe upon the Administration than I had heard him upon any occasion, and I took pains to compliment him for it. I then told him to "Give it to them with all the power he had;" and as some of them were present, I told them I would be very much obliged if they would *give it to him* in about the same way. I take it he has now vastly improved upon the attack he made then upon the Administration. I flatter myself he has really taken my advice on this subject. All I can say now is to recommend to him and to them what I then commended—to prosecute the war against one another in the most vigorous manner. I say to them again—"Go it, husband!—Go it, bear!"

There is one other thing I will mention before I leave this branch of the discussion—although I do not consider it much of my business, any way. I refer to that part of the Judge's remarks where he undertakes to involve Mr. Buchanan in an inconsistency. He reads something from Mr. Buchanan, from which he undertakes to involve him in an inconsistency; and he gets something of a cheer for having done so. I would only remind the Judge that while he is very valiantly fighting for the Nebraska bill and the repeal of the Missouri Compromise, it has been but a little while since he was the *valiant advocate* of the Missouri Compromise. I want to know if Buchanan has not as much right to be inconsistent as Douglas has? Has Douglas the *exclusive right*, in this country, of being *on all sides of all questions*? Is nobody allowed that high privilege but himself? Is he to have an entire *monopoly* on that subject?

So far as Judge Douglas addressed his speech to me, or so far as it was about me, it is my business to pay some attention to it. I have heard the Judge state two or three times what he has stated to-day—that in a speech which I made at Springfield, Illinois, I had in a very especial manner complained that the Supreme Court in the Dred Scott case had decided that a negro could never be a citizen of the United States. I have omitted by some accident heretofore to analyze this statement, and it is required of me to notice it now. In point of fact it is *untrue*. I never have complained *especially* of the Dred Scott decision because it held that a negro could not be a citizen, and the Judge is always wrong when he says I ever did so complain of it. I have the speech here, and I will thank him or any of his friends to show where I said that a negro should be a citizen, and complained especially of the Dred Scott decision because it declared he could not

be one. I have done no such thing, and Judge Douglas so persistently insisting that I have done so, has strongly impressed me with the belief of a predetermination on his part to misrepresent me. He could not get his foundation for insisting that I was in favor of this negro equality any where else as well as he could by assuming that untrue proposition. Let me tell this audience what is true in regard to that matter; and the means by which they may correct me if I do not tell them truly is by a recurrence to the speech itself. I spoke of the Dred Scott decision in my Springfield speech, and I was then endeavoring to prove that the Dred Scott decision was a portion of a system or scheme to make slavery national in this country. I pointed out what things had been decided by the court. I mentioned as a fact that they had decided that a negro could not be a citizen—that they had done so, as I supposed, to deprive the negro, under all circumstances, of the remotest possibility of ever becoming a citizen and claiming the rights of a citizen of the United States under a certain clause of the Constitution. I stated that, without making any complaint of it at all. I then went on and stated the other points decided in the case, viz: that the bringing of a negro into the State of Illinois and holding him in slavery for two years here was a matter in regard to which they would not decide whether it would make him free or not; that they decided the further point that taking him into a United States Territory where slavery was prohibited by act of Congress, did not make him free, because that act of Congress, as they held, was unconstitutional. I mentioned these three things as making up the points decided in that case. I mentioned them in a lump taken in connection with the introduction of the Nebraska bill, and the amendment of Chase, offered at the time, declaratory of the right of the people of the Territories to *exclude slavery*, which was voted down by the friends of the bill. I mentioned all these things together, as evidence tending to prove a combination and conspiracy to make the institution of slavery national. In that connection and in that way I mentioned the decision on the point that a negro could not be a citizen, and in no other connection.

Out of this, Judge Douglas builds up his beautiful fabrication—of my purpose to introduce a perfect, social, and political equality between the white and black races. His assertion that I made an “especial objection” (that is his exact language) to the decision on this account, is untrue in point of fact.

Now, while I am upon this subject, and as Henry Clay has been alluded to, I desire to place myself, in connection with Mr. Clay, as nearly right before this peo-

ple as may be. I am quite aware what the Judge's object is here by all these allusions. He knows that we are before an audience, having strong sympathies southward by relationship, place of birth, and so on. He desires to place me in an extremely Abolition attitude. He read upon a former occasion, and alludes without reading to-day, to a portion of a speech which I delivered in Chicago. In his quotations from that speech, as he has made them upon former occasions, the extracts were taken in such a way as, I suppose, brings them within the definition of what is called *garbling*—taking portions of a speech which, when taken by themselves, do not present the entire sense of the speaker as expressed at the time. I propose, therefore, out of that same speech, to show how one portion of it which he skipped over (taking an extract before and an extract after) will give a different idea, and the true idea I intended to convey. It will take me some little time to read it, but I believe I will occupy the time that way.

You have heard him frequently allude to my controversy with him in regard to the Declaration of Independence. I confess that I have had a struggle with Judge Douglas on that matter, and I will try briefly to place myself right in regard to it on this occasion. I said—and it is between the extracts Judge Douglas has taken from this speech and put in his published speeches:

“It may be argued that there are certain conditions that make necessities and impose them upon us, and to the extent that a necessity is imposed upon a man he must submit to it. I think that was the condition in which we found ourselves when we established this Government. We had slaves among us, we could not get our Constitution unless we permitted them to remain in slavery, we could not secure the good we did secure if we grasped for more; and having by necessity submitted to that much, it does not destroy the principle that is the charter of our liberties. Let the charter remain as our standard.”

Now I have upon all occasions declared as strongly as Judge Douglas against the disposition to interfere with the existing institution of slavery. You hear me read it from the same speech from which he takes garbled extracts for the purpose of proving upon me a disposition to interfere with the institution of slavery, and establish a perfect social and political equality between negroes and white people.

Allow me while upon this subject briefly to present one other extract from a speech of mine, more than a year ago, at Springfield, in discussing this very same question, soon after Judge Douglas took his ground that negroes were not included in the Declaration of Independence:



“I think the authors of that notable instrument intended to include *all* men, but they did not mean to declare all men equal *in all respects*. They did not mean to say all men were equal in color, size, intellect, moral development or social capacity. They defined with tolerable distinctness in what they did consider all men created equal—equal in certain inalienable rights, among which are life, liberty, and the pursuit of happiness. This they said, and this they meant. They did not mean to assert the obvious untruth, that all were then actually enjoying that equality, or yet, that they were about to confer it immediately upon them. In fact they had no power to confer such a boon. They meant simply to declare the *right*, so that the *enforcement* of it might follow as fast as circumstances should permit.

“They meant to set up a standard maxim for free society which should be familiar to all: constantly looked to, constantly labored for, and even, though never perfectly attained, constantly approximated, and thereby constantly spreading and deepening its influence and augmenting the happiness and value of life to all people, of all colors, every where.”

There again are the sentiments I have expressed in regard to the Declaration of Independence upon a former occasion—sentiments which have been put in print and read wherever any body cared to know what so humble an individual as myself chose to say in regard to it.

At Galesburg the other day, I said in answer to Judge Douglas, that three years ago there never had been a man, so far as I knew or believed, in the whole world, who had said that the Declaration of Independence did not include negroes in the term “all men.” I reassert it to-day. I assert that Judge Douglas and all his friends may search the whole records of the country, and it will be a matter of great astonishment to me if they shall be able to find that one human being three years ago had ever uttered the astounding sentiment that the term “all men” in the Declaration did not include the negro. Do not let me be misunderstood. I know that more than three years ago there were men who, finding this assertion constantly in the way of their schemes to bring about the ascendancy and perpetuation of slavery, *denied the truth of it*. I know that Mr. Calhoun and all the politicians of his school denied the truth of the Declaration. I know that it ran along in the mouth of some Southern men for a period of years, ending at last in that shameful though rather forcible declaration of Pettit of Indiana, upon the floor of the United States Senate, that the Declaration of Independence was in that respect “a self-evident lie,” rather than a self-evident truth. But I say, with a per-

fect knowledge of all this hawking at the Declaration without directly attacking it, that three years ago there never had lived a man who had ventured to assail it in the sneaking way of pretending to believe it and then asserting it did not include the negro. I believe the first man who ever said it was Chief Justice Taney in the Dred Scott case, and the next to him was our friend, Stephen A. Douglas. And now it has become the catch-word of the entire party. I would like to call upon his friends every where to consider how they have come in so short a time to view this matter in a way so entirely different from their former belief? to ask whether they are not being borne along by an irresistible current—whither, they know not?

In answer to my proposition at Galesburg last week, I see that some man in Chicago has got up a letter addressed to the *Chicago Times*, to show, as he professes, that somebody *had* said so before; and he signs himself “An Old Line Whig,” if I remember correctly. In the first place I would say he *was not* an old line Whig. I am somewhat acquainted with old line Whigs. I was with the old line Whigs from the origin to the end of that party; I became pretty well acquainted with them, and I know they always had some sense, whatever else you could ascribe to them, I know there never was one who had not more sense than to try to show by the evidence he produces that some man had, prior to the time I named, said that negroes were not included in the term “all men” in the Declaration of Independence. What is the evidence he produces? I will bring forward *his* evidence and let you see what *he* offers by way of showing that somebody more than three years ago had said negroes were not included in the Declaration. He brings forward part of a speech from Henry Clay—the part of *the* speech of Henry Clay which I used to bring forward to prove precisely the contrary. I guess we are surrounded to some extent to-day by the old friends of Mr. Clay, and they will be glad to hear any thing from that authority. While he was in Indiana a man presented a petition to liberate his negroes, and he (Mr. Clay) made a speech in answer to it, which I suppose he carefully wrote out himself and caused to be published. I have before me an extract from that speech which constitutes the evidence this pretended “Old Line Whig” at Chicago brought forward to show that Mr. Clay didn’t suppose the negro was included in the Declaration of Independence. Hear what Mr. Clay said:

“And what is the foundation of this appeal to me in Indiana, to liberate the slaves under my care in Kentucky? It is a general declaration in the act announcing to the world the independence of the thirteen

American colonies, that all men are created equal. Now, as an abstract principle, *there is no doubt of the truth of that declaration*; and it is desirable, *in the original construction of society, and in organized societies*, to keep it in view was a great fundamental principle. But, then, I apprehend that in no society that ever did exist, or ever shall be formed, was or can the equality asserted among the members of the human race, be practically enforced and carried out. There are portions, large portions, women, minors, insane, culprits, transient sojourners, that will always probably remain subject to the government of another portion of the community.

“That declaration, whatever may be the extent of its import, was made by the delegations of the thirteen States. In most of them slavery existed, and had long existed, and was established by law. It was introduced and forced upon the colonies by the paramount law of England. Do you believe, that in making that declaration the States that concurred in it intended that it should be tortured into a virtual emancipation of all the slaves within their respective limits? Would Virginia and other Southern States have ever united in a declaration which was to be interpreted into an abolition of slavery among them? Did any one of the thirteen colonies entertain such a design or expectation? To impute such a secret and unavowed purpose, would be to charge a political fraud upon the noblest band of patriots that ever assembled in council—a fraud upon the Confederacy of the Revolution—a fraud upon the union of those States whose Constitution not only recognized the lawfulness of slavery, but permitted the importation of slaves from Africa until the year 1808.”

This is the entire quotation brought forward to prove that somebody previous to three years ago had said the negro was not included in the term “all men” in the Declaration. How does it do so? In what way has it a tendency to prove that? Mr. Clay says *it is true as an abstract principle* that all men are created equal, but that we cannot practically apply it in all cases. He illustrates this by bringing forward the cases of females, minors, and insane persons, with whom it cannot be enforced; but he says it is true as an abstract principle in the organization of society as well as in organized society, and it should be kept in view as a fundamental principle. Let me read a few words more before I add some comments of my own. Mr. Clay says a little further on:

“I desire no concealment of my opinions in regard to the institution of slavery. I look upon it as a great evil, and deeply lament that we have derived it from the parental Government, and from our ancestors. But here they are, and the question

is, how can they be best dealt with? If a state of nature existed, and we were about to lay the foundations of society, *no man would be more strongly opposed than I should be, to incorporating the institution of slavery among its elements.*”

Now, here in this same book—in this same speech—in this same extract brought forward to prove that Mr. Clay held that the negro was not included in the Declaration of Independence—no such statement on his part, but the declaration *that it is a great fundamental truth*, which should be constantly kept in view in the organization of society and in societies already organized. But if I say a word about it—if I attempt, as Mr. Clay said all good men ought to do, to keep it in view—if, in this “organized society,” I ask to have the public eye turned upon it—if I ask in relation to the organization of new Territories, that the public eye should be turned upon it—forthwith I am villified as you hear me to-day. What have I done, that I have not the license of Henry Clay’s illustrious example here in doing? Have I done aught that I have not his authority for, while maintaining that in organizing new Territories and societies, this fundamental principle should be regarded, and in organized society holding it up to the public view and recognizing what *he* recognized as the great principle of free government?

And when this new principle—this new proposition that no human being ever thought of three years ago—is brought forward, *I combat it* as having an evil tendency, if not an evil design. I combat it as having a tendency to dehumanize the negro—to take away from him the right of ever striving to be a man. I combat it as being one of the thousand things constantly done in these days to prepare the public mind to make property, and nothing but property, of the *negro in all the States of this Union*.

But there is a point that I wish, before leaving this part of the discussion, to ask attention to. I have read and I repeat the words of Henry Clay:

“I desire no concealment of my opinions in regard to the institution of slavery. I look upon it as a great evil, and deeply lament that we have derived it from the parental Government, and from our ancestors. I wish every slave in the United States was in the country of his ancestors. But here they are; the question is how they can best be dealt with? If a state of nature existed, and we were about to lay the foundations of society, no man would be more strongly opposed than I should be, to incorporate the institution of slavery among its elements.”

The principle upon which I have insisted in this canvass, is in relation to laying the foundations of new societies. I have

ever sought to apply these principles to the old States for the purpose of abolishing slavery in those States. It is nothing but a miserable perversion of what I *have* said, to assume that I have declared Missouri, or any other slave State, shall emancipate her slaves. I have proposed no such thing. But when Mr. Clay says that in laying the foundations of societies in our Territories where it does not exist, he would be opposed to the introduction of slavery as an element, I insist that we have *his warrant*—his license for insisting upon the exclusion of that element which he declared in such strong and emphatic language *was most hateful to him*.

Judge Douglas has again referred to a Springfield speech in which I said “a house divided against itself cannot stand.” The Judge has so often made the entire quotation from that speech that I can make it from memory. I used this language:

“We are now far into the fifth year since a policy was initiated with the avowed object and confident promise of putting an end to the slavery agitation. Under the operation of this policy, that agitation has not only not ceased, but has constantly augmented. In my opinion it will not cease until a crisis shall have been reached and passed. ‘A house divided against itself cannot stand.’ I believe this Government cannot endure permanently half slave and half free. I do not expect the house to fall—but I do expect it will cease to be divided. It will become all one thing or all the other. Either the opponents of slavery will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction, or its advocates will push it forward till it shall become alike lawful in all the States—old as well as new, North as well as South.”

That extract and the sentiments expressed in it, have been extremely offensive to Judge Douglas. He has warred upon them as Satan wars upon the Bible. His perversions upon it are endless. Here now are my views upon it in brief.

I said we were now far into the fifth year, since a policy was initiated with the avowed object and confident promise of putting an end to the slavery agitation. Is it not so? When that Nebraska bill was brought forward four years ago last January, was it not for the “avowed object” of putting an end to the slavery agitation? We were to have no more agitation in Congress, it was all to be banished to the Territories. By the way, I will remark here that, as Judge Douglas is very fond of complimenting Mr. Crittenden in these days, Mr. Crittenden has said there was a falsehood in that whole business, for there was *no slavery agitation at that time to allay*. We were for a little while *quiet on*

the troublesome thing, and that very allaying plaster of Judge Douglas’s stirred it up again. But was it not understood or intimated with the “confident promise” of putting an end to the slavery agitation? Surely it was. In every speech you heard Judge Douglas make, until he got into this “imbroglio,” as they call it, with the Administration about the Lecompton Constitution, every speech on that Nebraska bill was full of his felicitations that we were *just at the end* of the slavery agitation. The last tip of the last joint of the old serpent’s tail was just drawing out of view. But has it proved so? I have asserted that under that policy that agitation “has not only not ceased, but has constantly augmented.” When was there ever a greater agitation in Congress than last winter? When was it as great in the country as to-day?

There was a collateral object in the introduction of that Nebraska policy which was to clothe the people of the Territories with the superior degree of self-government, beyond what they had ever had before. The first object and the main one of conferring upon the people a higher degree of “self-government,” is a question of fact to be determined by you in answer to a single question. Have you ever heard or known of a people any where on earth who had as little to do, as, in the first instance of its use, the people of Kansas had with this same right of “self-government?” In its main policy and in its collateral object, *it has been nothing but a living, creeping lie from the time of its introduction till to-day*.

I have intimated that I thought the agitation would not cease until a crisis should have been reached and passed. I have stated in what way I thought it would be reached and passed. I have said that it might go one way or the other. We might, by arresting the further spread of it, and placing it where the fathers originally placed it, put it where the public mind should rest in the belief that it was in the course of ultimate extinction. Thus the agitation may cease. It may be pushed forward until it shall become alike lawful in all the States, old as well as new, North as well as South. I have said, and I repeat, my wish is that the further spread of it may be arrested, and that it may be placed where the public mind shall rest in the belief that it is in the course of ultimate extinction. I have expressed that as my wish. I entertain the opinion upon evidence sufficient to my mind, that the fathers of this Government placed that institution where the public mind *did* rest in the belief that it was in the course of ultimate extinction. Let me ask why they made provision that the source of slavery—the African slave-trade—should be cut off at the end of twenty years? Why did

they make provision that in all the new territory we owned at that time, slavery should be forever inhibited? Why stop its spread in one direction and cut off its source in another, if they did not look to its being placed in the course of ultimate extinction?

Again; the institution of slavery is only mentioned in the Constitution of the United States two or three times, and in neither of these cases does the word "slavery" or "negro race" occur; but covert language is used each time, and for a purpose full of significance. What is the language in regard to the prohibition of the African slave-trade? It runs in about this way: "The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight."

The next allusion in the Constitution to the question of slavery and the black race, is on the subject of the basis of representation, and there the language used is, "Representatives and direct taxes shall be apportioned among the several states which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed—three-fifths of all other persons."

It says "persons," not slaves, not negroes; but this "three-fifths" can be applied to no other class among us than the negroes.

Lastly, in the provision for the reclamation of fugitive slaves, it is said: "No person held to service or labor in one State, under the laws thereof, escaping into another shall in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up, on claim of the party to whom such service or labor may be due." There again there is no mention of the word "negro" or of slavery. In all three of these places, being the only allusion to slavery in the instrument covert language is used. Language is used not suggesting that slavery existed or that the black race were among us. And I understand the cotemporaneous history of those times to be that covert language was used with a purpose, and that purpose was that in our Constitution, which it was hoped and is still hoped will endure forever—when it should be read by intelligent and patriotic men, after the institution of slavery had passed from among us—there should be nothing on the face of the great charter of liberty suggesting that such a thing as negro slavery had ever existed among us. This is part of the evidence that the fathers of the Government expected and intended

the institution of slavery to come to an end. They expected and intended that it should be in the course of ultimate extinction. And when I say that I desire to see the further spread of it arrested, I only say I desire to see that done which the fathers have first done. When I say I desire to see it placed where the public mind will rest in the belief that it is in the course of ultimate extinction, I only say I desire to see it placed where they placed it. It is not true that our fathers, as Judge Douglas assumes, made this Government part slave and part free. Understand the sense in which he puts it. He assumes that slavery is a rightful thing within itself—was introduced by the framers of the constitution. The exact truth is, that they found the institution existing among us, and they left it as they found it. But in making the Government they left this institution with many clear marks of disapprobation upon it. They found slavery among them, and they left it among them because of the difficulty—the absolute impossibility of its immediate removal. And when Judge Douglas asks me why we cannot let it remain part slave and part free, as the fathers of the Government made it, he asks a question based upon an assumption which is itself a falsehood; and I turn upon him and ask him the question, when the policy that the fathers of the Government had adopted in relation to this element among us was the best policy in the world—the only wise policy—the only policy that we can ever safely continue upon—that will ever give us peace, unless this dangerous element masters us all and becomes a national institution—I turn upon him and ask him why he could not leave it alone. I turn and ask him why he was driven to the necessity of introducing a new policy in regard to it. He has himself said he introduced a new policy. He said so in his speech on the 22d of March of the present year, 1858. I ask him why he could not let it remain where our fathers placed it. I ask, too, of Judge Douglas and his friends why we shall not again place this institution upon the basis on which the fathers left it. I ask you, when he infers that I am in favor of setting the free and slave States at war, when the institution was placed in that attitude by those who made the Constitution, *did they make any war?* If we had no war out of it, when thus placed, wherein is the ground of belief that we shall have war out of it, if we return to that policy? Have we had any peace upon this matter springing from any other basis? I maintain that we have not. I have proposed nothing more than a return to the policy of the fathers.

I confess, when I propose a certain measure of policy, it is not enough for me

that I do not intend any thing evil in the result, but it is incumbent on me to show that it has not a *tendency* to that result. I have met Judge Douglas in that point of view. I have not only made the declaration that I do not *mean* to produce a conflict between the States, but I have tried to show by fair reasoning, and I think I have shown to the minds of fair men, that I propose nothing but what has a most peaceful tendency. The quotation that I happened to make in that Springfield speech, that "a house divided against itself cannot stand," and which has proved so offensive to the Judge, was part and parcel of the same thing. He tries to show that variety in the domestic institutions of the different States is necessary and indispensable. I do not dispute it. I have no controversy with Judge Douglas about that. I shall very readily agree with him that it would be foolish for us to insist upon having a cranberry law here, in Illinois, where we have no cranberries, because they have a cranberry law in Indiana, where they have cranberries. I should insist that it would be exceedingly wrong in us to deny to Virginia the right to enact oyster laws, where they have oysters, because we want no such laws here. I understand, I hope, quite as well as Judge Douglas or any body else, that the variety in the soil and climate and face of the country, and consequent variety in the industrial pursuits and productions of a country, require systems of law conforming to this variety in the natural features of the country. I understand quite as well as Judge Douglas, that if we here raise a barrel of flour more than we want, and the Louisianians raise a barrel of sugar more than they want, it is of mutual advantage to exchange. That produces commerce, brings us together, and makes us better friends. We like one another the more for it. And I understand as well as Judge Douglas, or any body else, that these mutual accommodations are the cements which bind together the different parts of this Union—that instead of being a thing to "divide the house"—figuratively expressing the Union—they tend to sustain it; they are the props of the house tending always to hold it up.

But when I have admitted all this, I ask if there is any parallel between these things and this institution of slavery? I do not see that there is any parallel at all between them. Consider it. When have we had any difficulty or quarrel amongst ourselves about the cranberry laws of Indiana, or the oyster laws of Virginia, or the pine lumber laws of Maine, or the fact that Louisiana produces sugar, and Illinois flour? When have we had any quarrels over these things? When have we had perfect peace in regard to this thing which

I say is an element of discord in this Union? We have sometimes had peace, but when was it? It was when the institution of slavery remained quiet where it was. We have had difficulty and turmoil whenever it has made a struggle to spread itself where it was not. I ask, then, if experience does not speak in thunder-tones, telling us that the policy which has given peace to the country heretofore, being returned to, gives the greatest promise of peace again. You may say, and Judge Douglas has intimated the same thing, that all this difficulty in regard to the institution of slavery is the mere agitation of office-seekers and ambitious northern politicians. He thinks we want to get "his place," I suppose. I agree that there are office-seekers amongst us. The Bible says somewhere that we are desperately selfish. I think we would have discovered that fact without the Bible. I do not claim that I am any less so than the average of men, but I do claim that I am not more selfish than Judge Douglas.

But is it true that all the difficulty and agitation we have in regard to this institution of slavery springs from office-seeking—from the mere ambition of politicians? Is that the truth? How many times have we had danger from this question? Go back to the day of the Missouri Compromise. Go back to the Nullification question, at the bottom of which lay this same slavery question. Go back to the time of the Annexation of Texas. Go back to the troubles that led to the Compromise of 1850. You will find that every time, with the single exception of the Nullification question, they sprang from an endeavor to spread this institution. There never was a party in the history of this country, and there probably never will be, of sufficient strength to disturb the general peace of the country. Parties themselves may be divided and quarrel on minor questions, yet it extends not beyond the parties themselves. But does *not* this question make a disturbance outside of political circles? Does it not enter into the churches and rend them asunder? What divided the great Methodist Church into two parts, North and South? What has raised this constant disturbance in every Presbyterian General Assembly that meets? What disturbed the Unitarian Church in this very city two years ago? What has jarred and shaken the great American Tract Society recently, not yet splitting it, but sure to divide it in the end? Is it not this same mighty, deep-seated power that somehow operates on the minds of men, exciting and stirring them up in every avenue of society—in politics, in religion, in literature, in morals, in all the manifold relations of life? Is this the work of politicians? Is that irresistible power which

for fifty years has shaken the Government and agitated the people to be stilled and subdued by pretending that it is an exceedingly simple thing, and we ought not to talk about it? If you will get everybody else to stop talking about it, I assure you I will quit before they have half done so. But where is the philosophy or statesmanship which assumes that you can quiet that disturbing element in our society which has disturbed us for more than half a century, which has been the only serious danger that has threatened our institutions—I say, where is the philosophy or the statesmanship based on the assumption that we are to quit talking about it, and that the public mind is all at once to cease being agitated by it? Yet this is the policy here in the north that Douglas is advocating—that we are to care nothing about it! I ask you if it is not a false philosophy? Is it not a false statesmanship that undertakes to build up a system of policy upon the basis of caring nothing about *the very thing that every body does care the most about?*—a thing which all experience has shown we care a very great deal about?

The Judge alludes very often in the course of his remarks to the exclusive right which the States have to decide the whole thing for themselves. I agree with him very readily that the different States have that right. He is but fighting a man of straw when he assumes that I am contending against the right of the States to do as they please about it. Our controversy with him is in regard to the new Territories. We agree that when States come in as States they have the right and the power to do as they please. We have no power as citizens of the free States or in our federal capacity as members of the Federal Union through the General Government, to disturb slavery in the States where it exists. We profess constantly that we have no more inclination than belief in the power of the Government to disturb it; yet we are driven constantly to defend ourselves from the assumption that we are warring upon the rights of the *States*. What I insist upon is, that the new Territories shall be kept free from it while in the Territorial condition. Judge Douglas assumes that we have no interest in them—that we have no right whatever to interfere. I think we have some interest. I think that as white men we have. Do we not wish for an outlet for our surplus population, if I may so express myself? Do we not feel an interest in getting at that outlet with such institutions as we would like to have prevail there? If *you* go to the Territory opposed to slavery and another man comes upon the same ground with his slave, upon the assumption that the things are equal, it turns out that he has the equal

right all his way and you have no part of it your way. If he goes in and makes it a slave Territory, and by consequence a slave State, is it not time that those who desire to have it a free State were on equal ground? Let me suggest it in a different way. How many Democrats are there about here ["A thousand"] who left slave States and came into the free State of Illinois to get rid of the institution of slavery? [Another voice—"A thousand and one."] I reckon there are a thousand and one. I will ask you, if the policy you are now advocating had prevailed when this country was in a Territorial condition, where would you have gone to get rid of it? Where would you have found your free State or Territory to go to? And when hereafter, for any cause, the people in this place shall desire to find new homes, if they wish to be rid of the institution, where will they find the place to go to?

Now irrespective of the moral aspect of this question as to whether there is a right or wrong in enslaving a negro, I am still in favor of our new Territories being in such a condition that white men may find a home—may find some spot where they can better their condition—where they can settle upon new soil and better their condition in life. I am in favor of this not merely (I must say it here as I have elsewhere) for our own people who are born amongst us, but as an outlet for *free white people every where*, the world over—in which Hans and Baptiste and Patrick, and all other men from all the world, may find new homes and better their conditions in life.

I have stated upon former occasions, and I may as well state again, what I understand to be the real issue in this controversy between Judge Douglas and myself. On the point of my wanting to make war between the free and the slave States, there has been no issue between us. So, too, when he assumes that I am in favor of introducing a perfect social and political equality between the white and black races. These are false issues, upon which Judge Douglas has tried to force the controversy. There is no foundation in truth for the charge that I maintain either of these propositions. The real issue in this controversy—the one pressing upon every mind—is the sentiment on the part of one class that looks upon the institution of slavery *as a wrong*, and of another class that *does not* look upon it as a wrong. The sentiment that contemplates the institution of slavery in this country as a wrong is the sentiment of the Republican party. It is the sentiment around which all their actions—all their arguments circle—from which all their propositions radiate. They look upon it as being a moral, social and political wrong; and while they contem-

plate it as such, they nevertheless have due regard for its actual existence among us, and the difficulties of getting rid of it in any satisfactory way and to all the constitutional obligations thrown about it. Yet having a due regard for these, they desire a policy in regard to it that looks to its not creating any more danger. They insist that it should as far as may be, *be treated* as a wrong, and one of the methods of treating it as a wrong is to *make provision that it shall grow no larger*. They also desire a policy that looks to a peaceful end of slavery at some time, as being wrong. These are the views they entertain in regard to it as I understand them; and all their sentiments—all their arguments and propositions are brought within this range. I have said, and I repeat it here, that if there be a man amongst us who does not think that the institution of slavery is wrong, in any one of the aspects of which I have spoken, he is misplaced and ought not to be with us. And if there be a man amongst us who is so impatient of it as a wrong as to disregard its actual presence among us and the difficulty of getting rid of it suddenly in a satisfactory way, and to disregard the constitutional obligations thrown about it, that man is misplaced if he is on our platform. We disclaim sympathy with him in practical action. He is not placed properly with us.

On this subject of treating it as a wrong, and limiting its spread, let me say a word. Has any thing ever threatened the existence of this Union save and except this very institution of slavery? What is it that we hold most dear amongst us? Our own liberty and prosperity. What has ever threatened our liberty and prosperity save and except this institution of slavery? If this is true, how do you propose to improve the condition of things by enlarging slavery—by spreading it out and making it bigger? You may have a wen or cancer upon your person and not be able to cut it out lest you bleed to death; but surely it is no way to cure it, to engraft it and spread it over your whole body. That is no proper way of treating what you regard a wrong. You see this peaceful way of dealing with it as a wrong—restricting the spread of it, and not allowing it to go into new countries where it has not already existed. That is the peaceful way, the old-fashioned way, the way in which the fathers themselves set us the example.

On the other hand, I have said there is a sentiment which treats it as *not* being wrong. That is the Democratic sentiment of this day. I do not mean to say that every man who stands within that range positively asserts that it is right. That class will include all who positively assert that it is right, and all who like Judge Douglas treat it as indifferent and do not

say it is either right or wrong. These two classes of men fall within the general class of those who do not look upon it as a wrong. And if there be among you any body who supposes that he, as a Democrat, can consider himself "as much opposed to slavery as anybody," I would like to reason with him. You never treat it as a wrong. What other thing that you consider as a wrong, do you deal with as you deal with that? Perhaps you say it is wrong, *but your leader never does, and you quarrel with any body who says it is wrong*. Although you pretend to say so yourself you can find no fit place to deal with it as a wrong. You must not say any thing about it in the free States, *because it is not here*. You must not say any thing about it in the slave States, *because it is there*. You must not say anything about it in the pulpit, because that is religion and has nothing to do with it. You must not say any thing about it in politics, *because that will disturb the security of "my place."* There is no place to talk about it as being a wrong, although you say yourself it is a wrong. But finally you will screw yourself up to the belief that if the people of the slave States should adopt a system of gradual emancipation on the slavery question, you would be in favor of it. You would be in favor of it. You say that is getting it in the right place, and you would be glad to see it succeed. But you are deceiving yourself. You all know that Frank Blair and Gratz Brown, down there in St. Louis, undertook to introduce that system in Missouri. They fought as valiantly as they could for the system of gradual emancipation which you pretend you would be glad to see succeed. Now I will bring you to the test. After a hard fight they were beaten, and when the news came over here you threw up your hats and *hurrahed for Democracy*. More than that, take all the argument made in favor of the system you have proposed, and it carefully excludes the idea that there is any thing wrong in the institution of slavery. The arguments to sustain that policy carefully excluded it. Even here to-day you heard Judge Douglas quarrel with me because I uttered a wish that it might some time come to an end. Although Henry Clay could say he wished every slave in the United States was in the country of his ancestors, I am denounced by those pretending to respect Henry Clay for uttering a wish that it might some time, in some peaceful way, come to an end. The Democratic policy in regard to that institution will not tolerate the merest breath, the slightest hint, of the least degree of wrong about it. Try it by some of Judge Douglas's arguments. He says he "don't care whether it is voted up or voted down" in the Territories. I do not care

myself in dealing with that expression, whether it is intended to be expressive of his individual sentiments on the subject, or only of the national policy he desires to have established. It is alike valuable for my purpose. Any man can say that he does not see any thing wrong in slavery, but no man can logically say it who does see a wrong in it; because no man can logically say he don't care whether a wrong is voted up or voted down. He may say he don't care whether an indifferent thing is voted up or down, but he must logically have a choice between a right thing and a wrong thing. He contends that whatever community wants slaves has a right to have them. So they have if it is not a wrong. But if it is a wrong, he cannot say people have a right to do wrong. He says that upon the score of equality, slaves should be allowed to go in a new Territory, like other property. This is strictly logical if there is no difference between it and other property. If it and other property are equal, his argument is entirely logical. But if you insist that one is wrong and the other right, there is no use to institute a comparison between right and wrong. You may turn over every thing in the Democratic policy from beginning to end, whether in the shape it takes on the statute books, in the shape it takes in the Dred Scott decision, in the shape it takes in conversation, or the shape it takes in short maxim-like arguments—it everywhere carefully excludes the idea that there is any thing wrong in it.

That is the real issue. That is the issue that will continue in this country when these poor tongues of Judge Douglas and myself shall be silent. It is the eternal struggle between these two principles—right and wrong—throughout the world. They are the two principles that have stood face to face from the beginning of time; and will ever continue to struggle. The one is the common right of humanity and the other the divine right of kings. It is the same principle in whatever shape it develops itself. It is the same spirit that says, "You work and toil and earn bread, and I'll eat it." No matter in what shape it comes, whether from the mouth of a king who seeks to bestride the people of his own nation and live by the fruit of their labor, or from one race of men as an apology for enslaving another race, it is the same tyrannical principle. I was glad to express my gratitude at Quincy, and I re-express it here to Judge Douglas—that *he looks to no end of the institution of slavery*. That will help the people to see where the struggle really is. It will hereafter place with us all men who really do wish the wrong may have an end. And whenever we can get rid of the fog which obscures the real question—when we can

get Judge Douglas and his friends to avow a policy looking to its perpetuation—we can get out from among that class of men and bring them to the side of those who treat it as a wrong. Then there will soon be an end of it, and that end will be its "ultimate extinction." Whenever the issue can be distinctly made, and all extraneous matter thrown out so that men can fairly see the real difference between the parties, this controversy will soon be settled, and it will be done peaceably too. There will be no war, no violence. It will be placed again where the wisest and best men of the world placed it. Brooks of South Carolina once declared that when this Constitution was framed, its framers did not look to the institution existing until this day. When he said this, I think he stated a fact that is fully borne out by the history of the times. But he also said they were better and wiser men than the men of these days; yet the men of these days had experience which they had not, and by the invention of the cotton-gin it became a necessity in this country that slavery should be perpetual. I now say that, willingly or unwillingly, purposely or without purpose, Judge Douglas has been the most prominent instrument in changing the position of the institution of slavery which the fathers of the Government expected to come to an end ere this—and *putting it upon Brooks's cotton-gin basis*—placing it where he openly confesses he has no desire there shall ever be an end of it.

I understand I have ten minutes yet. I will employ it in saying something about this argument Judge Douglas uses, while he sustains the Dred Scott decision, that the people of the Territories can still somehow exclude slavery. The first thing I ask attention to is the fact that Judge Douglas constantly said, before the decision, that whether they could or not, *was a question for the Supreme Court*. But after the court has made the decision he virtually says it is *not* a question for the Supreme Court, but for the people. And how is it he tells us they can exclude it? He says it needs "police regulations," and that admits of "unfriendly legislation." Although it is a right established by the Constitution of the United States to take a slave into a Territory of the United States and hold him *as* property, yet unless the Territorial Legislature will give friendly legislation, and, more especially, if they adopt unfriendly legislation, they can practically exclude him. Now, without meeting this proposition as a matter of fact, I pass to consider the real Constitutional obligation. Let me take the gentleman who looks me in the face before me, and let us suppose that he is a member of the Territorial Legislature. The first thing



he will do will be to swear that he will support the Constitution of the United States. His neighbor by his side in the Territory has slaves and needs Territorial legislation to enable him to enjoy that Constitutional right. Can he withhold the legislation which his neighbor needs for the enjoyment of a right which is fixed in his favor in the Constitution of the United States which he has sworn to support? Can he withhold it without violating his oath? And more especially, can he pass unfriendly legislation to violate his oath? Why, this is a *monstrous* sort of talk about the Constitution of the United States! *There has never been as outlandish or lawless a doctrine from the mouth of any respectable man on earth.* I do not believe it is a Constitutional right to hold slaves in a Territory of the United States. I believe the decision was improperly made and I go for reversing it. Judge Douglas is furious against those who go for reversing a decision. But he is for legislating it out of all force while the law itself stands. I repeat that there has never been so monstrous a doctrine uttered from the mouth of a respectable man.

I suppose most of us (I know it of myself) believe that the people of the Southern States are entitled to a Congressional Fugitive Slave law—that is a right fixed in the Constitution. But it cannot be made available to them without Congressional legislation. In the Judge's language, it is a "barren right" which needs legislation before it can become efficient and valuable to the persons to whom it is guaranteed. And as the right is Constitutional I agree that the legislation shall be granted to it—and that not that we like the institution of slavery. We profess to have no taste for running and catching niggers—at least I profess no taste for that job at all. Why then do I yield support to a Fugitive Slave law? Because I do not understand that the Constitution, which guarantees that right, can be supported without it. And if I believed that the right to hold a slave in a Territory was equally fixed in the Constitution with the right to reclaim fugitives, I should be bound to give it the legislation necessary to support it. I say that no man can deny his obligation to give the necessary legislation to support slavery in a Territory, who believes it is a Constitutional right to have it there. No man can, who does not give the Abolitionists an argument to deny the obligation enjoined by the Constitution to enact a Fugitive Slave law. Try it now. It is the strongest Abolition argument ever made. I say if that Dred Scott decision is correct, then the right to hold slaves in a Territory is equally a Constitutional right with the right of a slaveholder to have his runaway returned. No one can show the distinction between

them. The one is express, so that we cannot deny it. The other is construed to be in the Constitution, so that he who believes the decision to be correct believes in the right. And the man who argues that by unfriendly legislation, in spite of that Constitutional right, slavery may be driven from the Territories, cannot avoid furnishing an argument by which Abolitionists may deny the obligation to return fugitives, and claim the power to pass laws unfriendly to the right of the slaveholder to reclaim his fugitive. I do not know how such an argument may strike a popular assembly like this, but I defy any body to go before a body of men whose minds are educated to estimating evidence and reasoning, and show that there is an iota of difference between the Constitutional right to reclaim a fugitive, and the Constitutional right to hold a slave, in a Territory, provided this Dred Scott decision is correct. I defy any man to make an argument that will justify unfriendly legislation to deprive a slaveholder of his right to hold his slave in a Territory, that will not equally, in all its length, breadth and thickness, furnish an argument for nullifying the Fugitive Slave law. Why, there is not such an Abolitionist in the nation as Douglas, after all.

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#### MR. DOUGLAS'S REPLY.

Mr. Lincoln has concluded his remarks by saying that there is not such an Abolitionist as I am in all America. If he could make the Abolitionists of Illinois believe that, he would not have much show for the Senate. Let him make the Abolitionists believe the truth of that statement and his political back is broken.

His first criticism upon me is the expression of his hope that the war of the Administration will be prosecuted against me and the Democratic party of this State with vigor. He wants that war prosecuted with vigor; I have no doubt of it. His hopes of success, and the hopes of his party depend solely upon it. They have no chance of destroying the Democracy of this State except by the aid of federal patronage. He has all the federal office-holders here as his allies, running separate tickets against the Democracy to divide the party, although the leaders all intend to vote directly the Abolition ticket, and only leave the green-horns to vote this separate ticket who refuse to go into the Abolition camp. There is something really refreshing in the thought that Mr. Lincoln is in favor of prosecuting one war vigorously. It is the first war I ever knew him to be in favor of prosecuting. It is the first war I ever knew him to believe to be just or Constitutional. When the Mexican war was being waged, and the American army was

surrounded by the enemy in Mexico, he thought that war was unconstitutional, unnecessary, and unjust. He thought it was not commenced on the right spot.

When I made an incidental allusion of that kind in the joint discussion over at Charleston some weeks ago, Lincoln, in replying, said that I, Douglas, had charged him with voting against supplies for the Mexican war, and then he reared up, full length, and swore that he never voted against the supplies—that it was a slander—and caught hold of Ficklin, who sat on the stand, and said, “Here, Ficklin, tell the people that it is a lie.” Well, Ficklin, who had served in Congress with him, stood up and told them all that he recollected about it. It was that when George Ashmun, of Massachusetts, brought forward a resolution declaring the war unconstitutional, unnecessary, and unjust, that Lincoln had voted for it. “Yes,” said Lincoln, “I did.” Thus he confessed that he voted that the war was wrong, that our country was in the wrong, and consequently that the Mexicans were in the right; but charged that I had slandered him by saying that he voted against the supplies. I never charged him with voting against the supplies in my life, because I knew that he was not in Congress when they were voted. The war was commenced on the 13th day of May, 1846, and on that day we appropriated in Congress ten millions of dollars and fifty thousand men to prosecute it. During the same session we voted more men and more money, and at the next session we voted more men and more money, so that by the time Mr. Lincoln entered Congress we had enough men and enough money to carry on the war, and had no occasion to vote for any more. When he got into the House, being opposed to the war, and not being able to stop the supplies, because they had all gone forward, all he could do was to follow the lead of Corwin, and prove that the war was not begun on the right spot, and that it was unconstitutional, unnecessary, and wrong. Remember, too, that this he did after the war had been begun. It is one thing to be opposed to the declaration of a war, another and very different thing to take sides with the enemy against your own country after the war has been commenced. Our army was in Mexico at the time, many battles had been fought; our citizens, who were defending the honor of their country’s flag, were surrounded by the daggers, the guns and the poison of the enemy. Then it was that Corwin made his speech in which he declared that the American soldiers ought to be welcomed by the Mexicans with bloody hands and hospitable graves; then it was that Ashmun and Lincoln voted in the House of Representatives that the war was unconstitutional and unjust; and Ash-

mun’s resolution, Corwin’s speech, and Lincoln’s vote, were sent to Mexico and read at the head of the Mexican army, to prove to them that there was a Mexican party in the Congress of the United States who were doing all in their power to aid them. That a man who takes sides with the common enemy against his own country in time of war should rejoice in a war being made on me now, is very natural. And in my opinion, no other kind of a man would rejoice in it.

Mr. Lincoln has told you a great deal today about his being an old line Clay Whig. Bear in mind that there are a great many old Clay Whigs down in this region. It is more agreeable, therefore, for him to talk about the old Clay Whig party than it is for him to talk Abolitionism. We did not hear much about the old Clay Whig party up in the Abolition districts. How much of an old line Henry Clay Whig was he? Have you read General Singleton’s speech at Jacksonville? You know that Gen. Singleton was, for twenty-five years, the confidential friend of Henry Clay in Illinois, and he testified that in 1847, when the Constitutional Convention of this State was in session, the Whig members were invited to a Whig caucus at the house of Mr. Lincoln’s brother-in-law, where Mr. Lincoln proposed to throw Henry Clay overboard and take up Gen. Taylor in his place, giving, as his reason, that if the Whigs did not take up Gen. Taylor the Democrats would. Singleton testifies that Lincoln, in that speech, urged, as another reason for throwing Henry Clay overboard, that the Whigs had fought long enough for principle and ought to begin to fight for success. Singleton also testifies that Lincoln’s speech did have the effect of cutting Clay’s throat, and that he (Singleton) and others withdrew from the caucus in indignation. He further states that when they got to Philadelphia to attend the National Convention of the Whig party, that Lincoln was there, the bitter and deadly enemy of Clay, and that he tried to keep him (Singleton) out of the Convention because he insisted on voting for Clay, and Lincoln was determined to have Taylor. Singleton says that Lincoln rejoiced with very great joy when he found the mangled remains of the murdered Whig statesman lying cold before him. Now, Mr. Lincoln tells you that he is an old line Clay Whig! Gen. Singleton testifies to the facts I have narrated, in a public speech which has been printed and circulated broadcast over the State for weeks, yet not a lisp have we heard from Mr. Lincoln on the subject, except that he is an old Clay Whig.

What part of Henry Clay’s policy did Lincoln ever advocate? He was in Congress in 1848–9, when the Wilmot proviso warfare disturbed the peace and harmony

of the country, until it shook the foundation of the Republic from its centre to its circumference. It was that agitation that brought Clay forth from his retirement at Ashland again to occupy his seat in the Senate of the United States, to see if he could not, by his great wisdom and experience, and the renown of his name, do something to restore peace and quiet to a disturbed country. Who got up that sectional strife that Clay had to be called upon to quell? I have heard Lincoln boast that he voted forty-two times for the Wilmot proviso, and that he would have voted as many times more if he could. Lincoln is the man, in connection with Seward, Chase, Giddings, and other Abolitionists, who got up that strife that I helped Clay to put down. Henry Clay came back to the Senate in 1849, and saw that he must do something to restore peace to the country. The Union Whigs and the Union Democrats welcomed him the moment he arrived, as the man for the occasion. We believed that he, of all men on earth, had been preserved by Divine Providence to guide us out of our difficulties, and we Democrats rallied under Clay then, as you Whigs in nullification time rallied under the banner of old Jackson, forgetting party when the country was in danger, in order that we might have a country first, and parties afterward.

And this reminds me that Mr. Lincoln told you that the slavery question was the only thing that ever disturbed the peace and harmony of the Union. Did not nullification once raise its head and disturb the peace of this Union in 1832? Was that the slavery question, Mr. Lincoln? Did not disunion raise its monster head during the last war with Great Britain? Was that the slavery question, Mr. Lincoln? The peace of this country has been disturbed three times, once during the war with Great Britain, once on the tariff question, and once on the slavery question. His argument, therefore, that slavery is the only question that has ever created dissension in the Union falls to the ground. It is true that agitators are enabled now to use this slavery question for the purpose of sectional strife. He admits that in regard to all things else, the principle that I advocate, making each State and Territory free to decide for itself, ought to prevail. He instances the cranberry laws, and the oyster laws, and he might have gone through the whole list with the same effect. I say that all these laws are local and domestic, and that local and domestic concerns should be left to each State and each Territory to manage for itself. If agitators would acquiesce in that principle, there never would be any danger to the peace and harmony of the Union.

Mr. Lincoln tries to avoid the main issue by attacking the truth of my proposition,

that our fathers made this Government divided into free and slave States, recognizing the right of each to decide all its local questions for itself. Did they not thus make it? It is true that they did not establish slavery in any of the States, or abolish it in any of them; but finding thirteen States, twelve of which were slave and one free, they agreed to form a government uniting them together, as they stood divided into free and slave States, and to guaranty forever to each State the right to do as it pleased on the slavery question. Having thus made the government, and conferred this right upon each State forever, I assert that this Government can exist as they made it, divided into free and slave States, if any one State chooses to retain slavery. He says that he looks forward to a time when slavery shall be abolished everywhere. I look forward to a time when each State shall be allowed to do as it pleases. If it chooses to keep slavery forever, it is not my business, but its own; if it chooses to abolish slavery, it is its own business—not mine. I care more for the great principle of self-government, the right of the people to rule, than I do for all the negroes in Christendom. I would not endanger the perpetuity of this Union, I would not blot out the great inalienable rights of the white men for all the negroes that ever existed. Hence, I say, let us maintain this Government on the principles that our fathers made it, recognizing the right of each State to keep slavery as long as its people determine, or to abolish it when they please. But Mr. Lincoln says that when our fathers made this Government they did not look forward to the state of things now existing; and therefore he thinks the doctrine was wrong; and he quotes Brooks, of South Carolina, to prove that our fathers then thought that probably slavery would be abolished by each State acting for itself before this time. Suppose they did; suppose they did not foresee what has occurred,—does that change the principles of our Government? They did not probably foresee the telegraph that transmits intelligence by lightning, nor did they foresee the railroads that now form the bonds of union between the different States, or the thousand mechanical inventions that have elevated mankind. But do these things change the principles of the Government? Our fathers, I say, made this Government on the principle of the right of each State to do as it pleases in its own domestic affairs, subject to the Constitution, and allowed the people of each to apply to every new change of circumstances such remedy as they may see fit to improve their condition. This right they have for all time to come.

Mr. Lincoln went on to tell you that he did not at all desire to interfere with sla-

very in the States where it exists, nor does his party. I expected him to say that down here. Let me ask him then how he expects to put slavery in the course of ultimate extinction every where, if he does not intend to interfere with it in the States where it exists? He says that he will prohibit it in all the Territories, and the inference is, then, that unless they make free States out of them he will keep them out of the Union; for, mark you, he did not say whether or not he would vote to admit Kansas with slavery or not, as her people might apply (he forgot that as usual, etc.); he did not say whether or not he was in favor of bringing the Territories now in existence into the Union on the principle of Clay's Compromise measures on the slavery question. I told you that he would not. His idea is that he will prohibit slavery in all the Territories and thus force them all to become free States, surrounding the slave States with a cordon of free States and hemming them in, keeping the slaves confined to their present limits whilst they go on multiplying until the soil on which they live will no longer feed them, and he will thus be able to put slavery in a course of ultimate extinction by starvation. He will extinguish slavery in the Southern States as the French general did the Algerines when he smoked them out. He is going to extinguish slavery by surrounding the slave States, hemming in the slaves, and starving them out of existence, as you smoke a fox out of his hole. He intends to do that in the name of humanity and Christianity, in order that we may get rid of the terrible crime and sin entailed upon our fathers of holding slaves. Mr. Lincoln makes out that line of policy, and appeals to the moral sense of justice and to the Christian feeling of the community to sustain him. He says that any man who holds to the contrary doctrine is in the position of the king who claimed to govern by divine right. Let us examine for a moment and see what principle it was that overthrew the Divine right of George the Third to govern us. Did not these colonies rebel because the British parliament had no right to pass laws concerning our property and domestic and private institutions without our consent? We demanded that the British Government should not pass such laws unless they gave us representation in the body passing them,—and this the British government insisting on doing,—we went to war, on the principle that the Home Government should not control and govern distant colonies without giving them representation. Now, Mr. Lincoln proposes to govern the Territories without giving them a representation, and calls on Congress to pass laws controlling their property and domestic concerns without their consent and against their will. Thus, he asserts for his party

the identical principle asserted by George III. and the Tories of the Revolution.

I ask you to look into these things, and then tell me whether the Democracy or the Abolitionists are right. I hold that the people of a Territory, like those of a State (I use the language of Mr. Buchanan in his letter of acceptance), have the right to decide for themselves whether slavery shall or shall not exist within their limits. The point upon which Chief Justice Taney expresses his opinion is simply this, that slaves being property, stand on an equal footing with other property, and consequently that the owner has the same right to carry that property into a Territory that he has any other, subject to the same conditions. Suppose that one of your merchants was to take fifty or one hundred thousand dollars' worth of liquors to Kansas. He has a right to go there under that decision, but when he gets there he finds the Maine liquor law in force, and what can he do with his property after he gets it there? He cannot sell it, he cannot use it, it is subject to the local law, and that law is against him, and the best thing he can do with it is to bring it back into Missouri or Illinois and sell it. If you take negroes to Kansas, as Col. Jeff. Davis said in his Bangor speech, from which I have quoted to-day, you must take them there subject to the local law. If the people want the institution of slavery they will protect and encourage it; but if they do not want it they will withhold that protection, and the absence of local legislation protecting slavery excludes it as completely as a positive prohibition. You slaveholders of Missouri might as well understand what you know practically, that you cannot carry slavery where the people do not want it. All you have a right to ask is that the people shall do as they please; if they want slavery let them have it; if they do not want it, allow them to refuse to encourage it.

My friends, if, as I have said before, we will only live up to this great fundamental principle, there will be peace between the North and the South. Mr. Lincoln admits that under the Constitution on all domestic questions, except slavery, we ought not to interfere with the people of each State. What right have we to interfere with slavery any more than we have to interfere with any other question? He says that this slavery question is now the bone of contention. Why? Simply because agitators have combined in all the free States to make war upon it. Suppose the agitators in the States should combine in one-half of the Union to make war upon the railroad system of the other half? They would thus be driven to the same sectional strife. Suppose one section makes war upon any other peculiar institution of the opposite section and the same strife is produced. The only

remedy and safety is that we shall stand by the Constitution as our fathers made it, obey the laws as they are passed, while they stand the proper test and sustain the decisions of the Supreme Court and the constituted authorities.

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**Speech of Hon. Jefferson Davis, Senator  
from Mississippi,**

*On retiring from the United States Senate. Delivered in  
the Senate Chamber January 21, 1861.*

I rise, Mr. President, for the purpose of announcing to the Senate that I have satisfactory evidence that the State of Mississippi, by a solemn ordinance of her people in convention assembled, has declared her separation from the United States. Under these circumstances, of course my functions are terminated here. It has seemed to me proper, however, that I should appear in the Senate to announce that fact to my associates, and I will say but very little more. The occasion does not invite me to go into argument; and my physical condition would not permit me to do so if it were otherwise, and yet it seems to become me to say something on the part of the State I here represent, on an occasion so solemn as this. It is known to Senators who have served with me here, that I have for many years advocated as an essential attribute of State sovereignty, the right of a State to secede from the Union. Therefore, if I had not believed there was justifiable cause; if I had thought that Mississippi was acting without sufficient provocation, or without an existing necessity, I should still, under my theory of the government, because of my allegiance to the State of which I am a citizen, have been bound by her action. I, however, may be permitted to say that I do think she has justifiable cause and I approve of her act. I conferred with her people before that act was taken, counseled them then that if the state of things which they apprehended should exist when the convention met, they should take the action which they have now adopted.

I hope none who hear me will confound this expression of mine with the advocacy of the right of a State to remain in the Union and to disregard its constitutional obligations by the nullification of the law. Such is not my theory. Nullification and secession so often confounded are indeed antagonistic principles. Nullification is a remedy which it is sought to apply within the Union and against the agents of the States. It is only to be justified when the agent has violated his constitutional obligation, and a State, assuming to judge for itself denies the right of the agent thus to act and appeals to the other States of the Union for a decision; but when the States

themselves and when the people of the States have so acted as to convince us that they will not regard our constitutional rights, then, and then for the first time, arises the doctrine of secession in its practical application.

A great man who now reposes with his fathers and who has been often arraigned for a want of fealty to the Union advocated the doctrine of Nullification because it preserved the Union. It was because of his deep-seated attachment to the Union, his determination to find some remedy for existing ills short of the severance of the ties which bound South Carolina to the other States, that Mr. Calhoun advocated the doctrine of nullification, which he proclaimed to be peaceful, to be within the limits of State power, not to disturb the Union, but only to be a means of bringing the agent before the tribunal of the States for their judgment.

Secession belongs to a different class of remedies. It is to be justified upon the basis that the States are sovereign. There was a time when none denied it. I hope the time may come again when a better comprehension of the theory of our government and the inalienable rights of the people of the States will prevent any one from denying that each State is a sovereign, and thus may reclaim the grants which it has made to any agent whomsoever.

I therefore say I concur in the action of the people of Mississippi, believing it to be necessary and proper, and should have been bound by their action if my belief had been otherwise; and this brings me at the important point which I wish, on this last occasion, to present to the Senate. It is by this confounding of nullification and secession that the name of a great man whose ashes now mingle with his mother earth, has been invoked to justify coercion against a seceding state. The phrase "to execute the laws" was an expression which General Jackson applied to the case of a State refusing to obey the laws while yet a member of the Union. That is not the case which is now presented. The laws are to be executed over the United States, and upon the people of the United States. They have no relation with any foreign country. It is a perversion of terms, at least it is a great misapprehension of the case, which cites that expression for application to a State which has withdrawn from the Union. You may make war on a foreign State. If it be the purpose of gentlemen they may make war against a State which has withdrawn from the Union; but there are no laws of the United States to be executed within the limits of a Seceded State. A State finding herself in the condition in which Mississippi has judged she is; in which her safety requires that she should provide for the

maintenance of her rights out of the Union, surrenders all the benefits, (and they are known to be many) deprives herself of the advantages, (they are known to be great) severs all the ties of affection (and they are close and enduring) which have bound her to the Union; and thus divesting herself of every benefit, taking upon herself every burden, she claims to be exempt from any power to execute the laws of the United States within her limits.

I well remember an occasion when Massachusetts was arraigned before the Bar of the Senate, and when then the doctrine of coercion was rife, and to be applied against her because of the rescue of a fugitive slave in Boston. My opinion then was the same as it is now. Not in the spirit of egotism, but to show that I am not influenced in my opinion because the case is my own, I refer to that time and that occasion as containing the opinion which I then entertained and on which my present conduct is based. I then said, if Massachusetts, following her through a stated line of conduct, chooses to take the last step which separates her from the Union, it is her right to go, and I will neither vote one dollar nor one man to coerce her back; but will say to her, "God speed," in memory of the kind associations which once existed between her and the other States. It has been a conviction of pressing necessity, it has been a belief that we are to be deprived in the Union, of the rights which our fathers bequeathed to us, which has brought Mississippi into her present decision. She has heard proclaimed the theory that all men are created free and equal, and this made the basis of an attack on her social institutions; and the sacred Declaration of Independence has been invoked to maintain the position of the equality of the races. That Declaration of Independence is to be construed by the circumstances and purposes for which it was made. The communities were declaring their independence; the people of those communities were asserting that no man was born—to use the language of Mr. Jefferson—booted and spurred to ride over the rest of mankind; that men were created equal—meaning the men of the political community; that there was no divine right to rule; that no man inherited the right to govern; that there were no classes by which power and place descended to families, but that all stations were equally within the grasp of each member of the body politic. These were the great principles they announced; these were the purposes for which they made their declaration; these were the ends to which their enunciation was directed. They have no reference to the slave; else, how happened it that among the items of arraignment made against George III. was that he en-

deavored to do just what the North has been endeavoring of late to do—to stir up insurrection among our slaves? Had the Declaration announced that the negroes were free and equal how was it the Prince was to be arraigned for stirring up insurrection among them? And how was this to be enumerated among the high crimes which caused the colonies to sever their connection with the mother country? When our constitution was formed, the same idea was rendered more palpable, for there we find provision made for that very class of persons as property; they were not put upon the footing of equality with white men—not even upon that of paupers and convicts, but so far as representation was concerned, were discriminated against as a lower caste only to be represented in a numerical proportion of three-fifths.

Then, Senators, we recur to the compact which binds us together; we recur to the principles upon which our government was founded; and when you deny them, and when you deny to us, the right to withdraw from a government which thus prevented, threatens to be destructive of our rights, we but tread in the path of our fathers when we proclaim our independence, and take the hazard. This is done not in hostility to others, not to injure any section of the country, not even for our own pecuniary benefit, but from the high and solemn motive of defending and protecting the rights we inherited, and which it is our sacred duty to transmit unshorn to our children.

I find in myself, perhaps, a type of the general feeling of my constituents towards yours. I am sure I feel no hostility to you, Senators from the North. I am sure there is not one of you, whatever sharp discussion there may have been between us, to whom I cannot now say, in the presence of my God, "I wish you well," and such, I am sure, is the feeling of the people whom I represent towards those whom you represent. I therefore feel that I but express their desire when I say I hope, and they hope for peaceful relations with you, though we must part. They may be mutually beneficial to us in the future as they have been in the past, if you so will it. The reverse may bring disaster on every portion of the country; and if you will have it thus, we will invoke the God of our fathers, who delivered them from the power of the lion, to protect us from the ravages of the bear, and thus, putting our trust in God, and to our firm hearts and strong arms we will vindicate the right as best we may.

In the course of my service here, associated at different times with a great variety of Senators, I see now around me some with whom I have served long; there have been points of collision, but whatever of

offense there has been to me I leave here; I carry with me no hostile remembrance. Whatever offense I have given which has not been redressed, or for which satisfaction has not been demanded, I have, Senators, in this hour of our parting, to offer you an apology for any harm which, in the heat of discussion, I have inflicted. I go hence unencumbered of any injury received, and having discharged the duty of making the only reparation in my power for any injury offered.

Mr. President and Senators, having made the announcement which the occasion seemed to me to require, it only remains for me to bid you a final adieu.

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**Speech of the Hon. Henry Wilson of Massachusetts**

*In the canvass against Horace Greeley at Richmond, Ind., August 3, 1872.*

AN ABSTRACT.

Gentlemen, standing here to-day, in this presence, among these liberty-loving, patriotic men and women of Wayne county, I want to call your attention for a few moments to what we have struggled for in the past.

Nearly forty years ago, when the slave power dominated the country—when the dark shadow of human slavery fell upon us all here in the North—there arose a body of conscientious men and women who proclaimed the doctrine that emancipation was the duty of the master and the right of the slave; they proclaimed it to be a duty to let the oppressed go free. Rewards were offered—they were denounced, mobbed—violence pervaded the land. Yet these faithful ones maintained with fidelity, against all odds, the sublime creed of human liberty. The struggle, commencing forty years ago against the assumptions and dominations of the slave-power, went on from one step to another—the slave power went right on to the conquest of the country—promises were broken, without regard to constitutions or laws of the human race. The work went on till the people, in their majesty, in 1860, went to the ballot-box and made Abraham Lincoln President of the United States. [Cheers.] Then came a great trial; that trial was whether we should do battle for the principles of eternal right, and maintain the cause of liberty, or surrender; whether we would be true to our principles or false. We stood firm—stood by the sacred cause—and then the slave power plunged the country into a godless rebellion.

Then came another trial, testing the manhood, the courage, the sublime fidelity of the lovers of liberty in the country. We met that test as we had met every

other test—trusting in God, trusting in the people—willing to stand or fall by our principles. Through four years of blood we maintained those principles; we broke down the rebellion, restored a broken Union, and vindicated the authority and power of the nation. In that struggle Indiana played a glorious part in the field, and her voice in the councils of the nation had great and deserved influence. [Cheers.]

Now, gentlemen, measured by the high standard of fidelity to country, of patriotism, the great political party to which we belong to-day was as true to the country in war as it had been in peace—true to the country every time, and on all occasions.

Not only true to the country, but the Republican party was true to liberty. It struck the fetters from the bondman, and elevated four and a half millions of men from chattelhood to manhood; gave them civil rights, gave them political rights, and gave them part and parcel of the power of the country. [Applause.]

Now, gentlemen, here to-day, I point to this record—this great record—and say to you, that, measured by the standard of patriotism—one of the greatest and grandest standards by which to measure public men, political organizations or nations—measured by that standard which the whole world recognizes, the Republican party of the United States stands before the world with none to accuse it of want of fidelity to country. [Cheers.] Measured by the standard of liberty, equal, universal, impartial liberty—liberty to all races, all colors and all nationalities—the Republican party stands to-day before the country pre-eminently the party of universal liberty. [Loud cheers.] Measured by the standard of humanity—that humanity that stoops down and lifts up the poor and lowly, the oppressed and the castaways, the poor, struggling sons and daughters of toil and misfortune—measured by that standard, the Republican party stands before this country to-day without a peer in our history, or in the history of any other people. [Renewed and general applause.] We have gone further, embraced more, lifted up lowlier men, carried them to a higher elevation, labored amid obloquy and reproach to lift up the despised and lowly nations of the earth than any political organization that the sun ever shone upon.

And then, gentlemen, tested by the support of all the great ideas that tend to lift up humanity, to pull none down, to lift all up, to carry the country upward and forward, ever toward God, the Republican party of the country has been, and now is, to-day, in advance of any political organization the world knows.

Gentlemen, I am not here to maintain

that this great party, with its three and a half millions of voters, tested and tried as it has been during twelve years—I am not here to say that it has made no mistakes. We have committed errors; we could not always see what the right was; we failed sometimes; but, gentlemen, take our record—take it as it stands—it is a bright and glorious record, that any man, or set of men, may be proud of. We have stood, and we stand to-day, on the side of man, and on the side of the ideas God has given us in His Holy Word. [Applause.] There has not been a day since by the labors, the prayers and the sacrifices of the old anti-slavery men and women of the country, from 1830 to 1855—during twenty-five years—I say to you, gentlemen, here, to-day, that this party, the product of these prayers, and these sacrifices, and these efforts—with all its faults—has been true to patriotism, true to liberty, true to justice, true to humanity, true to Christian civilization. [Cheers.]

I say to you here to-day, that all along during this time, the Democratic party carried the banners of slavery. Whenever the slave power desired anything they got it. They wielded the entire power of the nation, until, in their arrogance, when we elected Abraham Lincoln, they plunged the country into the fire and blood of the greatest civil war recorded in history. After the war all the measures inaugurated for emancipation—to make the country free—to lift an emancipated race up—to give them instruction and make them citizens—to give them civil rights and make them voters—to put them on an equality with the rest of the people—to every one of that series of thirty or forty measures the Democratic party gave their President unqualified and united opposition. Well, now, we have been accustomed to say that they were mistaken, misinformed, that they were honest—that they believed what they did; but, gentlemen, if they have believed what they have said, that they have acted according to their convictions from 1832 to 1872—a period of forty years—can they be honest, to-day, in indorsing the Cincinnati platform—in supporting Horace Greeley? [“No, no!”]

Why, we have read of sudden and miraculous conversions. We read of St. Paul's conversion, of the light that shone around him, but I ask you, in the history of the human family have you ever known three millions of men—three millions of great sinners for forty years—[laughter]—three millions of men, all convicted, all converted, and all changed in the twinkling of an eye. [Renewed laughter.] Why, gentlemen, if it is so, for one I will lift up my eyes and my heart to God, that those sinners, that this great political party that has been for forty years, every time and all

the time, on every question and on all questions pertaining to the human race and the rights of the colored race, on the wrong side—on the side of injustice, oppression and inhumanity—on the side that has been against man, and against God's holy word; I say, gentlemen, that I will lift up my heart in gratitude to God that these men have suddenly repented.

Why, I have been accustomed to think that the greatest victory the Republican party would ever be called upon to win—and I knew it would win it, because the Republican party, as Napoleon said of his armies, are accustomed to sleep on the field of victory. The Republican party—that always won—always ought to win, because it is on the right side; and when it is defeated, it only falls back to gather strength to advance again. [Applause.] I did suppose that the greatest task it would ever have, greater than putting down the rebellion, greater than emancipating four millions of men, greater than lifting them up to civil rights—greater than all its grand deeds—would be the conviction and conversion of the Democratic party of the United States. [Laughter and cheers.] Just as we are going into a Presidential election—when it was certain that if the Republican party said and affirmed, said by its members, said altogether, that its ideas, its principles, its policy, its measures, were stronger than were the political organization of the Democrats. I say, just as we are going into the contest, when it was certain that we would break down and crush out its ideas, and take its flags and disband it, and out of the wreck we would gather hundreds of thousands of changed and converted men, the best part of the body—just at that time some of our men are so anxious to embrace somebody that has always been wrong that they start out at once in a wild hunt to clasp hands with our enemies and to save the Democratic party from absolute annihilation. [Laughter.] To do what they want us is to disband. Well, gentlemen, I suppose there are some here to-day that belonged to the grand old Army of the Potomac. If when Lee had retreated on Richmond, and Phil. Sheridan sent back to Grant that if he pushed things he would capture the army—if, instead of sending back to Sheridan, as Grant did, “Push things,” he had said to him, “Let us disband the Army of the Potomac; don't hurt the feelings of these retreating men; let us clasp hands with them,” what would have been the result? I suppose there are some of you here to-day that followed Sherman—that were with him in his terrible march from Chattanooga to Atlanta—with him in that great march from Atlanta to the sea—what would you have thought of him if, when you came in sight of the Atlantic ocean,



you had had orders to disband before the banners of the rebellion had disappeared from the Southern heavens?

I tell you, to-day, this movement of a portion of our forces is this and nothing more. I would as soon have disbanded that Army of the Potomac after Sheridan's ride through the valley of the Shenandoah, or when Sherman had reached the sea, as to disband the Republican party to-day. The time has not come. [Loud and continued applause.]

I am not making a mere partisan appeal to you. I believe in this Republican party, and, if I know myself, rather than see it defeated to-day—rather than see the government pass out of its hands—I would sacrifice anything on earth in my possession, even life itself. [Loud applause] I have seen brave and good men—patriotic, liberty-loving, God-fearing men—I have seen them die for the cause of the country—for the ideas we profess, and I tell you to-day, with all the faults of the Republican party—and it has had faults and has made some mistakes—I say to you that I believe upon my conscience its defeat would be a disaster to the country, and would be a stain upon our record. It would bring upon us—we might say what we pleased, our enemies would claim it, and the world would record it—that this great, patriotic, liberty-loving Republican party of the United States, after all its great labors and great history, had been weighed in the balances and found wanting, and condemned by the American people.

Well, gentlemen, I choose, if it is to fall, to fall with it. I became an anti-slavery man in 1835. In 1836 I tied myself, pledged myself, to do all I could to overthrow the slave power of my country. During all these years I have never given a vote, uttered a word, or written a line that I did not suppose tended to this result. I invoke you old anti-slavery men here to-day—and I know I am speaking to men who have been engaged in the cause—I implore you men who have been true in the past, no matter what the men or their natures are, to stand with the grand organization of the Republican party—be true to its cause and fight its battles—if we are defeated, let us accept the defeat as best we may; if we are victorious, let us make our future more glorious than the past. If we fail, let us have the proud consciousness that we have been faithful to our principles, true to our convictions; that we go down with our flag flying—that we go down trusting in God that our country may become, what we have striven to make it, the foremost nation on the globe. [Immense applause.]

**Speech of Senator Oliver P. Morton, of Indiana,**

*On the National Idea, at Providence, R. I.*

The distinguished orator was introduced by Senator Anthony, and made an extended speech, from which we take the more pertinent paragraphs:

From this proposition two corollaries have been adduced from time to time, and I must say with great force of logic. The first is that this Union is composed of sovereign and independent States who have simply entered into a compact for particular purposes, and the government is merely their agent; that any State has the right to withdraw from the Union at pleasure, or whenever in its judgment the terms of the compact have been violated, or the interests of the State require its withdrawal. The second is that each State has the right to nullify any law of Congress which, in the judgment of the State, is in violation of the compact by which the government was formed. This doctrine has been the evil genius of the country from the foundation of our government. It may be said to be the devil in our political system. It has been our danger from the first. It is the rock in the straits, and we fear that the end is not yet. Now what can we oppose to this doctrine? We oppose what we call "the national idea." We assume that this government was formed by the governments of the United States in their aggregate and in their primary capacity. We assume that, instead of there being thirty-seven nations, there is but one; instead of there being thirty-seven sovereignties, there is but one sovereignty. We assume that the States are not sovereign, but that they are integral and subordinate parts of one great country. I may be asked the question here, "Are there no State rights? Would you override the States? Would you obliterate State lines?" I answer, "No." I answer that this doctrine is the only doctrine that can preserve the peace of this nation and preserve the rights of the States. I answer that there is a vast body of State rights guaranteed and secured by the Constitution of the United States, by the same Constitution that created and upholds the government of the United States; that these State rights have the same guarantee that the rights of the National Government have, equally entitled to the protection of the Supreme Court, springing out of the same instrument, and that one set of rights are just as sacred as the other. Some confound the idea of State sovereignty and State rights, as being one and the same thing. Others seem to suppose that State rights are only consistent with State sovereignty, and cannot exist except upon the theory of State sovereignty; while I assume that State rights are consistent with National sover-

eignty, and are safest under the protection of the nation. The Constitution gives one class of rights to the government of the United States. They are specified, and they carry with them all the rights that are indispensable and necessary to their full execution and enjoyment. The rest are to be held and enjoyed by the States, or reserved to the people. The States have their rights by the agreement of the nation. That seems to be the important truth that is so often overlooked, that the rights of the States, sacred and unapproachable, are sacred by the agreement of the nation, as much so as are the powers that are conferred upon the government of the United States, that the States derive their powers from the same source, viz: The Constitution of the United States. That Constitution says that the government shall have one class of powers, and that other powers shall be gained by the States, to be enjoyed by them or reserved to the people. In the consideration of this question, we must reflect that the nation had assembled in convention in 1787, and there formed a government, there declared what rights should be given to the National Government, and what rights should be reserved to the States, and that, in either case, the grant and guarantee is an act of national sovereignty by the people in convention assembled. When we shall embrace this idea fully, all the danger of centralization will pass away, though we discard the idea of State sovereignty.

I do not differ so much with many gentlemen in regard to what the rights of the States are. I differ with them in regard to the titles by which they hold them. I say that so far as State rights are concerned, and the rights of the government, that we are not to go back beyond the period of 1787, when the Constitution was formed. The rights of the elder States, and of Rhode Island as she has them now, are to be dated from the formation of the Constitution. Then they came into convention. They had the right to make any sort of government they pleased, and they did. And in that government they guaranteed and secured to the States the great body of rights in regard to local and domestic government, but it was the agreement of the nation at that time. So far as the new States are concerned, they are to come in on an equality. They are to have the same rights with the old; and this theory would be impossible of execution except upon the idea that the rights of the States and of the National Government are to be determined from the action that was taken at that time. The difficulty had been in regard to this theory of State sovereignty, and the assumed right of secession and of nullification was the result. They assumed that these States existed as

nations separate and distinct before that time, and that they only loaned a portion of their rights for a particular purpose. This is the base of that theory; while we assume that the people were acting together at that time in their aggregate capacity, raising a system of government, giving the United States certain powers, and providing that the States should hold and enjoy the rest, excepting those that were reserved to the people. The preservation of local self-government is essential to the liberties of this nation. Nobody endorses that sentiment more strongly than I do. Nobody will stand by the rights of the States more firmly than I will. I hold that their rights are consistent with national sovereignty, and that national sovereignty is consistent with the rights of the States, and I deny that these rights are the result of inherent original State sovereignty. In other words, we differ in regard to the title. What the States should have, and what the government should have, was settled by the act of the nation in convention in 1787, changed to some extent by the adoption of amendments since that time. It is not enough for a party to deny the right of secession. It is not enough for a party to deny the right of nullification. They must go further. They must deny the doctrine of State sovereignty; for as long as that doctrine is admitted, these other things will spring up spontaneously from it, and whenever the occasion allows it. If we were to admit that the States were sovereign, then we would be bound to say that Webster did not answer Hayne, and that Webster and Hayne never answered Calhoun. If once it is admitted that the States are sovereign, it is hard to resist the corollaries to which I have referred, that they have the right to secede, and that they have the right to nullify.

The doctrine of nationality planted deep in the hearts of the American people is our only sheet-anchor of safety for the future. Our country is greatly extended, from the tropical to the arctic regions, with every variety of climate, soil, and productions, with different commercial and manufacturing interests. The States on the Pacific slopes are separated from those on this side of the Rocky Mountains by fifteen hundred miles of mountain and desert. They have a different commerce from what you have, almost an independent commerce. Their commerce will be with China, Japan, Australia, the western countries of South America, and the islands of the Southern Pacific. It is now but in its infancy, but it bids fair to develop into colossal proportions, and may change the commercial aspect of the world. We know not what feelings of independence may arise in those States in time to come. It is difficult to deny the effect that may be

produced by the separation of vast States with a different commerce acting in conjunction with forced theories of the origin and laws of our government. In saying this I will cast no imputation upon the loyalty of those States. They are now as loyal as any, and were during the war. But we can imagine that what has been may be again. And we can understand what may be the danger of this doctrine, if it should still maintain its hold in the minds of the American people, when conflicting interests arise, and conflicting notions arise as to what may be the interests of the people; as in 1812 a war was brought about which was regarded as being fatal to the interests of the New England States, they took their position upon it. We have had a law which was regarded in South Carolina as being fatal to her interests, and she took her position upon it. This doctrine was again seized by slavery in 1861, and the rebellion was brought on. And what may happen in the far future upon the eastern and western coasts, upon the northern and southern extremities of our nation, we cannot tell.

The idea that we are a nation, that we are one people, undivided and indivisible, should be a plank in the platform of every party. It should be printed on the banner of every party. It should be taught in every school, academy, and college. It should be the political North Star by which every political manager should steer his bark. It should be the central idea of American politics, and every child, so to speak, should be vaccinated with this idea, so that he may be protected against this political distemper that has brought such calamity upon our country. Were the mind of the nation, so to speak, fully saturated with this sentiment of nationality, that we are but one people, undivided and indivisible, there would be no danger though our boundaries came to embrace the entire continent. It is therefore of the utmost importance that it should be taught and inculcated upon all occasions. What the sun is in the heavens, diffusing light, and life, and warmth, and by its subtle influence holding the planets in their orbits and preserving the harmony of the universe—such is the sentiment of nationality in a nation, diffusing light and protection in every part, holding the faces of Americans always toward their home, protecting the States in the exercise of their just powers, and preserving the harmony and prosperity of all.

We must have a nation. It is a necessity of our political existence, and we find the countries of the Old World now aspiring for nationality. Italy, after a long absence, has returned. Rome has again become the centre and the capital of a great nation. The bleeding fragments of the beautiful

land have been bound up together, and Italy again resumes her place among the nations. And we find the great Germanic family has been sighing for a nationality. That race, whose overmastering civilization is acknowledged by all the world, has hitherto been divided into petty Principalities and States, such as Virginia and South Carolina aspire to be, but now are coming together and asserting their unity, their national existence, and are now able to dominate all the nations of Europe. We should then cherish this idea, that while the States have their rights sacred and unapproachable, which we should guard with untiring vigilance, never permitting an encroachment, and remembering that such encroachment is as much a violation of the Constitution of the United States as to encroach upon the rights of the general Government, still bearing in mind that the States are but subordinate parts of one great nation, and that the nation is over, all even as God is over the universe. Without entering into any of the consequences that flow from this doctrine, allow me for tonight to refer to that great national attribute, that great national duty—the duty and the power to protect the citizen in the enjoyment of life, liberty, and property. If the Government of the United States has not the power to protect the citizens of the United States in the enjoyment of life, liberty, and property in cases where the States fail, or refuse, or are unable to grant protection, then that Government should be amended, or should give place to a better. Great Britain sent forth a costly and powerful expedition to Abyssinia to rescue four British subjects who had been captured and imprisoned by the government of that country. She has recently threatened Greece with war, if she did not use all her power to bring to justice two brigands who had lately murdered two British subjects. These things are greatly to the honor of Great Britain. And our Government threatened Austria with war if she did not release Martin Kosta, who had declared his intention to become a citizen of the United States, and was therefore protected by the Government of the United States. More recently we have made war upon Corea, a province in Asia, and slaughtered her people, and battered down her forts, because Americans shipwrecked upon her coast were murdered and the government had refused to give satisfaction for it. And if a mob in London should murder half a dozen American citizens, we would call upon that government to use all its power to bring the murderers to punishment, and if Great Britain did not do so, it would be regarded as a cause of war. And yet some people entertain the idea that our Government has the power to protect its citizens everywhere except upon its own soil. The

idea that I would advocate, the doctrine that I would urge as being the only true and national one, flowing inevitably from national sovereignty, is that our Government has the right to protect her citizens in the enjoyment of life, liberty, and property wherever the flag floats, whether at home or abroad.

**Speech of Hon. J. Proctor Knott, of  
Kentucky,**

*Delivered in the House of Representatives on the St. Croix  
and Superior Land Grant, January 21, 1871.*

The house having under consideration the joint resolution (S. R. No. 11) extending the time to construct a railroad from St. Croix river or lake to the west end of Lake Superior and to Bayfield—

Mr. Knott said: Mr. Speaker—If I could be actuated by any conceivable inducement to betray the sacred trust in me by those to whose generous confidence I am indebted for the honor of a seat on this floor; if I could be influenced by any possible consideration to become instrumental in giving away, in violation of their known wishes any portion of their interest in the public domain for the mere promotion of any railroad enterprise whatever, I should certainly feel a strong inclination to give this measure my most earnest and hearty support; for I am assured that its success would materially enhance the pecuniary prosperity of some of the most valued friends I have on earth; friends for whose accommodation I would be willing to make almost any sacrifice not involving my personal honor or my fidelity as the trustee of an express trust. And that act of itself would be sufficient to countervail almost any objection I might entertain to the passage of this bill not inspired by any imperative and inexorable sense of public duty.

But, independent of the seductive influences of private friendship, to which I admit I am, perhaps, as susceptible as any of the gentlemen I see around me, the intrinsic merits of the measure itself are of such an extraordinary character as to commend it most strongly to the favorable consideration of every member of this house, myself not excepted, notwithstanding my constituents, in whose behalf alone I am acting here, would not be benefited by its passage one particle more than they would be by a project to cultivate an orange grove on the bleakest summit of Greenland's icy mountains.

Now, sir, as to those great trunk lines of railways, spanning the continent from ocean to ocean, I confess my mind has never been fully made up. It is true they may afford some trifling advantages to local traffic, and they may even in time become the channels of a more extended commerce.

Yet I have never been thoroughly satisfied either of the necessity or expediency of projects promising such meagre results to the great body of our people. But with regard to the transcendent merits of the gigantic enterprise contemplated in this bill, I have never entertained the shadow of a doubt.

Years ago, when I first heard that there was somewhere in the vast *terra incognita*, somewhere in the bleak regions of the great northwest, a stream of water known to the nomadic inhabitants of the neighborhood as the river St. Croix, I became satisfied that the construction of a railroad from that raging torrent to some point in the civilized world was essential to the happiness and prosperity of the American people if not absolutely indispensable to the perpetuity of republican institutions on this continent. I felt instinctively that the boundless resources of that prolific region of sand and pine shrubbery would never be fully developed without a railroad constructed and equipped at the expense of the government, and perhaps not then. I had an abiding presentiment that, some day or other, the people of this whole country, irrespective of party affiliations, regardless of sectional prejudices, and "without distinction of race, color, or previous condition of servitude," would rise in their majesty and demand an outlet for the enormous agricultural productions of those vast and fertile pine barrens, drained in the rainy season by the surging waters of the turbid St. Croix.

These impressions, derived simply and solely from the "eternal fitness of things," were not only strengthened by the interesting and eloquent debate on this bill, to which I listened with so much pleasure the other day, but intensified, if possible, as I read over this morning, the lively colloquy which took place on that occasion, as I find it reported in last Friday's *Globe*. I will ask the indulgence of the house while I read a few short passages, which are sufficient, in my judgment, to place the merits of the great enterprise, contemplated in the measure now under discussion, beyond all possible controversy.

The honorable gentleman from Minnesota (Mr. Wilson), who, I believe, is managing this bill, in speaking of the character of the country through which this railroad is to pass, says this:

"We want to have the timber brought to us as cheaply as possible. Now, if you tie up the lands, in this way, so that no title can be obtained to them—for no settler will go on these lands, for he cannot make a living—you deprive us of the benefit of that timber."

Now, sir, I would not have it by any means inferred from this that the gentleman from Minnesota would insinuate that

the people out in this section desire this timber merely for the purpose of fencing up their farms so that their stock may not wander off and die of starvation among the bleak hills of St. Croix. I read it for no such purpose, sir, and make no comment on it myself. In corroboration of this statement of the gentleman from Minnesota, I find this testimony given by the honorable gentleman from Wisconsin (Mr. Washburn). Speaking of these same lands, he says:

"Under the bill, as amended by my friend from Minnesota, nine-tenths of the land is open to actual settlers at \$2.50 per acre; the remaining one-tenth is pine-timbered land, that is not fit for settlement, and never will be settled upon; but the timber will be cut off. I admit that it is the most valuable portion of the grant, for most of the grant is not valuable. It is quite valueless; and if you put in this amendment of the gentleman from Indiana you may as well just kill the bill, for no man and no company will take the grant and build the road."

I simply pause here to ask some gentleman better versed in the science of mathematics than I am, to tell me if the timbered lands are in fact the most valuable portion of that section of country, and they would be entirely valueless without the timber that is in them, what the remainder of the land is worth which has no timber on it at all?

But, further on, I find a most entertaining and instructive interchange of views between the gentleman from Arkansas (Mr. Rogers), the gentleman from Wisconsin (Mr. Washburn), and the gentleman from Maine (Mr. Peters), upon the subject of pine lands generally, which I will tax the patience of the house to read:

"Mr. Rogers—Will the gentleman allow me to ask him a question?"

"Mr. Washburn, of Wisconsin—Certainly."

"Mr. Rogers—Are these pine lands entirely worthless except for timber?"

"Mr. Washburn, of Wisconsin—They are generally worthless for any other purpose. I am personally familiar with that subject. These lands are not valuable for purposes of settlement."

"Mr. Farnsworth—They will be after the timber is taken off."

"Mr. Washburn, of Wisconsin—No, sir."

"Mr. Rogers—I want to know the character of these pine lands."

"Mr. Washburn, of Wisconsin—They are generally sandy, barren lands. My friend from the Green Bay district (Mr. Sawyer) is himself perfectly familiar with this question, and he will bear me out in what I say, that these timber lands are not adapted to settlement."

"Mr. Rogers—The pine lands to which

I am accustomed are generally very good. What I want to know is, what is the difference between our pine lands and your pine lands?"

"Mr. Washburn, of Wisconsin—The pine timber of Wisconsin generally grows upon barren, sandy land. The gentleman from Maine (Mr. Peters) who is familiar with pine lands, will, I have no doubt, say that pine timber grows generally upon the most barren lands."

"Mr. Peters—As a general thing pine lands are not worth much for cultivation."

And further on I find this pregnant question the joint production of the two gentlemen from Wisconsin.

"Mr. Paine—Does my friend from Indiana suppose that in any event settlers will occupy and cultivate these pine lands?"

"Mr. Washburn, of Wisconsin—Particularly without a railroad."

Yes, sir, "particularly without a railroad." It will be asked after awhile, I am afraid, if settlers will go anywhere unless the government builds a railroad for them to go on.

I desire to call attention to only one more statement, which I think sufficient to settle the question. It is one made by the gentleman from Wisconsin (Mr. Paine), who says:

"These lands will be abandoned for the present. It may be that at some remote period there will spring up in that region a new kind of agriculture, which will cause a demand for these particular lands; and they may then come into use and be valuable for agricultural purposes. But I know, and I cannot help thinking that my friend from Indiana understands that, for the present, and for many years to come, these pine lands can have no possible value other than that arising from the pine timber which stands on them."

Now, sir, who, after listening to this emphatic and unequivocal testimony of these intelligent, competent and able-bodied witnesses, who that is not as incredulous as St. Thomas himself, will doubt for a moment that the Goshen of America is to be found in the sandy valleys and upon the pine-clad hills of the St. Croix? Who will have the hardihood to rise in his seat on this floor and assert that, excepting the pine bushes, the entire region would not produce vegetation enough in ten years to fatten a grasshopper? Where is the patriot who is willing that his country shall incur the peril of remaining another day without the amplest railroad connection with such an inexhaustible mine of agricultural wealth? Who will answer for the consequences of abandoning a great and warlike people, in the possession of a country like that, to brood over the indifference and

neglect of their government? How long would it be before they would take to studying the Declaration of Independence and hatching out the damnable heresy of secession? How long before the grim demon of civil discord would rear again his horrid head in our midst, "gnash loud his iron fangs and shake his crest of bristling bayonets?"

Then, sir, think of the long and painful process of reconstruction that must follow with its concomitant amendments to the constitution, the seventeenth, eighteenth and nineteenth articles. The sixteenth, it is of course understood, is to be appropriated to those blushing damsels who are, day after day, beseeching us to let them vote, hold office, drink cocktails, ride a-straddle, and do everything else the men do. But above all, sir, let me implore you to reflect for a single moment on the deplorable condition of our country in case of a foreign war, with all our ports blockaded, all our cities in a state of siege, the gaunt specter of famine brooding like a hungry vulture over our starving land; our commissary stores all exhausted, and our famishing armies withering away in the field, a helpless prey to the insatiate demon of hunger; our navy rotting in the docks for want of provisions for our gallant seamen, and we without any railroad communication whatever with the prolific pine thickets of the St. Croix.

Ah, sir, I could very well understand why my amiable friends from Pennsylvania (Mr. Myers, Mr. Kelley and Mr. O'Neill) should be so earnest in their support of this bill the other day; and if their honorable colleague, my friend, Mr. Randall, will pardon the remark, I will say I consider his criticism of their action on that occasion as not only unjust, but ungenerous. I knew they were looking forward with a far-reaching ken of enlightened statesmanship to the pitiable condition in which Philadelphia will be left unless speedily supplied with railroad connection in some way or other with this garden spot of the universe. And beside, sir, this discussion has relieved my mind of a mystery that has weighed upon it like an incubus for years. I could never understand before why there was so much excitement during the last Congress over the acquisition of Alta Vela. I could never understand why it was that some of our ablest statesmen and most disinterested patriots should entertain such dark forebodings of the untold calamities that were to befall our beloved country unless we should take immediate possession of that desirable island. But I see now that they were laboring under the mistaken impression that the government would need the guano to manure the public lands on the St. Croix.

Now, sir, I repeat, I have been satisfied for years that if there was any portion of the inhabited globe absolutely in a suffering condition for want of a railroad it was these teeming pine barrens of the St. Croix. At what particular point on that noble stream such a road should be commenced I knew was immaterial, and it seems so to have been considered by the draughtsman of this bill. It might be up at the spring or down at the foot-log, or the water-gate, or the fish-dam, or anywhere along the bank, no matter where. But in what direction should it run, or where it should terminate, were always to my mind questions of the most painful perplexity. I could conceive of no place on "God's green earth" in such straitened circumstances for railroad facilities as to be likely to desire or willing to accept such a connection. I knew that neither Bayfield nor Superior city would have it, for they both indignantly spurned the munificence of the government when coupled with such ignominious conditions, and let this very same land grant die on their hands years and years ago rather than submit to the degradation of a direct communication by railroad with the piny woods of the St. Croix; and I knew that what the enterprising inhabitants of those giant young cities would refuse to take would have few charms for others, whatever their necessities or cupidity might be.

Hence as I have said, sir, I was utterly at a loss to determine where the terminus of this great and indispensable road should be, until I accidentally overheard some gentleman the other day mention the name of "*Duluth*."

*Duluth!* The word fell upon my ear with a peculiar and indescribable charm, like the gentle murmur of a low fountain stealing forth in the midst of roses; or the soft, sweet accents of an angel's whisper in the bright, joyous dream of sleeping innocence.

"*Duluth!*" 'Twas the name for which my soul had panted for years, as the hart panteth for the water-brooks. But where was *Duluth*? Never in all my limited reading, had my vision been gladdened by seeing the celestial word in print. And I felt a profound humiliation in my ignorance that its dulcet syllables had never before ravished my delighted ear. I was certain the draughtsman in this bill had never heard of it or it would have been designated as one of the termini of this road. I asked my friends about it, but they knew nothing of it. I rushed to the library, and examined all the maps I could find. I discovered in one of them a delicate hair-like line, diverging from the Mississippi near a place marked Prescott, which, I supposed, was intended to represent the river St. Croix, but, could nowhere find *Duluth*.

Nevertheless, I was confident it existed somewhere, and that its discovery would constitute the crowning glory of the present century, if not of all modern times. I knew it was bound to exist in the very nature of things; that the symmetry and perfection of our planetary system would be incomplete without it. That the elements of maternal nature would since have resolved themselves back into original chaos if there had been such a hiatus in creation as would have resulted from leaving out *Duluth!* In fact, sir, I was overwhelmed with the conviction that *Duluth* not only existed somewhere, but that wherever it was, it was a great and glorious place. I was convinced that the greatest calamity that ever befell the benighted nations of the ancient world was in their having passed away without a knowledge of the actual existence of *Duluth*; that their fabled Atlantis, never seen save by the hallowed vision of the inspired poesy, was, in fact, but another name for *Duluth*; that the golden orchard of the Hesperides, was but a poetical synonym for the beer-gardens in the vicinity of *Duluth*. I was certain that Herodotus had died a miserable death, because in all his travels and with all his geographical research he had never heard of *Duluth*. I knew that if the immortal spirit of Homer could look down from another heaven than that created by his own celestial genius upon the long lines of pilgrims from every nation of the earth to the gushing fountain of poesy opened by the touch of his magic wand, if he could be permitted to behold the vast assemblage of grand and glorious productions of the lyric art called into being by his own inspired strains, he would weep tears of bitter anguish that, instead of lavishing all the stores of his mighty genius upon the fall of Illion, it had not been his more blessed lot to crystalize in deathless song the rising glories of *Duluth*. Yes, sir, had it not been for this map, kindly furnished me by the legislature of Minnesota, I might have gone down to my obscure and humble grave in an agony of despair, because I could nowhere find *Duluth*. Had such been my melancholy fate, I have no doubt that with the last feeble pulsation of my breaking heart, with the last faint exhalation of my fleeting breath, I should have whispered, "Where is *Duluth?*"

But, thanks to the beneficence of that band of ministering angels who have their bright abodes in the far-off capital of Minnesota, just as the agony of my anxiety was about to culminate in the frenzy of despair, this blessed map was placed in my hands; and as I unfolded it a resplendent scene of ineffable glory opened before me, such as I imagined burst upon the enraptured vision of the wandering peri through

the opening gates of Paradise. There, there, for the first time, my enchanted eye rested upon the ravishing word, "*Duluth!*" This map, sir, is intended, as it appears from its title, to illustrate the position of *Duluth* in the United States; but if gentlemen will examine it, I think they will concur with me in the opinion, that it is far too modest in its pretensions. It not only illustrates the position of *Duluth* in the United States, but exhibits its relations with all created things. It even goes further than this. It hits the shadowy vale of futurity, and affords us a view of the golden prospects of *Duluth* far along the dim vista of ages yet to come.

If gentlemen will examine it, they will find *Duluth* not only in the center of the map, but represented in the center of a series of concentric circles one hundred miles apart, and some of them as much as four thousand miles in diameter, embracing alike, in their tremendous sweep the fragrant savannas of the sunlit South and the eternal solitudes of snow that mantle the ice-bound North. How these circles were produced is perhaps one of those primordial mysteries that the most skilled paleologist will never be able to explain. But the fact is, sir, *Duluth* is pre-eminently a central point, for I am told by gentlemen who have been so reckless of their own personal safety as to venture away into those awful regions where *Duluth* is supposed to be, that it is so exactly in the center of the visible universe that the sky comes down at precisely the same distance all around it.

I find, by reference to this map, that *Duluth* is situated somewhere near the western end of Lake Superior, but as there is no dot or other mark indicating its exact location, I am unable to say whether it is actually confined to any particular spot, or whether "it is just lying around there loose." I really cannot tell whether it is one of those ethereal creations of intellectual frostwork, more intangible than the rose-tinted clouds of a summer sunset; one of those airy exhalations of the speculator's brain which, I am told, are very flitting in the form of towns and cities along those lines of railroad, built with government subsidies, luring the unwary settler as the mirage of the desert lures the famishing traveler on, and ever on, until it fades away in the darkening horizon; or whether it is a real, *bona fide*, substantial city, all "staked off," with the lots marked with their owners' names, like that proud commercial metropolis recently discovered on the desirable shores of San Domingo. But, however that may be, I am satisfied *Duluth* is there, or thereabouts, for I see it stated here on the map that it is exactly thirty-nine hundred and ninety miles from Liverpool, though I have no doubt, for the sake of convenience, it will be

moved back ten miles, so as to make the distance an even four thousand.

Then, sir, there is the climate of *Duluth*, unquestionably the most salubrious and delightful to be found anywhere on the Lord's earth. Now, I have always been under the impression, as I presume other gentlemen have, that in the region around Lake Superior it was cold enough for at least nine months in the year to freeze the smoke-stack off a locomotive. But I see it represented on this map that *Duluth* is situated exactly half way between the latitudes of Paris and Venice, so that gentlemen who have inhaled the exhilarating air of the one, or basked in the golden sunlight of the other, may see at a glance that *Duluth* must be the place of untold delight, a terrestrial paradise, fanned by the balmy zephyrs of an eternal spring, clothed in the gorgeous sheen of ever blooming flowers, and vocal with the silvery melody of nature's choicest songsters. In fact sir, since I have seen this map, I have no doubt that Byron was vainly endeavoring to convey some faint conception of the delicious charms of *Duluth* when his poetic soul gushed forth, in the rippling strains of that beautiful rhapsody—

"Know ye the land of the cedar and the vine,  
Whence the flowers ever blossom, the beams ever shine;  
Where the light wings of Zephyr, oppressed with perfume,  
Wax faint o'er the gardens of Gul in her bloom;  
Where the citron and olive are fairest of fruit,  
And the voice of the nightingale never is mute;  
Where the tints of the earth and the hues of the sky,  
In color though varied, in beauty may vie?"

As to the commercial resources of *Duluth*, sir, they are simply illimitable and inexhaustible, as is shown by this map. I see it stated here that there is a vast scope of territory, embracing an area of over two millions of square miles, rich in every element of material wealth and commercial prosperity, all tributary to *Duluth*. Look at it, sir, (pointing to the map.) Here are inexhaustible mines of gold, immeasurable veins of silver, impenetrable depths of boundless forest, vast coal measures, wide extended plains of richest pasturage—all, all embraced in this vast territory—which must, in the very nature of things, empty the untold treasures of its commerce into the lap of *Duluth*. Look at it, sir, (pointing to the map); do not you see from these broad, brown lines drawn around this immense territory, that the enterprising inhabitants of *Duluth* intend some day to inclose it all in one vast corral, so that its commerce will be bound to go there whether it would or not? And here, sir, (still pointing to the map), I find within a convenient distance the Piegan Indians, which, of all the many accessories to the glory of *Duluth*, I consider by far the most in-

estimable. For, sir, I have been told that when the small-pox breaks out among the women and children of the famous tribe, as it sometimes does, they afford the finest subjects in the world for the strategical experiments of any enterprising military hero who desires to improve himself in the noble art of war, especially for any valiant lieutenant-general whose

"Trenchant blade, Toledo trusty,  
For want of fighting has grown rusty,  
And eats into itself for lack,  
Of somebody to hew and hack"

Sir, the great conflict now raging in the Old World has presented a phenomenon in military science unprecedented in the annals of mankind, a phenomenon that has reversed all the traditions of the past as it has disappointed all the expectations of the present. A great and warlike people, renowned alike for their skill and valor, have been swept away before the triumphant advance of an inferior foe, like autumn stubble before a hurricane of fire. For aught I know the next flash of electric fire that simmers along the ocean cable may tell us that Paris, with every fibre quivering with the agony of impotent despair, writhes beneath the conquering heel of her leathed invader. Ere another moon shall wax and wane, the brightest star in the galaxy of nations may fall from the zenith of her glory never to rise again. Ere the modest violets of early spring shall open their beauteous eyes, the genius of civilization may chaunt the wailing requiem of the proudest nationality the world has ever seen, as she scatters her withered and tear-moistened lilies o'er the bloody tomb of butchered France. But, sir, I wish to ask if you honestly and candidly believe that the Dutch would have overrun the French in that kind of style if General Sheridan had not gone over there, and told King William and Von Moltke how he had managed to whip the Piegan Indians.

And here, sir, recurring to this map, I find in the immediate vicinity of the Piegans "vast herds of buffalo" and "immense fields of rich wheat lands."

[Here the hammer fell.]

[Many cries: "Go on!" "go on!"]

The Speaker—Is there any objection to the gentleman from Kentucky continuing his remarks? The chair hears none. The gentleman will proceed.

Mr. Knott—I was remarking, sir, upon these vast "wheat fields" represented on this map in the immediate neighborhood of the buffaloes and Piegans, and was about to say that the idea of there being these immense wheat fields in the very heart of a wilderness, hundreds and hundreds of miles beyond the utmost verge of civilization, may appear to some gentlemen as rather incongruous, as rather too great a



strain on the "blankets" of veracity. But to my mind there is no difficulty in the matter whatever. The phenomenon is very easily accounted for. It is evident, sir, that the Piegans sowed that wheat there and ploughed it in with buffalo bulls. Now, sir, this fortunate combination of buffaloes and Piegans, considering their relative positions to each other and to *Duluth*, as they are arranged on this map, satisfies me that *Duluth* is destined to be the best market of the world. Here, you will observe, (pointing to the map), are the buffaloes, directly between the Piegans and *Duluth*; and here, right on the road to *Duluth*, are the Creeks. Now, sir, when the buffaloes are sufficiently fat from grazing on those immense wheat fields, you see it will be the easiest thing in the world for the Piegans to drive them on down, stay all night with their friends, the Creeks, and go into *Duluth* in the morning. I think I see them, now, sir, a vast herd of buffaloes, with their heads down, their eyes glaring, their nostrils dilated, their tongues out, and their tails curled over their backs, tearing along toward *Duluth*, with about a thousand Piegans on their grass-bellied ponies, yelling at their heels! On they come! And as they sweep past the Creeks, they join in the chase, and away they all go, yelling, bellowing, ripping and tearing along, amid clouds of dust, until the last buffalo is safely penned in the stock-yards at *Duluth*.

Sir, I might stand here for hours and hours, and expatiate with rapture upon the gorgeous prospects of *Duluth*, as depicted upon this map. But human life is too short, and the time of this house far too valuable to allow me to linger longer upon this delightful theme. I think every gentleman upon this floor is as well satisfied as I am that *Duluth* is destined to become the commercial metropolis of the universe and that this road should be built at once. I am fully persuaded that no patriotic representative of the American people, who has a proper appreciation of the associated glories of *Duluth* and the St. Croix, will hesitate a moment that every able-bodied female in the land, between the ages of eighteen and forty-five, who is in favor of "woman's rights," should be drafted and set to work upon this great work without delay. Nevertheless, sir, it grieves my very soul to be compelled to say that I cannot vote for the grant of lands provided for in this bill.

Ah, sir, you can have no conception of the poignancy of my anguish that I am deprived of that blessed privilege! There are two insuperable obstacles in the way. In the first place my constituents, for whom I am acting here, have no more interest in this road than they have in the great question of culinary taste now, perhaps, agitating the public mind of Dominica, as to whether the illustrious commissioners, who

recently left this capital for that free and enlightened republic, would be better fricasseed, boiled, or roasted, and, in the second place, these lands, which I am asked to give away, alas, are not mine to bestow! My relation to them is simply that of trustee to an express trust. And shall I ever betray that trust? Never, sir! Rather perish *Duluth*! Perish the paragon of cities! Rather let the freezing cyclones of the bleak northwest bury it forever beneath the eddying sands of the raging St. Croix.

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#### Henry Carey's Speech on the Rates of Interest.

*In the Pennsylvania Constitutional Convention, 1873.*

In the Constitutional Convention, in Committee of the Whole on the article reported from the Committee on Agriculture, Mining, Manufactures, and Commerce, the first section being as follows:—"In the absence of special contracts the legal rate of interest and discount shall be seven per centum per annum, but special contracts for higher or lower rates shall be lawful. All national and other banks of issue shall be restricted to the rate of seven per centum per annum." Mr. H. C. Carey made an address in favor of striking out the section. The following is an abstract of his remarks:—

Precisely a century and a half since, in 1723, the General Assembly of Pennsylvania reduced the legal charge for the use of money from eight to six per cent. per annum. This was a great step in the direction of civilization, proving, as it did, that the labor of the present was obtaining increased power over accumulations of the past, the laborer approaching toward equality with the capitalist. At that point it has since remained, with, however, some change in the penalties which had been then prescribed for violations of the law.

Throughout the recent war the financial policy of the National Government so greatly favored the money-borrower and the laborer as to have afforded reason for believing that the actual rate of interest was about to fall permanently below the legal one, with the effect of speedily causing usury laws to fall into entire disuse. Since its close, however, under a mistaken idea that such was the real road to resumption, all the Treasury operation of favoring the money-lender; the result exhibiting itself in the facts that combinations are being everywhere formed for raising the price of money; that the long loans of the past are being daily more and more superseded by the call loans of the present; that manufacturer and merchant are more and more fleeced by Shylocks who would gladly take "the pound of flesh nearest the heart"

from all over whom they are enabled to obtain control.

Anxious for the perpetuation of this unhappy state of things, these latter now invite their victims to give their aid towards leveling the barriers by which they themselves are even yet to a considerable extent protected, assuring them that further grant of power will be followed by greater moderation in its exercise. Misled thereby, money borrowers, traders, and manufacturers are seen uniting, year after year with their common enemy in the effort at obtaining a repeal of the laws in regard to money, under which the State has so greatly prospered. Happily our working men, farmers, mechanics, and laborers fail to see that advantage is likely to accrue to them from a change whose obvious tendency is that of increasing the power of the few who have money to lend over the many who need to borrow; and hence it is that their Representatives at Harrisburg have so steadily closed their ears against the siren song by which it is sought to lead their constituents to give their aid to the work of their own destruction.

Under these circumstances is it that we are now asked to give place in the organic law to a provision by means of which this deplorable system is to be made permanent, the Legislature being thereby prohibited, be the necessity what it may, from placing any restraint upon the few who now control the supply of the most important of all the machinery of commerce, as against the many whose existence, and that of their wives and children, is dependent upon the obtaining the use thereof on such terms as shall not from year to year cause them to become more and more mere tools in the hands of the already rich. This being the first time in the world's history that any such idea has been suggested, it may be well, before determining on its adoption, to study what has been elsewhere done in this direction, and what has been the result.

Mr. Carey then proceeded to quote at great length from recent and able writers the results that had followed in England from the adoption of the proposition now before the convention. These may be summed up as the charging of enormous rates of interest, the London joint-stock banks making dividends among their stockholders to the extent of twenty, thirty, and almost forty per cent., the whole of which has ultimately to be taken from the wages of labor employed in manufactures, or in agriculture. At no time, said Mr. Carey, in Britain's history, have pauperism and usury traveled so closely hand in hand together; the rich growing rich to an extent that, till now, would have been regarded as fabulous, and the wretchedness of the poor having grown in like proportion.

After discussing the effects of the repeal of the usury laws in some of the American States, Mr. Carey continued:—

“We may be told, however, that at times money is abundant, and that even so late as last summer it was difficult to obtain legal interest. Such certainly was the case with those who desired to put it out on call; but at that very moment those who needed to obtain the use of money for long periods were being taxed, even on securities of unexceptionable character, at double, or more than double, the legal rates. The whole tendency of the existing system is in the direction of annihilating the disposition for making those permanent loans of money by means of which the people of other countries are enabled to carry into effect operations tending to secure to themselves control of the world's commerce. Under that system there is, and there can be, none of that stability in the price of money required for carrying out such operations.

Leaving out of view the recent great combination for the maintenance and perpetuation of slavery, there has been none so powerful, none so dangerous as that which now exists among those who, having obtained a complete control of the money power, are laboring to obtain legal recognition of the right of capital to perfect freedom as regards all the measures to which it may be pleased to resort for the purpose of obtaining more perfect control over labor. Already several of the States have to some extent yielded to the pressure that has been brought to bear upon them. Chief among these is Massachusetts, the usury laws having there been totally repealed, and with the effect, says a distinguished citizen of that State, that “all the savings institutions of the city at once raised the rate from six to seven per cent.; those out of the city to seven and a half and eight per cent. and there was no rate too high for the greedy. The consequence,” as he continues, “has been disastrous to industrial pursuits. Of farming towns in my county, more than one quarter have diminished in population.” Rates per day have now to a great extent, as I am assured, superseded the old rates per month or year; two cents per day, or \$7.30 per annum, having become the charge for securities of the highest order. What, under such circumstances, must be the rate for paper of those who, sound and solvent as they may be, cannot furnish such security, may readily be imagined. Let the monopoly system be maintained and the rate, even at its headquarters, New England, will attain a far higher point than any that has yet been reached; this, too in despite of the fact that her people had so promptly secured to themselves a third of the whole circulation allowed to the

40,000,000 of the population of the Union scattered throughout almost a continent. How greatly they value the power that has been thus obtained is proved by the fact that to every effort at inducing them to surrender, for advantage of the West or South, any portion thereof, has met with resistance so determined that nothing has been yet accomplished.

Abandonment of our present policy is strongly urged upon us for the reason that mortgages bear in New York a higher rate of interest. A Pennsylvanian in any of the northern counties has, as we are told, but to cross the line to obtain the best security at seven per cent. Why, however, is it that his neighbors find themselves compelled to go abroad when desirous of obtaining money on such security? The answer to this question is found in the fact that the taxation of mortgages is there so great as to absorb from half to two-thirds of the interest promised to be paid.

Again, we are told that Ohio legalizes "special contracts" up to eight per cent. and, that if we would prevent the efflux of capital we must follow in the same direction. Is there, however, in the exhibit now made by that State, anything to warrant us in so doing? Like Pennsylvania, she has abundant coal and ore. She has two large cities, the one fronting on the Ohio, and the other on the lakes, giving her more natural facilities for maintaining commerce than are possessed by Pennsylvania; and yet, while the addition to her population in the last decade was but 306,000, that of Pennsylvania was 615,000. In that time she added 900 to her railroad mileage, Pennsylvania meantime adding 2,500. While her capital engaged in manufactures rose from 57 to 141 millions, that of Pennsylvania grew from 109 to 406, the mere increase of the one being more than fifty per cent. in excess of the total of the other. May we find in these figures any evidence that capital has been attracted to Ohio by a higher rate of interest, or repelled from our State by a lower one? Assuredly not!

What in this direction is proposed to be done among ourselves is shown in the section now presented for our consideration. By it the legal rate in the absence of "special contracts" is to be raised to seven per cent., such "contracts," however ruinous in their character, and whatsoever the nature of the security, are to be legalized; the only exception to these sweeping changes being that national banks, issuing circulating notes are to be limited to seven per cent. Shylock asked only "the due and forfeit of his bond." Let this section be adopted, let him then present himself in any of our courts, can its judge do other than decide that "the law allows it and the court awards it," monstrous as may

have been the usury, and discreditable as may have been the arts by means of which the unfortunate debtor may have been entrapped? Assuredly not. Shylock, happily, was outwitted, the bond having made no provision for taking even "one jot of blood." Here, the unfortunate debtor, forced by his flinty-hearted creditor into a "special contract" utterly ruinous, may, in view of the destruction of all hope for the future of his wife and children, shed almost tears of blood, but they will be of no avail; yet do we claim to live under a system whose foundation-stone exhibits itself in the great precept from which we learn that duty requires of us to do to others as we would that others should do unto ourselves.

By the English law the little landowner, the mechanic who owns the house in which he lives, is protected against his wealthy mortgagee. Here, on the contrary, the farmer, suffering under the effects of blight or drought, and thus deprived of power to meet with punctuality the demands of his mortgagee, is to have no protection whatsoever. So, too, with the poor mechanic suffering temporarily by reason of accidental incapacity for work, and, with the sheriff full in view before him, compelled to enter into a "special contract" doubling if not trebling, the previous rate of interest. Infamous as may be its extortion the court may not deny the aid required for its enforcement.

The amount now loaned on mortgage security in this State at six per cent. is certainly not less than \$400,000,000, and probably extends to \$500,000,000, a large portion of which is liable to be called for at any moment. Let this section be adopted and we shall almost at once witness a combined movement among mortgagees for raising the rate of interest. Notices demanding payment will fly thick as hail throughout the State, every holder of such security knowing well that the greater the alarm that can be produced and the more utter the impossibility of obtaining other moneys the larger may be made the future rate of interest. The unfortunate mortgagor must then accept the terms, hard as they may be, dictated to him, be they 8, 10, 12, or 20 per cent. Such, as I am assured has been the course of things in Connecticut, where distress the most severe has been produced by a recent abandonment by the State of the policy under which it has in the past so greatly prospered. At this moment her savings' banks are engaged in compelling mortgagors to accept eight per cent. as the present rate. How long it will be before they will carry it up to ten or twelve, or what will be the effect, remains to be seen. Already among ourselves the effects of the sad blunders of our great financiers exhibit themselves in

the very unpleasant fact that sheriffs' sales are six times more numerous than they were in the period from 1861 to 1867, when the country was so severely suffering under the waste of property, labor, and life, which had but then occurred. Let this section be adopted, giving perfect freedom to the Shylocks of the day, and the next half dozen years will witness the transfer, under the sheriff's hammer, of the larger portion of the real property of both the city and the State. Of all the devices yet invented for the subjugation of labor by capital, there is none that can claim to be entitled to take precedence of that which has been now proposed for our consideration.

Rightly styled the Keystone of the Union, one duty yet remains to her to be performed, to wit: that of bringing about equality in the distribution of power over that machinery for whose use men pay interest, which is known as money. New England, being rich and having her people concentrated within very narrow limits, has been allowed to absorb a portion of that power fully equal to her needs, while this State, richer still, has been so "cabined, cribbed, confined," that her mine and furnace operators find it difficult to obtain that circulating medium by whose aid alone can they distribute among their workmen their shares of the things produced.—New York, already rich, has been allowed to absorb a fourth of the permitted circulation, to the almost entire exclusion of the States south of Pennsylvania and west of the Mississippi; and hence it is that her people are enabled to levy upon those of all these latter such enormous taxes. To the work of correcting this enormous evil Pennsylvania should now address herself. Instead of following in the wake of New Jersey and Connecticut, thereby giving to the monopoly an increase of strength, let her place herself side by side with the suffering States of the West, the South, and the Southwest, demanding that what has been made free to New York and New England shall be made equally free to her and them. Let her do this, and the remedy will be secured, with such increase in the general power for developing the wonderful resources of the Union as will speedily make of it an iron and cloth exporting State, with such power for retaining and controlling the precious metals as will place it on a surer footing in that respect than any of the powers of the Eastern world. The more rapid the society circulation, and the greater the facility of making exchanges from hand to hand, and from place to place, the greater is the tendency toward reduction in the rate of interest, toward equality in the condition of laborer and employer, and toward growth and power to command the services

of all the metals, gold and silver included.

It will be said, however, that adoption of such measures as have been indicated would tend to produce a general rise of prices; or, in the words of our self-styled economists, would cause "inflation." The vulgar error here involved was examined some thirty years since by an eminent British economist, and with a thoroughness never before exhibited in reference to any other economic question whatsoever, the result exhibiting itself in the following brief words of a highly distinguished American one, published some twelve or fifteen years since, to wit:

"Among the innumerable influences which go to determine the general rate of prices, the quantity of money, or currency, is one of the least effective."

Since then we have had a great war, in the course of which there have been numerous and extensive changes in the price of commodities, every one of which is clearly traceable to causes widely different from those to which they so generally are attributed. Be that, however, as it may, the question now before us is one of right and justice, and not of mere expediency. North and east of Pennsylvania eight millions of people have been allowed a greater share of the most important of all powers, the money one, than has been allotted to the thirty-two millions south and west of New York, and have thus been granted a power of taxation that should be no longer tolerated. The basis of our whole system is to be found in equality before the law, each and every man, each and every State, being entitled to exercise the same powers that are permitted to our people, or other States. If the Union is to be maintained, it can be so on no terms other than those of recognition of the existence of the equality that has here been indicated. To the work of compelling that recognition Pennsylvania should give herself, inscribing on her shield the brief words *fiat justitia, ruat cælum*—let justice be done though the heavens fall!

#### Speech of Gen. Simon Cameron.

*On the benefits derived by Pennsylvania from the Policy of Internal Improvements.*

Any one will see, who will take the trouble to read the debates on the location of the National Capital, that the decision of that question seems to have been made solely with reference to a connection of the East with the then great wilderness of the West. All the sagacious men then in public life looked to the time when the West, with its wonderful productive soil brought under subjection by industry, would exercise a controlling influence on the destiny

of the country. Columbia, in the State of Pennsylvania, was at one time within one vote of becoming the site of the Capital; and Germantown, near, and now a part of, Philadelphia, was actually decided on as the proper location by a majority of one. The first of these was favored because it was believed to be a favorable point from which to begin a slack water route to the west. Germantown near the Schuylkill, was chosen for the same reason. All looked forward to a system of canals which would accomplish this desirable object, and experience has fully demonstrated their wisdom in that great design. About 1790, General Washington and the great financier Robert Morris, traveled on horseback from Philadelphia to the Susquehanna river, with a view of deciding whether a canal could be built over that route.

Shortly after this, some gentlemen near Philadelphia actually began building a canal to the west, did some work on its eastern end, built one or two locks on the dividing ridge near Lebanon, and for want of sufficient funds and knowledge of the subject the work was stopped. The money expended on the enterprise was lost.

But the progressive men of the country, keeping their minds on the subject, continued to agitate the popular mind on it until 1820, when the Legislature of Pennsylvania chartered the Union Canal Company, and appropriated one million dollars to aid its construction. In a few years the canal was completed between the Schuylkill and Susquehanna. Although very small, this improvement did a great deal of good. And the most remarkable thing about it was its unpopularity with the masses. Not only the members of General Assembly who passed the bill, but Governor Heister, who signed the act of incorporation, were driven from office at the first opportunity legally presented for testing public opinion, and the party to which they belonged went into a minority. I remember well what a mighty sum a million dollars seemed to be; and the political revolution caused by this appropriation showed me that the idea of its vastness was not confined by any means to myself.

Our system of canals was completed, and the benefits derived from them were incalculable. When they were commenced our State was poor. Industry languished. The interchange of her products was difficult. Population was sparse. Intelligence was not generally diffused. Manufactures struggled weakly along. Work was not plentiful. Wages were low. When they were finished the busy hum of industry was heard on every hand. Our population had grown until we numbered millions. Our iron ore beds were yielding their precious hoards for human use. Coal mines, unknown or useless until means

were provided for transporting their wealth to market, now sent millions of tons in every direction. Progress in every walk of advanced civilization was realized, and we were on the high road to permanent prosperity. But in the meantime a new and better means of communication had been discovered, and the building of railroads quickly reduced the value of canals, and the works we had completed at so much cost, and with such infinite labor, were suddenly superseded. We lost nearly all the money they had cost us, but this investment was wisely made. The return to our State was many times greater than the outlay.

Like all great projects intended for the public good, that of Internal Improvement progressed. In 1823, the New York canal—which had been pushed through against the prejudiced opposition of the people, by the genius of De Witt Clinton—was opened. Its success caused a revolution in the public mind all over the country. The effect was so marked in the State, that in 1825 a convention was called to consider the subject. Every county in the State was represented, I believe. That body pronounced in favor of a grand system of public works, which should not only connect the East and West, but also the waters of the Susquehanna with the great lakes, the West and the North-west. Appropriations were recommended to the amount of three millions of dollars, and in 1826, I think the work began. This sum seemed to be enormous, and the estimates of the engineers reached a total of six millions of dollars. Meeting an ardent friend of the system one day, he declared that a sum of that magnitude could never be expended on these works. I ventured to reply, with great deference to his age and experience, that I thought it would be insufficient, and before they were completed I would not be surprised if ten millions would be found necessary. Looking at me steadily for a few moments, he closed the conversation by exclaiming, “Young man, you are a d——d fool!” I was thus left in full possession of his opinion of me. But after we had spent \$41,698,594.74 in the construction of these works, I found my estimate of his judgment was singularly in harmony with my opinion of his politeness. His candor I never doubted.

In the convention of 1825, there were two gentlemen who voted for railways instead of canals. One was professor Vethake of Dickinson College, Carlisle; and the other was Jacob Alter, a man of very little education, but of strong understanding. The professor was looked upon as a dreamer, and was supposed to have led his colleague astray in his vagaries. But they both lived to see railroads extended over the whole world. As a part of our system of public

works, we built a railroad from the Delaware to the Susquehanna, from Philadelphia to Columbia, and one from the eastern base of the Allegheny mountains to their western base. They were originally intended to be used with horse power. In the meantime the railroad system had been commenced, and the Pennsylvania Railroad, under the charge of a man of extraordinary ability, John Edgar Thompson, was rapidly pushed to completion. Another great railway, the Philadelphia and Reading, was built to carry anthracite coal from the Schuylkill mines to the market. A railroad was built each side of the Lehigh river, that another part of our coal territory might find a market in New York. Another was built from the north branch of the Susquehanna, connecting with the New York roads, and leading to the northern coal field. And yet another was built along the Susquehanna, through the southern coal basin, to the city of Baltimore. The total cost of these roads, independent of the Pennsylvania railroad, was \$95,250,410.10, as shown by official reports. Their earnings last year are officially given at \$24,753,065.32. Each of these was forced to contend with difficulty and prejudice. All were unpopular, and all were looked upon with suspicion until they actually forced their usefulness on the public mind. Those who made the fight for canals were forced to go over the whole ground again for railroads, and their double victory is greater than the success generally vouchsafed to the pioneers in any cause. These roads, with the Pennsylvania railroad and the lesser lines of improvements running through the coal region cost over \$207,000,000.

The Reading Railroad will serve to illustrate the struggle of these great schemes. Its stock, now worth over par, once sold for twenty cents on the dollar; and at one time it was forced to sell its bonds at forty cents on the dollar to pay operating expenses. The vindication of the sagacity of the pioneers in these great enterprises is complete. All these lines are now profitable, and it has been demonstrated everywhere in the United States, that every new railroad creates the business from which its stockholders receive their dividends. It seems, therefore, scarcely possible to fix a limit to our profitable railroad expansion. They open new fields of enterprise, and this enterprise in turn, makes the traffic which fills the coffers of the companies.

I cannot now look back to the struggle to impress the people with the advantages of railways, without a feeling of weariness at the seeming hopeless struggle, and one of merriment at the general unbelief in our new-fangled project. Once at Elizabethtown in this State a public meeting had been called for the purpose of securing

subscriptions to the stock of the Harrisburg and Lancaster Railroad. This road was intended to complete the railway between Philadelphia and Harrisburg, one hundred and five miles. A large concourse had gathered. Ovid F. Johnson, Attorney-General of our State, and a brilliant orator, made an excellent speech; but the effect was not in proportion to the effort. I determined to make an appeal, and I gave such arguments as I could. In closing I predicted that those now listening to me would see the day when a man could breakfast in Harrisburg, go to Philadelphia, transact a fair day's business there, and returning, eat his supper at home. Great applause followed this, and some additional subscriptions. Abram Harnly, a friend of the road, and one of the most intelligent of his class, worked his way to me, and taking me aside whispered, "That was a good idea about going to Philadelphia and back to Harrisburg the same day;" and then, bursting with laughter, he added,—"But you and I know better than that!" We both lived to see the road built; and now people can come and go over the distance twice a day, which Abram seemed to consider impossible for a single daily trip.

The peculiar condition of the States then known as "the West" was the subject of anxiety to many. They had attracted a large population, but the people were exclusively devoted to agriculture. Lacking diversified industry, they were without accumulated wealth to enable them to build railways; nor were the States in condition to undertake such an onerous duty, although several of them made a feeble attempt to do so. At one time the bonds of Illinois, issued to build her canals, sold as low as thirty cents on the dollar. So with Indiana. Both States were supposed to be bankrupt. It became, therefore, an important problem as to how means of communication should be supplied to the people of the West. Congress, in 1846, gave a grant of land to aid in building a railroad in Illinois. Every alternate section was given to the Company, and each alternate section was reserved by the Government. The road was built; and the one-half of the land retained by the government sold for a great deal more than all was worth before the road was constructed. This idea was original, I think, with Mr. Whitney of Mass., who spent two winters in Washington, about 1845, endeavoring to induce Congress to adopt that plan for the construction of a Trans-Continental Railway.

He died before seeing his scheme succeed. Others have built a road across the continent on the Central route. Another on the Northern route is now progressing, and the wealth and enterprise of those having it in charge renders its completion

certain. And it yet remains for us to give the people of the Southern route a road to the Pacific which shall develop the magnificent region through which it will pass, and give the country one route to the great ocean protected from the ordinary difficulty of climate with which railroads must contend over so large a part of our territory. But I am admonished by the value of your space to confine myself to the limits of my own State.

I have said that the outlay we have made in building our public works was of great benefit to us even when the canals had been rendered almost valueless through the competition of railroads. This is paradoxical, but it is true nevertheless. That expenditure gave our people a needed knowledge of our vast resources. It familiarized them with large expenditures when made for the public good. And it showed them how a great debt may be beneficially incurred, and yet not break down the enterprise of the people. We at one time owed \$41,698,595.74. By a steady attention to our finances, it is now reduced to \$31,000,000, with resources,—the proceeds of the sale of public works—on hand amounting to \$10,000,000. And while we have been steadily reducing our State debt, we have built 5,384 miles of railway on the surface of the earth, and 500 miles underground in our mines, at a cost of not less than \$350,000,000, for a mile of railroad in Pennsylvania means something. We sent 368,000 men to the Federal Army. And our credit stands high on every stock exchange. Gratifying as this progress is, it is only a fair beginning. There is a large part of our territory rich in timber and full of iron, coal, and all kinds of mineral wealth, so entirely undeveloped by railroads that we call it "the Wilderness." To open it up is the business of to-day, and I sincerely hope to see it done soon.

Forty years ago George Shoemaker, a young tavern-keeper of more vigor and enterprise than his neighbors, came to the conclusion that anthracite coal could be used as fuel. He went to the expense of taking a wagon load of it to Philadelphia, a hundred miles away, and, after peddling it about the streets for some days, was forced to give it away, and lose his time, his labor and his coal. He afterwards saw a great railway built to carry the same article to the same point, and enriching thousands from the profits of the traffic. But his experience did not end there. He saw a thousand dollars paid eagerly for an acre of coal land, which at the time of his venture to Philadelphia, no one would have, and he could not give away.

I have thought that a retrospective survey of our wonderful development might point plainly to the duty of the future. For if the experience of what has gone be-

fore is not useful to cast light on what is yet to come, then it will be difficult indeed to discover wherein its value lies. It teaches me to devote time and labor for the advancement of all Public Improvements, and I trust it may have a like effect on all who have the time and patience to read what I have here written.

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**Speech of Hon. John A. Logan,**

*On Self-Government in Louisiana, January 13 and 14, 1875*

The Senate having under consideration the resolution submitted by Mr. SCHURZ on the 8th of January, directing the Committee of the Judiciary to inquire what legislation is necessary to secure to the people of the State of Louisiana their rights of Self-government under the Constitution Mr. LOGAN said :

Mr. PRESIDENT: I believe it is considered the duty of a good sailor to stand by his ship in the midst of a great storm. We have been told in this Chamber that a great storm of indignation is sweeping over this land, which will rend asunder and sink the old republican craft. We have listened to denunciations of the President, of the republicans in this Chamber, of the republican party as an organization, their acts heretofore and their purposes in reference to acts hereafter, of such a character as has seldom been listened to in this or in any other legislative hall. Every fact on the side of the republican party has been perverted, every falsehood on the part of the opposition has been exaggerated, arguments have been made here calculated to inflame and arouse a certain class of the people of this country against the authorities of the Government, based not upon truth but upon manufactured statements which were utterly false. The republican party has been characterized as despotic, as tyrannical, as oppressive. The course of the Administration and the party toward the southern people has been denounced as of the most tyrannical character by men who have received clemency at the hands of this same party.

Now, sir, what is the cause of all this vain declamation? What is the cause of all this studied denunciation? What is the reason for all these accusations made against a party or an administration? I may be mistaken, but, if I am not, this is the commencement of the campaign of 1876. It has been thought necessary on the part of the opposition Senators here to commence, if I may use a homely phrase, a raid upon the republican party and upon this Administration, and to base that upon false statements in reference to the conduct of affairs in the State of Louisiana.

I propose in this debate, and I hope I shall not be too tedious, though I may be

somewhat so, to discuss the question that should be presented to the American people. I propose to discuss that question fairly, candidly, and truthfully. I propose to discuss it from a just, honest, and legal stand-point. Sir, what is that question? There was a resolution offered in this Chamber calling on the President to furnish certain information. A second resolution was introduced, (whether for the purpose of hanging on it an elaborate speech or not I am not aware,) asking the Committee on the Judiciary to report at once some legislation in reference to Louisiana. Without any facts presented officially arguments have been made, the country has been aroused, and some people have announced themselves in a manner calculated to produce a very sore feeling against the course and conduct of the party in power. I say this is done without the facts; without any basis whatever; without any knowledge officially communicated to them in reference to the conduct of any of the parties in the State of Louisiana. In discussing this question we ought to have a stand-point; we ought to have a beginning; some point from which we may all reason and see whether or not any great outrage has been perpetrated against the rights of the American people or any portion of them.

I then propose to start at this point, that there is a government in the State of Louisiana. Whether that government is a government of right or not is not the question. Is there a government in that State against which treason, insurrection, or rebellion, may be committed? Is there such a government in the State of Louisiana as should require the maintenance of peace and order among the citizens of that State? Is there such a government in the State of Louisiana as requires the exercise of Executive authority for the purpose of preserving peace and order within its borders? I ask any Senator on this floor to-day if he can stand up here as a lawyer, as a Senator, as an honest man, and deny the fact that a government does exist? Whether he calls it a government *de jure* or a government *de facto*, it is immaterial. It is such an organization as involves the liberties and the protection of the rights of the people of that State. It will not do for Senators to talk about the election of 1872. The election of 1872 has no more to do with this "military usurpation" that you speak of to-day than an election of a hundred years ago. It is not a question as to whether this man or that was elected. The question is, is there such a government there as can be overturned, and has there been an attempt to overturn it? If so, then what is required to preserve its status or preserve the peace and order of the people?

But the other day when I asked the question of a Senator on the other side, who was discussing this question, whether or not he indorsed the Penn rebellion, he answered me in a playful manner that excited the mirth of people who did not understand the question, by saying that I had decided that there was no election, and that therefore there was no government to overturn. Now I ask Senators, I ask men of common understanding if that is the way to treat a question of this kind; when asked whether insurrection against a government recognized is not an insurrection and whether he endorses it, he says there is no government to overturn. If there is no government to overturn, why do you make this noise and confusion about a Legislature there? If there is no State government, there is no State Legislature. But I will not answer in that manner. I will not avoid the issue; I will not evade the question. I answer there is a Legislature, as there is a State government, recognized by the President, recognized by the Legislature, recognized by the courts, recognized by one branch of Congress, and recognized by the majority of the citizens by their recognition of the laws of the State; and it will not do to undertake to avoid questions in this manner.

Let us see, then, starting from that stand-point, what the position of Louisiana is now, and what it has been. On the 14th day of September last a man by the name of Penn, as to whom we have official information this morning, with some seven or ten thousand white-leaguers made war against that government, overturned it, dispersed it, drove the governor from the executive chamber, and he had to take refuge under the jurisdiction of the Government of the United States, on the soil occupied by the United States custom-house, where the exclusive jurisdiction of the United States Government extends, for the purpose of protecting his own life.

This then was a revolution; this then was a rebellion; this then was treason against the State, for which these men should have been arrested, tried, and punished. Let gentlemen dodge the question as they may; it may be well for some men there who engaged in this treasonable act against the government that they had Mr. Kellogg for governor. It might not have been so well for them, perhaps, had there been some other man in his place. I tell the Senator from Maryland if any crowd of armed men should undertake to disperse the government of the State of Illinois, drive its governor from the executive chamber, enter into his private drawers, take his private letters, and publish them, and act as those men did, some of them would pay the penalty either in the peni-



tentiary or by dancing at the end of a rope.

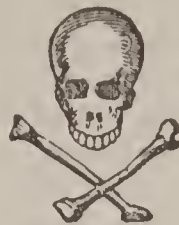
But when this rebellion was going on against that State, these gentlemen say it was a State affair; the Government of the United States has nothing to do with it! That is the old-fashioned secession doctrine again. The government of the United States has nothing to do with it! This national government is made up of States, and each State is a part of the Government, each is a part of its life, of its body. It takes them all to make up the whole; and treason against any part of it is treason against the whole of it, and it became the duty of the President to put it down, as he did do; and, in putting down that treason against the Kellogg government, the whole country almost responded favorably to his action.

But our friend from Maryland, not in his seat now, [Mr. HAMILTON] said that that was part of the cause of the elections going as they did. In other words, my friend from Maryland undertook in a round-about way to endorse the Penn rebellion, and claim that people of the country did the same thing against the government of the State of Louisiana, and on this floor since this discussion has been going on, not one Senator on that side of the chamber has lisped one word against the rebellion against the government of the State of Louisiana, and all who have spoken of it have passed it by in silence so as to indicate clearly that they endorse it, and I believe they do.

Then, going further, the President issued his proclamation requiring those insurgents to lay down their arms and to resume their peaceful pursuits. This morning we have heard read at the clerk's desk that these men have not yet complied fully with that proclamation. Their rebellious organization continued up to the time of the election and at the election. When the election took place, we are told by some of these Senators that the election was a peaceable, and a fair election, that a majority of democrats were elected. That is the question we propose to discuss as well as we are able to do it. They tell us that there was no intimidation resorted to by any one in the State of Louisiana. I dislike very much to follow out these statements that are not true and attempt to controvert them because it does seem to me that we ought to act fairly and candidly in this Chamber and discuss questions without trying to pervert the issue or the facts in connection with it.


Now, I state it as a fact, and I appeal to the Senator from Louisiana to say whether or not I state truly, that on the night before the election in Louisiana notices were posted all over that country on the doors of the colored republicans and the white

republicans, too, of a character giving them to understand that if they voted their lives would be in danger; and here is one of the notices posted all over that country:



2 x 6

This "2 x 6" was to show the length and width of the grave they would have. Not only that, but the negroes that they could impose upon and get to vote the democratic ticket received, after they had voted, a card of safety; and here is that card issued to the colored people whom they had induced to vote the democratic ticket, so that they might present it if any white-leaguers should undertake to plunder or murder them:



NEW ORLEANS, Nov. 28, 1874.

*This is to certify that Charles Durassa, a barber by occupation, is a Member of the 1st Ward Colored Democratic Club, and that at the late election he voted for and worked in the interests of the Democratic Candidates.*

WILLIAM ALEXANDER,  
President 1st Ward Col'd Democratic Club.  
NICK HOPE, Secretary.

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ROOMS DEMOCRATIC PARISH COMMITTEE.  
New Orleans, Nov. 28, 1874.  
*The undersigned, Special Committee, appointed on behalf of the Parish Committee, approve of the above Certificate.*

ED. FLOOD, Chairman.  
PAUL WATERMAN.  
H. J. RIVET.

ATTEST:  
J. H. HARDY, Ass't Sec. Parish Committee.

These were the certificates given to negroes who voted the democratic ticket, that they might present them to save their lives when attacked by the men commonly known as Ku-Klux or white leaguers in that country; and we are told that there is no intimidation in the State of Louisiana!

Our friend from Georgia [Mr. GORDON] has been very profuse in his declamation as to the civility and good order and good bearing of the people of Louisiana and the other Southern States. But, sir, this intimidation continued up to the election. After the election, it was necessary for the governor of that State to proceed in some manner best calculated to preserve the peace and order of the country.

\* \* \* \* \*

Now, Mr. President, I want to ask candid, honest, fair-minded men, after reading the report of General Sheridan showing the murder, not for gain, not for plunder, but for political opinions in the last few years of thirty-five hundred persons in the State of Louisiana, all of them republicans, not one of them a democrat—I want to ask if they can stand here before this country and defend the democratic party of Louisiana? I put this question to them for they have been here for days crying against the wrongs upon the democracy of Louisiana. I want any one of them to tell me if he is prepared to defend the democracy of Louisiana. What is your democracy of Louisiana? You are excited, your extreme wrath is aroused at General Sheridan because he called your White Leagues down there “banditti.” I ask you if the murder of thirty-five hundred men in a short time for political purposes by a band of men banded together for the purpose of murder does not make them banditti, what it does make them? Does it make them democrats? It certainly does not make them republicans. Does it make them honest men? It certainly does not. Does it make them law-abiding men? It certainly does not. Does it make them peaceable citizens? It certainly does not. But what does it make them? A band of men banded together and perpetrating murder in their own State? Webster says a bandit is “a lawless or desperate fellow; a robber; a brigand,” and “banditti” are men banded together for plunder and murder; and what are your White Leagues banded together for if the result proves that they are banded together for murder for political purposes?

O, what a crime it was in Sheridan to say that these men were banditti! He is a wretch. From the papers he ought to be hanged to a lamp-post; from the Senators he is not fit to breathe the free air of heaven or of this free Republic; but your murderers of thirty-five hundred people for political offenses are fit to breathe the air of this country and are defended on this floor to-day, and they are defended here by the democratic party, and you cannot avoid or escape the proposition. You have denounced republicans for trying to keep the peace in Louisiana; you have denounced the Administration for trying to suppress bloodshed in Louisiana; you have denounced all for the same purpose; but not one word has fallen from the lips of a solitary democratic Senator denouncing these wholesale murders in Louisiana. You have said, “I am sorry these things are done,” but you have defended the White Leagues; you have defended Penn; you have defended rebellion; and you stand here to-day the apologists of murder, of rebellion, and of treason in that State.

I want to ask the judgment of an honest country, I want to ask the judgment of the moral sentiments of the law-abiding people of this grand and glorious Republic to tell me whether men shall murder by the score, whether men shall trample the law under foot, whether men shall force judges to resign, whether men shall force prosecuting attorneys to resign, whether men shall take five officers of a State out and hang or shoot them if they attempt to exercise the functions of their office, whether men shall terrify the voters and office-holders of a State, whether men shall undertake in violation of law to organize a Legislature for revolutionary purposes, for the purpose of putting a governor in possession and taking possession of the State and then ask the democracy to stand by them—I appeal to the honest judgment of the people of this land and ask them to respond whether this was not an excusable case when this man used the Army to protect the life of that State and to preserve the peace of that people? Sir, the man who will not use all the means in his power to preserve the nationality, the integrity of this Government, the integrity of a State or the peace and happiness of a people, is not fit to govern, he is not fit to hold position in this or any other civilized age.

Does liberty mean wholesale slaughter? Does republican government mean tyranny and oppression of its citizens? Does an intelligent and enlightened age of civilization mean murder and pillage, bloodshed at the hands of Ku-Klux or White Leagues or anybody else, and if any one attempts to put it down, attempts to reorganize and produce order where chaos and confusion have reigned, they are to be denounced as tyrants, as oppressors, and as acting against republican institutions? I say then the happy days of this Republic are gone. When we fail to see that republicanism means nothing, that liberty means nothing but the unrestrained license of the mobs to do as they please, then republican government is a failure. Liberty of the citizen means the right to exercise such rights as are prescribed within the limits of the law so that he does not in the exercise of these rights infringe the rights of other citizens. But the definition is not well made by our friends on the opposite side of this Chamber. Their idea of liberty is license; it is not liberty, but it is license. License to do what? License to violate law, to trample constitutions under foot, to take life, to take property, to use the bludgeon and the gun or anything else for the purpose of giving themselves power. What statesman ever heard of that as a definition of liberty? What man in a civilized age has ever heard of liberty being the unrestrained license of the people to do as they please without any restraint of law or of authority? No man,

no not one until we found the democratic party, would advocate this proposition and indorse and encourage this kind of license in a free country.

Mr. President, I have perhaps said more on this question of Louisiana than might have been well for me to say on account of my strength, but what I have said about it I have said because I honestly believed it. What I have said in reference to it comes from an honest conviction in my mind and in my heart of what has been done to suppress violence and wrong. But I have a few remarks in conclusion to submit now to my friends on the other side, in answer to what they have said not by way of argument but by way of accusation. You say to us—I had it repeated to me this morning in private conversation—“Withdraw your troops from Louisiana and you will have peace.” Ah, I heard it said on this floor once “Withdraw your troops from Louisiana and your State government will not last a minute.” I heard that said from the opposite side of the Chamber, and now you say “Withdraw your troops from Louisiana and you will have peace.”

Mr. President, I dislike to refer to things that are past and gone; I dislike to have my mind called back to things of the past; but I well remember the voice in this Chamber once that rang out and was heard throughout this land, “Withdraw your troops from Fort Sumter if you want peace.” I heard that said. Now it is “Withdraw your troops from Louisiana if you want peace.” Yes, I say, withdraw your troops from Louisiana if you want a revolution, and that is what is meant. But, sir, we are told, and doubtless it is believed by the Senators who tell us so, who denounce the republican party, that it is tyrannical, oppressive, and outrageous. They have argued themselves into the idea that they are patriots, pure and undefiled, They have argued themselves into the idea that the democratic party never did any wrong. They have been out of power so long that they have convinced themselves that if they only had control of this country for a short time, what a glorious country they would make it. They had control for nearly forty long years, and while they were the agents of this country—I appeal to history to bear me out—they made the Government a bankrupt, with rebellion and treason in the land, and were then sympathizing with it wherever it existed. That is the condition in which they left the country when they had it in their possession and within their control. But they say the republican party is a tyrant; that it is oppressive. As I have said, I wish to make a few suggestions to my friends in answer to this accusation—oppressive to whom? They say to the South, that the republican party has tyrannized over the

South. Let me ask you how has it tyrannized over the South? Without speaking of our troubles and trials through which we passed, I will say this: at the end of a rebellion that scourged this land, that drenched it with blood, that devastated a portion of it, left us in debt and almost bankrupt, what did the republican party do? Instead of leaving these our friends and citizens to-day in a territorial condition where we might exercise jurisdiction over them for the next coming twenty years, where we might have deprived them of the rights of members on this floor, what did we do? We reorganized them into States, admitted them back into the Union, and through the clemency of the republican party we admitted representatives on this floor who had thundered against the gates of liberty for four bloody years. Is that the tyranny and oppression of which you complain at the hands of the republican party? Is that a part of our oppression against you southern people?

Let us go a little further. When the armed democracy, for that is what they were, laid down their arms in the Southern States, after disputing the right of freedom and liberty in this land for four years, how did the republican party show itself in its acts of tyranny and oppression toward you? You appealed to them for clemency. Did you get it? Not a man was punished for his treason. Not a man ever knocked at the doors of a republican Congress for a pardon who did not get it. Not a man ever petitioned the generosity of the republican party to be excused for his crimes who was not excused. Was that oppression upon the part of the republicans in this land? Is that a part of the oppression of which you accuse us?

Let us look a little further. We find to-day twenty-seven democratic Representatives in the other branch of Congress who took arms in their hands and tried to destroy this Government holding commissions there by the clemency of the republican party. We find in this Chamber by the clemency of the republican party three Senators who held such commissions. Is that tyranny; is that oppression; is that the outrage of this republican party on you southern people? Sir, when Jeff Davis, the head of the great rebellion, who roams the land free as air, North, South, East, and West, makes democratic speeches wherever invited, and the vice-president of the southern rebellion holds his seat in the other House of Congress, are we to be told that we are tyrants, and oppressing the southern people? These things may sound a little harsh, but it is time to tell the truth in this country. The time has come to talk facts. The time has come when cowards should hide, and honest men should come to the front and tell you plain,

honest truths. You of the South talk to us about oppressing you. You drenched your land in blood, caused weeping throughout this vast domain, covered the land in weeds of mourning both North and South, widowed thousands and orphaned many, made the pension-roll as long as an army-list, made the debt that grinds the poor of this land—for all these things you have been pardoned, and yet you talk to us about oppression. So much for the oppression of the republican party of your patriotic souls and selves. Next comes the President of the United States. He is a tyrant, too. He is an oppressor still, in conjunction with the republican party. Oppressor of what? Who has he oppressed of your Southern people, and when, and where? When your Ku-Klux, banded together for murder and plunder in the Southern States, were convicted by their own confession, your own representatives pleaded to the President and said, "Give them pardon, and it will reconcile many of the southern people." The President pardoned them; pardoned them of their murder, of their plunder, of their piracy on land; and for this I suppose he is a tyrant.

More than that, sir, this tyrant in the White House has done more for you southern people than you ought to have asked him to do. He has had confidence in you until you betrayed that confidence. He has not only pardoned the offences of the South, pardoned the criminals of the democratic party, but he has placed in high official position in this Union some of the leading men who fought in the rebellion. He has put in his Cabinet one of your men; he has made governors of Territories of some of your leading men who fought in the rebellion; he has sent on foreign missions abroad some of your men who warred against this country; he has placed others in the Departments; and has tried to reconcile you in every way on earth, by appealing to your people, by recognizing them and forgiving them for their offenses, and for these acts of generosity, for these acts of kindness, he is arraigned to-day as a Caesar, as a tyrant, as an oppressor.

Such kindness in return as the President has received from these people will mark itself in the history of generosity. O, but say they, Grant wants to oppress the White Leagues in Louisiana; therefore he is an oppressor. Yes, Mr. President, Grant does desire that these men should quit their every-day chivalric sports of gunning upon negroes and republicans. He asks kindly that you stop it. He says to you, "That is all I want you to do;" and you say that you are desirous that they shall quit it. You have but to say it and they will quit it. It is because you have never said it that they have not quit it. It

is in the power of the democratic party to-day but to speak in tones of majesty, of honor, and justice in favor of human life, and your Ku-Klux and murderers will stop. But you do not do it; and that is the reason they do not stop. In States where it has been done they have stopped. But it will not do to oppress those people; it will not do to make them submit and subject them to the law; it will not do to stop these gentlemen in their daily sports and in their lively recreations. They are White Leagues; they are banded together as gentlemen; they are of southern blood; they are of old southern stock; they are the chivalry of days gone by; they are knights of the bloody shield; and the shield must not be taken from them. Sirs, their shield will be taken from them; this country will be aroused to its danger; this country will be aroused to do justice to its citizens; and when it does, the perpetrators of crime may fear and tremble. Tyranny and oppression! A people who without one word of opposition allows men who have been the enemies of a government to come into these legislative Halls and make laws for that government to be told that they are oppressors is a monstrosity in declamation and assertion. Who ever heard of such a thing before? Who ever believed that such men could make such charges? Yet we are tyrants!

Mr. President, the reading of the title of that bill from the House only reminds me of more acts of tyranny and oppression of the republican party, and there is a continuation of the same great offenses constantly going on in this Chamber. But some may say "It is strange to see Logan defending the President of the United States." It is not strange to me. I can disagree with the President when I think he is wrong; and I do not blame him for disagreeing with me; but when these attacks are made, coming from where they do, I am ready to stand from the rising sun in the morning to the setting sun in the evening to defend every act of his in connection with this matter before us.

I may have disagreed with President Grant in many things; but I was calling attention to the men who have been accusing him here, on this floor, on the stump, and in the other House; the kind of men who do it, the manner of its doing, the sharpness of the shafts that are sent at him, the poisonous barbs that they bear with them, and from these men who, at his hands, have received more clemency than any men ever received at the hands of any President or any man who governed a country. Why, sir, I will appeal to the soldiers of the rebel army to testify in behalf of what I say in defense of President Grant—the honorable men who fought against the country, if there was honor in

doing it. What will be their testimony? It will be that he captured your armed democracy of the South, he treated them kindly, turned them loose, with their horses, with their wagons, with their provisions; treated them as men, and not as pirates. Grant built no prison-pens for the southern soldiers; Grant provided no starvation for southern men; Grant provided no "dead-lines" upon which to shoot southern soldiers if they crossed them; Grant provided no outrageous punishment against these people that now call him a tyrant. Generous to a fault in all his actions toward the men who were fighting his country and destroying the constitution, that man to-day is denounced as a very Cæsar!

Sherman has not been denounced, but the only reason is that he was not one of the actors in this transaction; but I want now to say to my friends on the other side, especially to my friend from Delaware, who repeated his bitter denunciation against Sheridan yesterday—and I say this in all kindness, because I am speaking what future history will bear me out in—when Sheridan and Grant and Sherman, and others like them, are forgotten in this country, you will have no country. When the democratic party is rotten for centuries in its grave, the life, the course, the conduct of these men will live as bright as the noonday sun in the heart of every patriot of a republic like the American Union. Sirs, you may talk about tyranny, you may talk about oppression, you may denounce these men; their glory may fade into the darkness of night; but that darkness will be a brilliant light compared with the darkness of the democratic party. Their pathway is illuminated by glory; yours by dark deeds against the Government. That is a difference which the country will bear witness to in future history when speaking of this country and the actors on its stage.

Now, Mr. President, I have a word to say about our duty. A great many people are asking, what shall we do? Plain and simple in my judgment is the proposition. I say to republicans, do not be scared. No man is ever hurt by doing an honest act and performing a patriotic duty. If we are to have a war of words outside or inside, let us have them in truth and soberness, but in earnest. What then is our duty? I did not believe that in 1872 there were official data upon which we could decide who was elected governor of Louisiana. But this is not the point of my argument. It is that the President has recognized Kellogg as governor of that State, and he has acted for two years. The Legislature of the State has recognized him; the supreme court of the State has recognized him; one branch of Congress has recog-

nized him. The duty is plain, and that is for this, the other branch of Congress, to do it, and that settles the question. Then, when it does it, your duty is plain and simple, and as the President has told you, he will perform his without fear, favor, or affection. Recognize the government that revolution has been against and intended to overthrow, and leave the President to his duty, and he will do it. That is what to do.

Sir, we have been told that this old craft is rapidly going to pieces; that the angry waves of dissension in the land are lashing against her sides. We are told that she is sinking, sinking, sinking to the bottom of the political ocean. Is that true? Is it true that this gallant old party, that this gallant old ship that has sailed through troubled seas before is going to be stranded now upon the rock of fury that has been set up by a clamor in this Chamber and a few newspapers in the country? Is it true that the party that saved this country in all its great crises, in all its great trials, is sinking to-day on account of its fear and trembling before an inferior enemy? I hope not. I remember, sir, once I was told that the old republican ship was gone; but when I steadied myself on the shores bounding the political ocean of strife and commotion, I looked afar off and there I could see a vessel bounding the boisterous billows with white sails unfurled, marked on her sides "Freighted with the hopes of mankind," while the great Mariner above, as her helmsman, steered her, navigated her to a haven of rest, of peace, and of safety. You have but to look again upon that broad ocean of political commotion to-day, and the time will soon come when the same old craft, provided with the same cargo, will be seen, flying the same flag, passing through these tempestuous waves, anchoring herself at the shores of honesty and justice, and there she will lie undisturbed by strife and tumult, again in peace and safety. [Manifestations of applause in the galleries.]

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**Speech of Hon. James G. Blaine, of Maine,**

*On the False Issue raised by the Democratic Party, Delivered in the Senate of the United States, Monday, April 14, 1879.*

The Senate having under consideration the bill (H. R. No. 1,) making appropriations for the support of the Army for the fiscal year ending June 30, 1880, and for other purposes—

Mr. Blaine said:

Mr. PRESIDENT: The existing section of the Revised Statutes numbered 2002 reads thus:

No military or naval officer, or other person engaged in the civil, military, or naval service of the United States, shall

order, bring, keep or have under his authority or control, any troops or armed men at the place where any general or special election is held in any State, unless it be necessary to repel the armed enemies of the United States, *or to keep the peace at the polls.*

The object of the proposed section, which has just been read at the Clerk's desk, is to get rid of the eight closing words, namely, "or to keep the peace at the polls," and therefore the mode of legislation proposed in the Army bill now before the Senate is an unusual mode; it is an extraordinary mode. If you want to take off a single sentence at the end of a section in the Revised Statutes the ordinary way is to strike off those words, but the mode chosen in this bill is to repeat and re-enact the whole section leaving those few words out. While I do not wish to be needlessly suspicious on a small point I am quite persuaded that this did not happen by accident but that it came by design. If I may so speak it came of cunning, the intent being to create the impression that whereas the republicans in the administration of the General Government had been using troops right and left, hither and thither, in every direction, as soon as the democrats got power they enacted this section. I can imagine democratic candidates for Congress all over the country reading this section to gaping and listening audiences as one of the first offsprings of democratic reform, whereas every word of it, every syllable of it, from its first to its last, is the enactment of a republican Congress.

I repeat that this unusual form presents a dishonest issue, whether so intended or not. It presents the issue that as soon as the democrats got possession of the Federal Government they proceeded to enact the clause which is thus expressed. The law was passed by a republican Congress in 1865. There were forty-six Senators sitting in this Chamber at that time, of whom only ten or at most eleven were democrats. The House of Representatives was overwhelmingly republican. We were in the midst of a war. The republican administration had a million or possibly twelve hundred thousand bayonets at its command. Thus circumstanced and thus surrounded, with the amplest possible power to interfere with elections had they so designed, with soldiers in every hamlet and county of the United States, the republican party themselves placed that provision on the statute-book, and Abraham Lincoln, their President, signed it.

I beg you to observe, Mr. President, that this is the first instance in the legislation of the United States in which any restrictive clause whatever was put upon the statute-book in regard to the use of troops

at the polls. The republican party did it with the Senate and the House in their control. Abraham Lincoln signed it when he was Commander-in-Chief of an army larger than ever Napoleon Bonaparte had at his command. So much by way of correcting an ingenious and studied attempt at misrepresentation.

The alleged object is to strike out the few words that authorize the use of troops to keep peace at the polls. This country has been alarmed, I rather think indeed amused, at the great effort made to create a widespread impression that the republican party relies for its popular strength upon the use of the bayonet. This democratic Congress has attempted to give a bad name to this country throughout the civilized world, and to give it on a false issue. They have raised an issue that has no foundation in fact—that is false in whole and detail, false in the charge, false in all the specifications. That impression sought to be created, as I say, not only throughout the North American continent but in Europe to-day, is that elections are attempted in this country to be controlled by the bayonet.

I denounce it here as a false issue. I am not at liberty to say that any gentleman making this issue knows it to be false; I hope he does not; but I am going to prove to him that it is false, and that there is not a solitary inch of solid earth on which to rest the foot of any man who makes that issue. I have in my hand an official transcript of the location and the number of all the troops of the United States east of Omaha. By "east of Omaha," I mean all the United States east of the Mississippi river and that belt of States that border the Mississippi river on the west, including forty-one million at least out of the forty-five million of people that this country is supposed to contain to-day. In that magnificent area, I will not pretend to state its extent, but with forty-one million people, how many troops of the United States are there to-day? Would any Senator on the opposite side like to guess, or would he like to state how many men with muskets in their hands there are in the vast area I have named? There are two thousand seven hundred and ninety-seven! And not one more.

From the headwaters of the Mississippi River to the lakes, and down the great chain of lakes, and down the Saint Lawrence and down the valley of the Saint John and down the St. Croix striking the Atlantic Ocean and following it down to Key West, around the Gulf, up to the mouth of the Mississippi again, a frontier of eight thousand miles either bordering on the ocean or upon foreign territory is guarded by these troops. Within this domain forty-five fortifications are manned

and eleven arsenals protected. There are sixty troops to every million of people. In the South I have the entire number in each State, and will give it.

And the entire South has eleven hundred and fifty-five soldiers to intimidate, overrun, oppress, and destroy the liberties of fifteen million people! In the Southern States there are twelve hundred and three counties. If you distribute the soldiers there is not quite one for each county; and when I give the counties I give them from the census of 1870. If you distribute them territorially there is one for every seven hundred square miles of territory, so that if you make a territorial distribution, I would remind the honorable Senator from Delaware, if I saw him in his seat, that the quota for his State would be three—"one ragged sergeant and two abreast," as the old song has it. [Laughter.] That is the force ready to destroy the liberties of Delaware!

Mr. President, it was said, as the old maxim has it, that the soothsayers of Rome could not look each other in the face without smiling. There are not two democratic Senators on this floor who can go into the cloak-room and look each other in the face without smiling at this talk, or, more appropriately, I should say without blushing—the whole thing is such a prodigious and absolute farce, such a miserably manufactured false issue, such a pretense without the slightest foundation in the world, and talked about most and denounced the loudest in States that have not and have not had a single Federal soldier. In New England we have three hundred and eighty soldiers. Throughout the South it does not run quite seventy to the million people. In New England we have absolutely one hundred and twenty soldiers to the million. New England is far more overrun to-day by the Federal soldier, immensely more, than the whole South is. I never heard anybody complain about it in New England, or express any great fear of his liberties being endangered by the presence of a handful of troops.

As I have said, the tendency of this talk is to give us a bad name in Europe. Republican institutions are looked upon there with jealousy. Every misrepresentation, every slander is taken up and exaggerated and talked about to our discredit, and the democratic party of the country to-day stand indicted, and I here indict them, for public slander of their country, creating the impression in the civilized world that we are governed by a ruthless military despotism. I wonder how amazing it would be to any man in Europe, familiar as Europeans are with great armies, if he were told that over a territory larger than France and Spain and Portugal and Great

Britain and Holland and Belgium and the German Empire all combined, there were but eleven hundred and fifty-five soldiers! That is all this democratic howl, this mad cry, this false issue, this absurd talk is based on—the presence of eleven hundred and fifty-five soldiers on eight hundred and fifty thousand square miles of territory, not double the number of the democratic police in the city of Baltimore, not a third of the police in the city of New York, not double the democratic police in the city of New Orleans. I repeat, the number indicts them; it stamps the whole cry as without any foundation; it derides the issue as a false and scandalous and partisan makeshift.

What then is the real motive underlying this movement? Senators on that side, democratic orators on the stump cannot make any sensible set of men at the cross-roads believe that they are afraid of eleven hundred and fifty-five soldiers distributed one to each county in the South. The minute you state that, everybody sees the utter, palpable and laughable absurdity of it, and therefore we must go further and find a motive for all this cry. We want to find out, to use a familiar and vulgar phrase, what is "the cat under the meal." It is not the troops. That is evident. There are more troops by fifty per cent. scattered through the Northern States east of the Mississippi to-day than through the Southern States east of the Mississippi, and yet nobody in the North speaks of it; everybody would be laughed at for speaking of it; and therefore the issue, I take no risk in stating, I make bold to declare, that this issue on the troops, being a false one, being one without foundation, conceals the true issue, which is simply to get rid of the Federal presence at Federal elections, to get rid of the *civil power of the United States* in the election of Representatives to the Congress of the United States. That is the whole of it; and disguise it as you may there is nothing else in it or of it.

You simply want to get rid of the supervision by the Federal Government of the election of Representatives to Congress through civil means; and therefore this bill connects itself directly with another bill, and you cannot discuss this military bill without discussing a bill which we had before us last winter, known as the legislative, executive, and judicial appropriation bill. I am quite well aware, I profess to be as well aware as any one, that it is not permissible for me to discuss a bill that is pending before the other House. I am quite well aware that propriety and parliamentary rule forbid that I should speak of what is done in the House of Representatives; but I know very well that I am not forbidden to speak of that

which is not done in the House of Representatives. I am quite free to speak of the things that are not done there, and therefore I am free to declare that neither this military bill nor the legislative, executive, and judicial appropriation bill ever emanated from any committee of the House of Representatives at all; they are not the work of any committee of the House of Representatives, and, although the present House of Representatives is almost evenly balanced in party division, no solitary suggestion has been allowed to come from the minority of that House in regard to the shaping of these bills. Where do they come from? We are not left to infer; we are not even left to the Yankee privilege of guessing, because we know. The Senator from Kentucky [MR. BECK] obligingly told us—I have his exact words here—“that the honorable Senator from Ohio [MR. THURMAN] was the chairman of a committee appointed by the democratic party to see how it was best to present all these questions before us.”

We are told, too, rather a novel thing, that if we do not take these laws, we are not to have the appropriations. I believe it has been announced in both branches of Congress, I suppose on the authority of the democratic caucus, that if we do not take these bills as they are planned, we shall not have any of the appropriations that go with them. The honorable Senator from West Virginia [Mr. HEREFORD] told it to us on Friday; the honorable Senator from Ohio [Mr. THURMAN] told it to us last session; the honorable Senator from Kentucky [Mr. BECK] told it to us at the same time, and I am not permitted to speak of the legions who told us so in the other House. They say all these appropriations are to be refused—not merely the Army appropriation, for they do not stop at that. Look for a moment at the legislative bill that came from the democratic caucus. Here is an appropriation in it for defraying the expenses of the Supreme Court and the circuit and district courts of the United States, including the District of Columbia, &c., “\$2,800,000: “Provided”—provided what?

That the following sections of the Revised Statutes relating to elections—going on to recite them—be repealed.

That is, you will pass an appropriation for the support of the judiciary of the United States only on condition of this repeal. We often speak of this government being divided between three great departments, the executive, the legislative, and the judicial—co-ordinate, independent, equal. The legislative, under the control of a democratic caucus, now steps forward and says, “We offer to the Executive this bill, and if he does not sign it, we are going to starve the judiciary.” That is car-

rying the thing a little further than I have ever known. We do not merely propose to starve the Executive if he will not sign the bill, but we propose to starve the judiciary that has had nothing whatever to do with the question. That has been boldly avowed on this floor; that has been boldly avowed in the other House; that has been boldly avowed in democratic papers throughout the country.

And you propose not merely to starve the judiciary but you propose that you will not appropriate a solitary dollar to take care of this Capitol. The men who take care of this great amount of public property are provided for in that bill. You say they shall not have any pay if the President will not agree to change the election laws. There is the public printing that goes on for the enlightenment of the whole country and for printing the public documents of every one of the Departments. You say they shall not have a dollar for public printing unless the President agrees to repeal these laws.

There is the Congressional Library that has become the pride of the whole American people for its magnificent growth and extent. You say it shall not have one dollar to take care of it, much less add a new book, unless the President signs these bills. There is the Department of State that we think throughout the history of the Government has been a great pride to this country for the ability with which it has conducted our foreign affairs; it is also to be starved. You say we shall not have any intercourse with foreign nations, not a dollar shall be appropriated therefor unless the President signs these bills. There is the Light-House Board that provides for the beacons and the warnings on seventeen thousand miles of sea and gulf and lake coast.

You say those lights shall all go out and not a dollar shall be appropriated for the board if the President does not sign these bills. There are the mints of the United States at Philadelphia, New Orleans, Denver, San Francisco, coining silver and coining gold—not a dollar shall be appropriated for them if the President does not sign these bills. There is the Patent Office, the patents issued which embody the invention of the country—not a dollar for them. The Pension Bureau shall cease its operations unless these bills are signed and patriotic soldiers may starve. The Agricultural Bureau, the Post Office Department, every one of the great executive functions of the Government is threatened, taken by the throat, highwayman-style, collared on the highway, commanded to stand and deliver in the name of the democratic congressional caucus. That is what it is; simply that. No committee of this Congress in either branch has ever recom-



mended that legislation—not one. Simply a democratic caucus has done it.

Of course this is new. We are learning something every day. I think you may search the records of the Federal Government in vain; it will take some one much more industrious in that search than I have ever been, and much more observant than I have ever been, to find any possible parallel or any possible suggestion in our past history of any such thing. Most of the Senators who sit in this Chamber can remember some vetoes by Presidents that shook this country to its centre with excitement. The veto of the national-bank bill by Jackson in 1832, remembered by the oldest in this Chamber; the veto of the national-bank bill in 1841 by Tyler, remembered by those not the oldest, shook this country with a political excitement which up to that time had scarcely a parallel; and it was believed, whether rightfully or wrongfully is no matter, it was believed by those who advocated those financial measures at the time, that they were of the very last importance to the well-being and prosperity of the people of the Union. That was believed by the great and shining lights of that day. It was believed by that man of imperial character and imperious will, the great Senator from Kentucky. It was believed by Mr. Webster, the greatest of New England Senators. When Jackson vetoed the one or Tyler vetoed the other, did you ever hear a suggestion that those bank charters should be put on appropriation bills or that there should not be a dollar to run the Government until they were signed? So far from it that, in 1841, when temper was at its height; when the whig party, in addition to losing their great measure, lost it under the sting and the irritation of what they believed was a desertion by the President whom they had chosen; and when Mr. Clay, goaded by all these considerations, rose to debate the question in the Senate, he repelled the suggestion of William C. Rives, of Virginia, who attempted to make upon him the point that he had indulged in some threat involving the independence of the Executive. Mr. Clay rose to his full height and thus responded:

“I said nothing whatever of any obligation on the part of the President to conform his judgment to the opinions of the Senate and the House of Representatives, although the Senator argued as if I had, and persevered in so arguing after repeated correction. I said no such thing. I know and I respect the perfect independence of each department, acting within its proper sphere, of the other departments.”

A leading democrat, an eloquent man, a man who has courage and frankness and many good qualities, has boasted publicly that the democracy are in power for the

first time in eighteen years, and they do not intend to stop until they have wiped out every vestige of every war measure. Well, “forewarned is forearmed,” and you begin appropriately on a measure that has the signature of Abraham Lincoln. I think the picture is a striking one when you hear these words from a man who was then in arms against the Government of the United States, doing his best to destroy it, exerting every power given him in a bloody and terrible rebellion against the authority of the United States and when Abraham Lincoln was marching at the same time to his martyrdom in its defense! Strange times have fallen upon us that those of us who had the great honor to be associated in higher or lower degree with Mr. Lincoln in the administration of the Government should live to hear men in public life and on the floors of Congress, fresh from the battle-fields of the rebellion, threatening the people of the United States that the democratic party, in power for the first time in eighteen years, proposes not to stay its hand until every vestige of the war measures has been wiped out! the late vice-president of the confederacy boasted—perhaps I had better say stated—that for sixty out of the seventy-two years preceding the outbreak of the rebellion, from the foundation of the Government, the South, though in a minority, had by combining with what he termed the anti-centralists in the North ruled the country; and in 1866 the same gentleman indicated in a speech, I think before the Legislature of Georgia, that by a return to Congress the South might repeat the experiment with the same successful result. I read that speech at the time; but I little thought I should live to see so near a fulfillment of its prediction. I see here to-day two great measures emanating, as I have said, not from a committee of either House, but from a democratic caucus in which the South has an overwhelming majority, two-thirds in the House, and out of forty-two Senators on the other side of this Chamber professing the democratic faith thirty are from the South—twenty-three, a positive and pronounced majority, having themselves been participants in the war against the Union either in military or civil station. So that as a matter of fact, plainly deducible from counting your fingers, the legislation of this country to-day, shaped and fashioned in a democratic caucus where the confederates of the South hold the majority, is the realization of Mr. STEPHENS’ prophecy. And very appropriately the House under that control and the Senate under that control, embodying thus the entire legislative powers of the Government, deriving its political strength from the South, elected from the South, say to the President of the United States,

at the head of the Executive Department of the Government, elected as he was from the North—elected by the whole people, but elected as a Northern man; elected on Republican principles, elected in opposition to the party that controls both branches of Congress to-day—they naturally say, “You shall not exercise your constitutional power to veto a bill.”

Some gentleman may rise and say, “Do you call it revolution to put an amendment on an appropriation bill?” Of course not. There have been a great many amendments put on appropriation bills, some mischievous and some harmless; but I call it the audacity of revolution for any Senator or Representative, or any caucus of Senators or Representatives, to get together and say, “We will have this legislation or we will stop the great departments of the Government.” That is revolutionary. I do not think it will amount to revolution; my opinion is it will not. I think that is a revolution that will not go around; I think that is a revolution which will not revolve; I think that is a revolution whose wheel will not turn; but it is a revolution if persisted in, and if not persisted in, it must be backed out from with ignominy. The democratic party in Congress have put themselves exactly in this position to-day, that if they go forward in the announced programme, they march to revolution. I think they will, in the end, go back in an ignominious retreat. That is my judgment.

The extent to which they control the legislation of the country is worth pointing out. In round numbers, the Southern people are about one-third of the population of the Union. I am not permitted to speak of the organization of the House of Representatives, but I can refer to that of the last House. In the last House of Representatives, of the forty-two standing committees the South had twenty-five. I am not blaming the honorable Speaker for it. He was hedged in by partisan forces, and could not avoid it. In this very Senate, out of thirty-four standing committees the South has twenty-two. I am not calling these things up just now in reproach; I am only showing what an admirable prophet the late vice-president of the Southern Confederacy was, and how entirely true all his words have been, and how he has lived to see them realized.

I do not profess to know, Mr. President, least of all Senators on this floor, certainly as little as any Senator on this floor, do I profess to know, what the President of the United States will do when these bills are presented to him, as I suppose in due course of time they will be. I certainly should never speak a solitary word of disrespect of the gentleman holding that exalted position, and I hope I should not

speaking a word unbecoming the dignity of the office of a Senator of the United States. But as there has been speculation here and there on both sides as to what he would do, it seems to me that the dead heroes of the Union would rise from their graves if he should consent to be intimidated and outraged in his proper constitutional powers by threats like these.

All the war measures of Abraham Lincoln are to be wiped out, say leading democrats! The Bourbons of France busied themselves, I believe, after the restoration, in removing every trace of Napoleon's power and grandeur, even chiseling the “N” from public monuments raised to perpetuate his glory; but the dead man's hand from Saint Helena reached out and destroyed them in their pride and in their folly. And I tell the Senators on the other side of this Chamber,—I tell the democratic party North and South—South in the lead and North following,—that, the slow, unmoving finger of scorn, from the tomb of the martyred President on the prairies of Illinois, will wither and destroy them. Though dead he speaketh. [Great applause in the galleries.]

The presiding officer, (Mr. ANTHONY in the chair.) The Sergeant-at-Arms will preserve order in the galleries and arrest persons manifesting approbation or disapprobation.

Mr. BLAINE. When you present these bills with these threats to the living President, who bore the commission of Abraham Lincoln and served with honor in the Army of the Union, which Lincoln restored and preserved, I can think only of one appropriate response from his lips or his pen. He should say to you with all the scorn befitting his station:

Is thy servant a dog that he should do this thing?

#### Speech of Roscoe Conkling.

*On the Extra Session of 1879. What it Teaches and what it Means. In the Senate of the United States, April 24, 1879.*

The Senate having under consideration the bill (H. R. No. 1) making appropriations for the support of the Army for the fiscal year ending June 30, 1880, and for other purposes—

Mr. CONKLING said:

Mr. PRESIDENT: During the last fiscal year the amount of national taxes paid into the Treasury was \$234,831,461,77. Of this sum one hundred and thirty million and a fraction was collected under tariff laws as duties on imported merchandise, and one hundred and four million and a fraction as tax on American productions. Of this total of \$235,000,000 in round numbers, twenty-seven States which adhered to the Union during the recent war paid \$221,204,268,88. The residue came from eleven

States. I will read their names: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia. These eleven States paid \$13,627,192.89. Of this sum more than six million and a half came from the tobacco of Virginia. Deducting the amount of the tobacco-tax in Virginia, the eleven States enumerated paid \$7,125,462,60 of the revenues and supplies of the Republic.

Mr. HILL, of Georgia. Will the Senator from New York allow me to ask him a question?

Mr. CONKLING. If the Senator thinks that two of us are needed to make a statement of figures I will.

Mr. HILL, of Georgia. Two no doubt can make it better.

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Georgia?

Mr. CONKLING. After the expressed opinion of the Senator from Georgia that the statement needs his aid, I cannot decline.

Mr. HILL, of Georgia. I will not interrupt the Senator if it is disagreeable to him, I assure him. I ask if in the computation he has made of the amount paid he does not ascribe to the States that adhered to the Union, to use his language, all—

Mr. CONKLING. Having heard the Senator so far, I must ask him to desist.

The PRESIDING OFFICER. The Senator from New York declines to yield further.

Mr. CONKLING. I have stated certain figures as they appear in the published official accounts: the Senator seems about to challenge the process or system by which the accounts are made up. I cannot give way for this, and must beg him to allow me to proceed with observations which I fear to prolong lest they become too wearisome to the Senate.

The laws exacting these few millions from eleven States, and these hundreds of millions from twenty-seven States, originated, as the Constitution requires all bills for raising revenue to originate, in the House of Representatives. They are not recent laws. They have been approved and affirmed by succeeding Congresses. The last House of Representatives and its predecessor approved them, and both these Houses were ruled by a democratic Speaker, by democratic committees, and by a democratic majority. Both Senate and House are democratic now, and we hear of no purpose to repeal or suspend existing revenue laws. They are to remain in full force. They will continue to operate and to take tribute of the people. If the sum they exact this year and next year, shall be less than last year, it will be only or chiefly because recent legislation favoring southern and tobacco-growing regions has

dismissed twelve or fourteen million of annual tax on tobacco.

This vast revenue is raised and to be raised for three uses. It is supplied in time of severe depression and distress, to pay debt inflicted by rebellion; to pay pensions to widows, orphans, and cripples made by rebellion; and to maintain the Government and enforce the laws preserved at inestimable cost of life and treasure.

It can be devoted to its uses in only one mode. Once in the Treasury, it must remain there useless until appropriated by act of Congress. The Constitution so ordains. To collect it, and then defeat or prevent its object or use, would be recreant and abominable oppression.

The Constitution leaves no discretion to Congress whether needful appropriations shall be made. Discretion to ascertain and determine amounts needful, is committed to Congress, but the appropriation of whatever is needful after the amount has been ascertained, is commanded positively and absolutely. When, for example, the Constitution declares that the President and the judges at stated periods shall receive compensation fixed by law, the duty to make the appropriations is plain and peremptory; to refuse to make them, is disobedience of the Constitution, and treasonable. So, when it is declared that Congress shall have power to provide money to pay debts, and for the common defense and the general welfare, the plain meaning is that Congress shall do these things, and a refusal to do them is revolutionary, and subversive of the Constitution. A refusal less flagrant would be impeachable in the case of every officer and department of the Government within the reach of impeachment. Were the President to refuse to do any act enjoined on him by the Constitution, he would be impeachable, and ought to be convicted and removed from office as a convict. Should the judges, one, or some, or all of them, refuse to perform any duty which the Constitution commits to the judicial branch, the refusal would be plainly impeachable.

Congress is not amenable to impeachment. Congressional majorities are triable at the bar of public opinion, and in no other human forum. Could Congress be dissolved instantly here as in England, could Senators and Representatives be driven instantly from their seats by popular disapproval, were they amenable presently somewhere, there would be more of bravery, if not less of guilt, in a disregard of sworn obligation. Legislators are bound chiefly by their honor and their oaths; and the very impunity and exemption they enjoy exalts and measures their obligations, and the crime and odium of violating them. Because of the fixed tenure by

which the members of each House hold their places and their trusts, irreparable harm may come of their acts and omissions, before they can be visited with even political defeat, and before the wrong they do can be undone. A congressional majority is absolutely safe during its term, and those who suffered such impunity to exist in the frame of our Government, must have relied on the enormity and turpitude of the act to deter the representatives of the people and the representatives of States from betraying a trust so exalted and so sacred as their offices imply.

Mr. President, it does not escape my attention, as it must occur to those around me, that in ordinary times obvious aphorisms, I might say truisms like these would be needless, if not out of place in the Senate. They are pertinent now because of an occasion without example in American history. I know of no similar instance in British history. Could one be found, it would only mark the difference between an hereditary monarchy without a written constitution, and a free republic with a written charter plainly defining from the beginning the powers, the rights, and the duties of every department of the Government. The nearest approaches in English experience to the transactions which now menace this country, only gild with broad light the wisdom of those who established a system to exempt America forever from the struggles between kingcraft and liberty, between aristocratic pretensions and human rights, which in succeeding centuries had checkered and begrimed the annals of Great Britain. It was not to transplant, but to leave behind and shut out the usurpations and prerogatives of kings, nobles, and gentry, and the rude and violent resorts which, with varying and only partial success, had been matched against them, that wise and far-seeing men of many nationalities came to these shores and founded "a government of the people, for the people, and by the people." Such boisterous conflicts as the Old World had witnessed between subjects and rulers—between privilege and right, were the warnings which our fathers heeded, the dangers which they shunned, the evils which they averted, the disasters which they made impossible so long as their posterity should cherish their inheritance.

Until now no madness of party, no audacity or desperation of sinister, sectional, or partisan design, has ever ventured on such an attempt as has recently come to pass in the two Houses of Congress. The proceeding I mean to characterize, if misunderstood anywhere, is misunderstood here. One listening to addresses delivered to the Senate during this debate, as it is called, must think that the majority is arraigned, certainly that the majority

wishes to seem and is determined to seem arraigned, merely for insisting that provisions appropriating money to keep the Government alive, and provisions not in themselves improper relating to other matters, may be united in the same bill. With somewhat of monotonous and ostentatious iteration we have been asked whether incorporating general legislation in appropriation bills is revolution, or revolutionary? No one in my hearing has ever so contended.

Each House is empowered by the Constitution to make rules governing the modes of its own procedure. The rules permitting, I know of nothing except convenience, common sense, and the danger of log-rolling combinations, which forbids putting all the appropriations into one bill, and in the same bill, all the revenue laws, a provision admitting a State into the Union, another paying a pension to a widow, another changing the name of a steamboat. The votes and the executive approval which would make one of these provisions a law, would make them all a law. The proceeding would be outlandish, but it would not violate the Constitution.

A Senator might vote against such a huddle of incongruities, although separately he would approve each one of them. If, however, they passed both Houses in a bunch, and the Executive found no objection to any feature of the bill on its merits, and the only criticism should be that it would have been better legislative practice to divide it into separate enactments, it is not easy to see on what ground a veto could stand.

The assault which has been made on the executive branch of the Government and on the Constitution itself, would not be less flagrant if separate bills had been resorted to as the weapons of attack. Suppose in a separate bill, the majority had, in advance of the appropriations, repealed the national-bank act and the resumption act, and had declared that unless the Executive surrendered his convictions and yielded up his approval of the repealing act, no appropriations should be made; would the separation of the bills have palliated or condoned the revolutionary purpose? In the absence of an avowal that appropriations were to be finally withheld, or that appropriations were to be made to hinge upon the approval or veto of something else, a resort to separate bills might have cloaked and secreted for a time the real meaning of the transaction. In that respect it would have been wise and artful to resort to separate bills on this occasion; and I speak, I think, in the hearing of at least one democratic Senator who did not overlook in advance the suggestion now made. But when it was declared, or in-

tended, that unless another species of legislation is agreed to, the money of the people, paid for that purpose, shall not be used to maintain their Government and to enforce the laws—when it is designed that the Government shall be thrown into confusion and shall stop unless private charity or public succor comes to its relief, the threat is revolutionary, and its execution is treasonable.

In the ease before us, the design to make appropriations hinge and depend upon the destruction of certain laws is plain on the face of the bills before us,—the bill now pending, and another one on our tables. The same design was plain on the face of the bills sent us at the last session. The very fact that the sections uncovering the ballot-box to violence and fraud, are not, and never have been separately presented, but are thrust into appropriation bills, discloses and proves a belief, if not a knowledge, that in a separate bill the Executive would not approve them. Moreover both Houses have rung with the assertion that the Executive would not approve in a separate measure the overthrow of existing safeguards of the ballot-box, and that should he refuse to give his approval to appropriations and an overthrow of those safeguards linked together, no appropriations should be made.

The plot and the purpose then, is by duress to compel the Executive to give up his convictions, his duty, and his oath, as the price to be paid a political party for allowing the Government to live! Whether the bills be united or divided, is mere method and form. The substance in either form is the same, and the plot if persisted in will bury its aiders and abettors in opprobrium, and will leave a buoy on the sea of time warning political mariners to keep aloof from a treacherous channel in which a political party foundered and went down.

The size of the Army and its pay, have both been exactly fixed by law—by law enacted by a democratic House, and approved by a second democratic House. It has been decided and voted that the coast defenses and the Indian and frontier service, require a certain number of soldiers; and the appropriations needed for provision and pay have been ascertained to a farthing. Nothing remains to be done, but to give formal sanction and warrant for the use of the money from time to time. This was all true at the last session. But a democratic House, or more justly speaking the democratic majority in the House refused to give its sanction, refused to allow the people's money, to reach the use for which the people paid it, unless certain long-standing laws were repealed. When the Senate voted against the repeal, we were bluntly

told that unless that vote was reversed, unless the Senate and the Executive would accept the bills, repealing clauses and all, the session should die, no appropriations should be made, and the wheels of the Government should stop. The threat was executed; the session did die, and every branch of the Government was left without the power to execute its duties after the 30th of next June.

We were further told that when the extra session, thus to be brought about, should convene, the democrats would rule both Houses, that the majority would again insist on its terms, and that then unless the Executive submitted to become an accomplice in the design to fling down the barriers that block the way to the ballot-box against fraud and force, appropriations would again be refused, and again the session should die leaving the Government paralyzed. The extra session has convened; the democrats have indeed the power in both Houses, and thus far the war and the caucus have come up to the manifesto. So far the exploit has been easy. The time of trial is to come; the issue has been made, and of its ignominious failure, there can be no doubt if the Executive shall plant itself on constitutional right and duty, and stand firm. The actors in this scheme have managed themselves and their party into a predicament, and unless the President lets them out they will and they must back out. [Laughter, and manifestations of applause in the galleries.]

Should the Executive interpose the constitutional shield against the political enormities of the proposed bills, and then should the majority carry out the threat to desert their posts by adjournment without making the needed appropriations, I hope and trust they will be called back instantly and called back as often as need be until they relinquish a monstrous pretension and abandon a treasonable position.

The Army bill now pending, is not, in its political features, the bill tendered us at the last session a few days ago; it is not the same bill then insisted on as the ultimatum of the majority. The bill as it comes to us now, condemns its predecessor as crude and objectionable. It was found to need alteration. It did need alteration badly, and those who lately insisted on it as it was, insist on it now as it then was not. A grave proviso has been added to save the right of the President to aid a State gasping in the throes of rebellion or invasion and calling for help. As the provision stood when thrust upon us first and last at the recent session, it would have punished as a felon the President of the United States, the General of the Army, and others, for attempting to obey the Constitution of the United States and two an-

cient acts of Congress, one of them signed by George Washington. Shorn of this absurdity, the bill as it now stands, should it become a law, will be the first enactment of its kind that ever found its way into the statutes of the United States. A century, with all its activities and party strifes, with all its passionate discords, with all its expedients for party advantage, with all its wisdom and its folly, with all its patriotism and its treason, has never till now produced a congressional majority which deemed such a statute fit to be enacted.

Let me state the meaning of the amendments proposed under guise of enlarging liberty on election day—that day of days when order, peace, and security for all, as well as liberty, should reign. The amendments declare in plain legal effect that, no matter what the exigency may be, no matter what violence or carnage may run riot and trample down right and life, no matter what mob brutality may become master, if the day be election day, any officer or person, civil, military, or naval, from the President down, who attempts to interfere, to prevent or quell violence by the aid of national soldiers, or armed men not soldiers, shall be punished, and may be fined \$5,000 and imprisoned for five years. This is the law we are required to set up. Yes, not only to leave murderous ruffianism untouched, but to invite it into action by assurances of safety in advance.

In the city of New York, all the thugs and shoulder-hitters and repeaters, all the carriers of slung-shot, dirks, and bludgeons, all the fraternity of the bucket-shops, the rat-pits, the hells and the slums, all the graduates of the nurseries of modern so-called democracy, [laughter;] all those who employ and incite them, from King's Bridge to the Battery, are to be told in advance that on the day when the million people around them choose their members of the National Legislature, no matter what God-daring or man-hurting enormities they may commit, no matter what they do, nothing that they can do will meet with the slightest resistance from any national soldier or armed man clothed with national authority.

Another bill, already on our tables, strikes down even police officers armed, or unarmed, of the United States.

In South Carolina, in Louisiana, in Mississippi, and in the other States where the colored citizens are counted to swell the representation in Congress, and then robbed of their ballots and dismissed from the political sun—in all such States, every rifle club, and white league, and murderous band, and every tissue ballot-box stuffer, night-rider, and law-breaker, is to be told that they may turn national elections into a bloody farce, that they may choke the whole proceeding with force

and fraud, and blood, and that the nation shall not confront them with one armed man. State troops, whether under the name of rifle clubs or white leagues, or any other, armed with the muskets of the United States, may constitute the mob, may incite the mob, but the national arm is to be tied and palsied.

I repeat such an act of Congress has never yet existed. If there ever was a time when such an act could safely and fitly stand upon the statute-book, that time is not now, and is not likely to arrive in the near future. Until rebellion raised its iron hand, all parties and all sections had been content to leave where the Constitution left it the power and duty of the President to take care that the laws be faithfully executed.

The Constitution has in this regard three plain commands:

The President "shall take care that the laws be faithfully executed."

Again, "The President shall be Commander-in-Chief of the Army and Navy of the United States, and of the militia of the several States, when called into the actual service of the United States."

"The actual service of the United States" some man may say means war merely, service in time of war. Let me read again, "Congress shall have power to provide for calling forth the militia." For what? First of all, "to execute the laws of the Union."

Yes, Congress shall have power "to provide for calling forth the militia to execute the laws of the Union." Speaking to lawyers, I venture to emphasize the word "execute." It is a term of art; it has a long-defined meaning. The act of 1795, re-enacted since, emphasized these constitutional provisions.

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The election law came in to correct abuses which reached their climax in 1868 in the city of New York. In that year in the State of New York the republican candidate for governor was elected; the democratic candidate was counted in. Members of the Legislature were fraudulently seated. The election was a barbarous burlesque. Many thousand forged naturalization papers were issued; some of them were white and some were coffee-colored. The same witnesses purported to attest hundreds and thousands of naturalization affidavits, and the stupendous fraud of the whole thing was and is an open secret. Some of these naturalization papers were sent to other States. So plenty were they, that some of them were sent to Germany, and Germans who had never left their country claimed exemption from the German draft for soldiers in the Franco-Prussian war, because they were naturalized American citizens! [Laughter.]

Repeating, ballot-box stuffing, ruffianism, and false counting decided everything. Tweed made the election officers, and the election officers were corrupt. In 1868, thirty thousand votes were falsely added to the democratic majority in the cities of New York and Brooklyn alone. Taxes and elections were the mere spoil and booty of a corrupt junta in Tammany Hall. Assessments, exactions, and exemptions were made the bribes and the penalties of political submission. Usurpation and fraud inaugurated a carnival of corrupt disorder; and obscene birds without number swooped down to the harvest and gorged themselves on every side in plunder and spoliation. Wrongs and usurpations springing from the pollution and desecration of the ballot-box stalked high-headed in the public way. The courts and the machinery of justice were impotent in the presence of culprits too great to be punished.

The act of 1870 came in to throttle such abuses. It was not born without throes and pangs. It passed the Senate after a day and a night which rang with democratic maledictions and foul aspersions.

In the autumn of that year an election was held for the choice of Representatives in Congress. I see more than one friend near me who for himself and for others has reason even unto this day to remember that election and the apprehension which preceded it. It was the first time the law of 1870 had been put in force. Resistance was openly counseled. Democratic newspapers in New York advised that the officers of the law be pitched into the river. Disorder was afoot. Men, not wanting in bravery, and not republicans, dreaded the day. Bloodshed, arson, riot were feared. Ghastly spectacles were still fresh in memory. The draft riots had spread terror which had never died, and strong men shuddered when they remembered the bloody assizes of the democratic party. They had seen men and women, blind with party hate, dizzy and drunk with party madness, stab and burn and revel in murder and in mutilating the dead. They had seen an asylum for colored orphans made a funeral pile, and its smoke sent up from their Christian and imperial city to tell in heaven of the inhuman bigotry, the horrible barbarity of man. Remembering such sickening scenes, and dreading their repetition, they asked the President to protect them—to protect them with the beak and claw of national power. Instantly the un-kenned packs of party barked in vengeful chorus. Imprecations, maledictions, and threats were hurled at Grant; but with that splendid courage which never blanched in battle, which never quaked before clamor—with that matchless self-poise which did not desert him even when

a continent beyond the sea rose and uncovered before him, [applause in the galleries,] he responded in the orders which it has pleased the honorable Senator from Delaware to read. The election thus protected was the fairest, the freest, the most secure, a generation has seen. When, two years afterward, New York came to crown Grant with her vote, his action in protecting her chief city on the Ides of November, 1870, was not forgotten. When next New York has occasion to record her judgment of the services of Grant, his action in 1870 touching peace in the city of New York will not be hidden away by those who espouse him wisely. [Applause in the galleries.]

Now, the election law is to be emasculated; no national soldier must confront rioters or mobs; no armed man by national authority, though not a soldier, must stay the tide of brutality or force; no deputy marshal must be within call; no supervisor must have power to arrest any man who in his sight commits the most flagrant breach of the peace. But the democrats tell us “we have not abolished the supervisors; we have left them.” Yes, the legislative bill leaves the supervisors, two stool-pigeons with their wings clipped, [laughter,] two licensed witnesses to stand about idle, and look—yes, “a cat may look at a king”—but they must not touch bullies or lawbreakers, not if they do murders right before their eyes.

If a civil officer should, under the pending amendment, attempt to quell a riot by calling on the bystanders, if they have arms, he is punishable for that. If a marshal, the marshal of the district in which the election occurs, the marshal nominated to the Senate and confirmed by the Senate—I do not mean a deputy marshal—should see an affray or a riot at the polls on election day and call upon the bystanders to quell it, if this bill becomes a law, and one of those bystanders has a revolver in his pocket, or another one takes a stick or a cudgel in his hand, the marshal may be fined \$5,000 and punished by five years' imprisonment.

Such are the devices to belittle national authority and national law, to turn the idea of the sovereignty of the nation into a laughing-stock and a by-word.

Under what pretexts is this uprooting and overturning to be? Any officer who transgresses the law, be he civil or military, may be punished in the courts of the State or in the courts of the nation under existing law. Is the election act unconstitutional? The courts for ten years have been open to that question. The law has been pounded with all the hammers of the lawyers, but it has stood the test; no court has pronounced it unconstitutional, although many men have been prosecuted

and convicted under it. Judge Woodruff and Judge Blatchford have vindicated its constitutionality. But, as I said before, the constitutional argument has been abandoned. The supreme political court, practically now above Congresses or even constitutions, the democratic caucus, has decided that the law is constitutional. The record of the judgment is in the legislative bill.

We are told it costs money to enforce the law. Yes, it costs money to enforce all laws; it costs money to prosecute smugglers, counterfeiters, murderers, mail robbers and others. We have been informed that it has cost \$200,000 to execute the election act. It cost more than \$5,000,000,000 in money alone, to preserve our institutions and our laws, in one war, and the nation which bled and the nation which paid is not likely to give up its institutions and the birthright of its citizens for \$200,000. [Applause in the galleries.]

The presiding officer, (Mr. COCKRELL, in the chair.) The Senator will suspend a moment. The chair will announce to the galleries that there shall be no more applause; if so, the galleries will be cleared immediately.

Mr. CONKLING. Mr. President, that interruption reminds me, the present occupant of the chair having been deeply interested in the bill, that the appropriations made and squandered for local and unlawful improvements in the last river and harbor bill alone, would pay for executing the election law as long as grass grows or water runs. The interest on the money wrongfully squandered in that one bill, would execute it twice over perpetually. The cost of this needless extra session, brought about as a partisan contrivance, would execute the election law for a great while. A better way to save the cost, than to repeal the law, is to obey it. Let White Leagues and rifle clubs disband; let your night-riders dismount; let your tissue ballot-box stuffers desist; let repeaters, false-counters, and ruffians no longer be employed to carry elections, and then the cost of executing the law will disappear from the public ledger.

Again we are told that forty-five million people are in danger from an army nominally of twenty-five thousand men scattered over a continent, most of them beyond the frontiers of civilized abode. Military power has become an affrighting specter. Soldiers at the polls are displeasing to a political party. What party? That party whose Administration ordered soldiers, who obeyed, to shoot down and kill unoffending citizens here in the streets of Washington on election day; that party which has arrested and dispersed Legislatures at the point of the bayonet; that party which has employed troops to carry

elections to decide that a State should be slave and should not be free; that party which has corraled courts of justice with national bayonets, and hunted panting fugitive slaves, in peaceful communities, with artillery and dragoons; that party which would have to-day no majority in either House of Congress except for elections dominated and decided by violence and fraud; that party under whose sway, in several States, not only the right to vote, but the right to be, is now trampled under foot.

Such is the source of an insulting summons to the Executive to become *particeps criminis* in prostrating wholesome laws, and this is the condition on which the money of the people, paid by the people, shall be permitted to be used for the purposes for which the people paid it.

Has the present national Administration been officiously robust in checking the encroachments and turbulence of democrats, either by the use of troops or otherwise? I ask this question because the next election is to occur during the term of the present Administration.

What is the need of revolutionary measures now? What is all this uproar and commotion, this daring venture of partisan experiment, for? Why not make your issue against these laws, and carry your issue to the people? If you can elect a President and a Congress of your thinking, you will have it all your own way.

Why now should there be an attempt to block the wheels of government on the eve of an election at which this whole question is triable before the principals and masters of us all? The answer is inevitable. But one truthful explanation can be made of this daring enterprise. It is a political, a partisan manoeuvre. It is a strike for party advantage. With a fair election and an honest count, the democratic party cannot carry the country. These laws, if executed, insure some approach to a fair election. Therefore they stand in the way, and therefore they are to be broken down.

I reflect upon no man's motives, but I believe that the sentiment which finds expression in the transaction now proceeding in the two houses of Congress, has its origin in the idea I have stated. I believe that the managers and charioteers of the democratic party think that with a fair election and a fair count they cannot carry the State of New York. They know that with free course, such as existed in 1868, to the ballot-box and count, no matter what majority may be given in that State where the green grass grows, the great cities will overbalance and swamp it. They know that with the ability to give eighty, ninety, one hundred thousand majority in the county of New York and the county of



Kings, half of it fraudulently added, it is idle for the three million people living above the Highlands of the Hudson to vote.

This is a struggle for power. It is a fight for empire. It is a contrivance to clutch the National Government. That we believe; that I believe.

The nation has tasted, and drunk to the dregs, the sway of the democratic party, organized and dominated by the same influences which dominate it again and still. You want to restore that dominion. We mean to resist you at every step and by every lawful means that opportunity places in our hands. We believe that it is good for the country, good for every man North and South who loves the country now, that the Government should remain in the hands of those who were never against it. We believe that it is not wise or safe to give over our nationality to the dominion of the forces which formerly and now again rule the democratic party. We do not mean to connive at further conquests, and we tell you that if you gain further political power, you must gain it by fair means, and not by foul. We believe that these laws are wholesome. We believe that they are necessary barriers against wrongs, necessary defenses for rights; and so believing, we will keep and defend them even to the uttermost of lawful honest effort.

The other day, it was Tuesday I think, it pleased the honorable Senator from Illinois [Mr. Davis] to deliver to the Senate an address, I had rather said an opinion, able and carefully prepared. That honorable Senator knows well the regard not only, but the sincere respect in which I hold him, and he will not misunderstand the freedom with which I shall refer to some of his utterances.

Whatever else his sayings fail to prove, they did I think, prove their author, after Mrs. Winslow, the most copious and inexhaustible fountain of soothing syrup. The honorable Senator seemed like one slumbering in a storm and dreaming of a calm. He said there was no uproar anywhere—one would infer you could hear a pin drop—from centre to circumference. Rights, he said, are secure. I have his language here. If I do not seem to give the substance aright I will stop and read it. Rights secure North and South; peace and tranquillity everywhere. The law obeyed and no need of special provisions or anxiety. It was in this strain that the Senator discoursed.

Are rights secure, when fresh-done barbarities show that local government in one portion of our land is no better than despotism tempered by assassination? Rights secure, when such things can be, as stand proved and recorded by committees of the Senate! Rights secure, when the old and

the young fly in terror from their homes, and from the graves of their murdered dead! Rights secure, when thousands brave cold, hunger, death, seeking among strangers in a far country a humanity which will remember that—

“Before man made them citizens,  
Great nature made them men!”

Read the memorial signed by Judge Dillon, by the democratic mayor of Saint Louis, by Mr. Henderson, once a member of the Senate, and by other men known to the nation, detailing what has been done in recent weeks on the Southern Mississippi. Read the affidavits accompanying this memorial. Has any one a copy of the memorial here? I have seen the memorial. I have seen the signatures. I hope the honorable Senator from Illinois will read it, and read the affidavits which accompany it. When he does, he will read one of the most sickening recitals of modern times. He will look upon one of the bloodiest and blackest pictures in the book of recent years. Yet the Senator says, all is quiet. “There is not such faith, no not in Israel.” Verily “order reigns in Warsaw.”

*Solitudinem faciunt, pacem appellant.*

Mr. President, the republican party every where wants peace and prosperity—peace and prosperity in the South, as much and as sincerely as elsewhere. Disguising the truth, will not bring peace and prosperity. Soft phrases will not bring peace. “Fair words butter no parsnips.” We hear a great deal of loose, flabby talk about “fanning dying embers,” “rekindling smoldering fires,” and so on. Whenever the plain truth is spoken, these unctious monitions, with a Peter Parley benevolence, fall copiously upon us. This lullaby and hush has been in my belief a mistake from the beginning. It has misled the South and misled the North. In Andrew Johnson’s time a convention was worked up at Philadelphia, and men were brought from the North and South, for ecstasy and gush. A man from Massachusetts and a man from South Carolina locked arms and walked into the convention arm in arm, and sensation and credulity palpitated, and clapped their hands, and thought an universal solvent had been found. Serenades were held at which “Dixie” was played. Later on, anniversaries of battles fought in the war of Independence, were made occasions by men from the North and men from the South for emotional, dramatic, hugging ceremonies. General Sherman, I remember, attended one of them, and I remember also, that with the bluntness of a soldier, and the wisdom and hard sense of a statesman, he plainly cautioned all concerned not to be carried away, and not to be fooled.

But many have been fooled, and being fooled, have helped to swell the democratic majorities which now display themselves before the public eye.

Of all such effusive demonstrations I have this to say: honest, serious convictions are not ecstatic or emotional. Grave affairs and lasting purposes do not express or vent themselves in honeyed phrase or sickly sentimentality, rhapsody, or profuse professions.

This is as true of political as of religious duties. The Divine Master tells us, "Not every one that saith unto me, Lord, Lord, shall enter into the kingdom of heaven; but he that doeth the will of my Father which is in heaven."

Facts are stubborn things, but the better way to deal with them is to look them squarely in the face.

The republican party and the Northern people preach no crusade against the South. I will say nothing of the past beyond a single fact. When the war was over, no man who fought against his flag was punished even by imprisonment. No estate was confiscated. Every man was left free to enjoy life, liberty, and the pursuit of happiness. After the Southern States were restored to their relations in the Union, no man was ever disfranchised by national authority—not one. If this statement is denied, I invite any Senator to correct me. I repeat it. After the Southern State governments were rebuilt, and the States were restored to their relations in the Union, by national authority, not one man for one moment was ever denied the right to vote, or hindered in the right. From the time that Mississippi was restored, there never has been an hour when Jefferson Davis might not vote as freely as the honorable Senator in his State of Illinois. The North, burdened with taxes, draped in mourning, dotted over with new-made graves tenanted by her bravest and her best, sought to inflict no penalty upon those who had stricken her with the greatest, and, as she believed, the guiltiest rebellion that ever crimsoned the annals of the human race.

As an example of generosity and magnanimity, the conduct of the nation in victory was the grandest the world has ever seen. The same spirit prevails now. Yet our ears are larded with the charge that the republicans of the North seek to revive and intensify the wounds and pangs and passions of the war, and that the southern democrats seek to bury them in oblivion of kind forgetfulness.

We can test the truth of these assertions right before our eyes. Let us test them. Twenty-seven States adhered to the Union in the dark hour. Those States send to Congress two hundred and sixty-nine Senators and Representatives. Of these

two hundred and sixty-nine Senators and Representatives, fifty-four, and only fifty-four, were soldiers in the armies of the Union. The eleven States which were disloyal send ninety-three Senators and Representatives to Congress. Of these, eighty-five were soldiers in the armies of the rebellion, and at least three more held high civil station in the rebellion, making in all eighty-eight out of ninety-three.

Let me state the same fact, dividing the Houses. There are but four Senators here who fought in the Union Army. They all sit here now; and there are but four. Twenty Senators sit here who fought in the army of the rebellion, and three more Senators sit here who held high civil command in the confederacy.

In the House, there are fifty Union soldiers from twenty-seven States, and sixty-five confederate soldiers from eleven States.

Who, I ask you, Senators, tried by this record, is keeping up party divisions on the issues and hatreds of the war?

The South is solid. Throughout all its borders it has no seat here save two in which a republican sits. The Senator from Mississippi [MR. BRUCE] and the Senator from Louisiana [MR. KELLOGG] are still spared; and whisper says that an enterprise is afoot to deprive one of these Senators of his seat. The South is emphatically solid. Can you wonder that the North soon becomes solid too? Do you not see that the doings witnessed now in Congress fill the North with alarm, and distrust of the patriotism and good faith of men from the South? Forty-two democrats have seats on this floor; forty-three if you add the honorable Senator from Illinois, [MR. DAVIS.] He does not belong to the democratic party, although I must say, after reading his speech the other day, that a democrat who asks anything more of him is an insatiate monster. [Laughter.] If we count the Senator from Illinois, there are forty-three democrats in this Chamber. Twenty-three is a clear majority of all, and twenty-three happens to be exactly the number of Senators from the South who were leaders in the late rebellion.

Do you anticipate my object in stating these numbers? For fear you do not, let me explain. Forty-two Senators rule the Senate; twenty-three Senators rule the caucus. A majority rules the Senate; a caucus rules the majority; and the twenty-three southern Senators rule the caucus. The same thing, in the same way, governed by the same elements, is true in the House.

This present assault upon the purity and fairness of elections, upon the Constitution, upon the executive department, and upon the rights of the people; not the

rights of a king, not on such rights as we heard the distinguished presiding officer, who I am glad now to discover in his seat, dilate upon of a morning some weeks ago ; not the divine right of kings, but the in-born rights of the people—the present assault upon them, could never have been inaugurated without the action of the twenty-three southern Senators here, and the southern Representatives there, [pointing to the House.]

The people of the North know this and see it. They see the lead and control of the democratic party again where it was before the war, in the hands of the South. "By their fruits ye shall know them." The honorable Senator from Alabama [Mr. MORGAN], educated no doubt by experience in political appearances, and spectacular effects, said the other day that he preferred the democrats from the North should go first in this debate. I admired his sagacity. It was the skill of an experienced tactician to deploy the northern levies as the sappers and miners; it was very becoming certainly. It was not from cruelty, or to make them food for powder, that he set them in the forefront of the battle; he thought it would appear better for the northern auxiliaries to go first and tunnel the citadel. Good, excellent, as far as it went; but it did not go very far in misleading anybody; putting the tail foremost and the head in the sand, only displayed the species and habits of the bird. [Laughter.]

We heard the other day that "the logic of events" had filled the southern seats here with men banded together by a common history and a common purpose. The Senator who made that sage observation perhaps builded better than he knew. The same logic of events, let me tell democratic Senators, and the communities behind them, is destined to bring from the North more united delegations.

I read in a newspaper that it was proposed the other day in another place, to restore to the Army of the United States men who, educated at the nation's cost and presented with the nation's sword, drew the sword against the nation's life. In the pending bill is a provision for the retirement of officers now in the Army, with advanced rank and exaggerated pay. This may be harmless, it may be kind. One swallow proves not spring, but along with other things, suspicion will see in it an attempt to coax officers now in the Army to dismount, to empty their saddles, in order that others may get on.

So hue and cry is raised because courts, on motion, for cause shown in open court, have a right to purge juries in certain cases. No man in all the South, under thirty-five years of age, can be affected by this provision, because every such man

was too young when the armies of the rebellion were recruited to be subject to the provision complained of. As to the rest, the discretion is a wholesome one. But, even if it were not, let me say in all kindness to southern Senators, it was not wise to make it a part of this proceeding, and raise this uproar in regard to it.

Even the purpose, in part already executed, to remove the old and faithful officers of the Senate, even Union soldiers, that their places may be snatched by others—to overturn an order of the Senate which has existed for a quarter of a century, in order to grasp all the petty places here, seems to me unwise. It is not wise, if you want to disarm suspicion that you mean aggrandizing, gormandizing, unreasonable things.

Viewing all these doings in the light of party advantage—advantage to the party to which I belong, I could not deplore them; far from it; but wishing the repose of the country, and the real, lasting, ultimate welfare of the South, and wishing it from the bottom of my heart, I believe they are flagrantly unwise, hurtfully injudicious.

What the South needs is to heal, build, mend, plant, sow. In short, to go to work. Invite labor; cherish it; do not drive it out. Quit proscription, both for opinion's sake, and for color's sake. Reform it altogether. I know there are difficulties in the way. I know there is natural repugnance in the way; but drop passion, drop sentiment which signifies naught, and let the material prosperity and civilization of your land advance. Do not give so much energy, so much restless, sleepless activity, to an attempt so soon to get possession once more, and dominate and rule the country. There is room enough at the national board, and it is not needed, it is not decorous, plainly speaking, that the South should be the MacGregor at the table, and that the head of the table should be wherever he sits. For a good many reasons, it is not worth while to insist upon it.

Mr. President, one of Rome's famous legends stands in these words: "Let what each man thinks of the Republic be written on his brow." I have spoken in the spirit of this injunction. Meaning offence to no man, and holding ill-will to no man, because he comes from the South, or because he differs with me in political opinion, I have spoken frankly, but with malice toward none.

This session, and the bill pending, are acts in a partisan and political enterprise. This debate, begun after a caucus had defined and clenched the position of every man in the majority, has not been waged to convince anybody here. It has resounded to fire the democratic heart, to

sound a blast to the cohorts of party, to beat the long-roll, and set the squadrons in the field. That is its object, as plainly to be seen as the ultimate object of the attempted overthrow of laws.

Political speeches having been thus ordained, I have discussed political themes, and with ill-will to no portion of the country but good-will toward every portion of it, I have with candor spoken somewhat of my thoughts of the duties and dangers of the hour. [Applause on the floor and in the galleries.]

#### Lincoln's Speech at Gettysburg.

"Four-score and seven years ago, our fathers brought forth on this continent, a new Nation, conceived in liberty, and dedicated to the proposition that all men are created equal.

"Now, we are engaged in a great civil war testing whether that Nation, or any Nation, so conceived and so dedicated, can long endure. We are met on a great battle-field of that war. We have come to dedicate a portion of that field, as a final resting-place for those, who here gave their lives that that Nation might live. It is altogether fitting and proper that we should do this.

"But, in a large sense, we cannot dedicate—we cannot consecrate—we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated far above our poor power to add or detract. The world will little note, nor long remember what we SAY here, but it can never forget what they DID here. It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us, that from these honored dead, we take increased devotion to that cause for which they gave the last full measure of devotion, that we here highly resolve that these dead shall not have died in vain; that this Nation, under God, shall have a new birth of freedom; and that Government of the people, by the people, and for the people shall not perish from this earth.

#### Speech of Hon. John M. Broomall, of Pennsylvania,

*On the Civil Rights Bill. House of Representatives, March 8, 1866.*

Mr. Speaker, it is alleged that this species of legislation will widen the breach existing between the two sections of the country, will offend our southern brethren. Do not gentlemen know that those who are most earnestly asking this legislation are our southern brethren themselves.

They are imploring us to protect them against the conquered enemies of the country, who notwithstanding their surrender, have managed, through their skill or our weakness, to seize nearly all the conquered territory.

This is not the first instance in the world's history in which all that had been gained by hard fighting was lost by bad diplomacy.

But they, whose feelings are entitled to so much consideration in the estimation of those who urge this argument, are not our southern brethren, but the southern brethren of our political opponents; the conquered rebels, pardoned and unpardoned; traitors priding themselves upon their treason.

These people are fastidious. The ordinary terms of the English language must be perverted to suit their tastes. Though they surrendered in open and public war, they are not to be treated as prisoners. Though beaten in the last ditch of the last fortification, they are not to be called a conquered people. The decision of the forum of their own choosing is to be explained away into meaningless formality for their benefit. Though guilty of treason, murder, arson, and all the crimes in the calendar, they are "our southern brethren." The entire decalogue must be suspended lest it should offend these polished candidates for the contempt and execration of posterity.

Out of deference to the feelings of these sensitive gentlemen, an executive construction must be given to the word "loyalty," so that it shall embrace men who only are not hanged because they have been pardoned, and who only did not destroy the Government because they could not. Out of deference to the feelings of these sensitive gentlemen, too, a distinguished public functionary, once the champion of the rights of man, a leader in the cause of human progress, a statesman whose keen foreknowledge could point out the "irrepressible conflict between slavery and freedom," cannot now see that treason and loyalty are uncompromising antagonisms.

It is charged against us that the wheels of Government are stopped by our refusal to admit the representatives of these southern communities. When we complain that Europe is underselling us in our markets, and demand protection for the American laborer, we are told to "admit the southern Senators and Representatives." When we complain that excessive importations are impoverishing the country, and rapidly bringing on financial ruin, we are told to "admit the southern Senators and Representatives." When we complain that an inflated currency is making the rich richer, and the poor poorer, keeping the prices of even the necessaries of life beyond

the reach of widows and orphans who are living upon fixed incomes, the stereotyped answer comes, "Admit the southern Senators and Representatives." When we demand a tax upon cotton to defray the enormous outlay made in dethroning that usurping "king of the world," still the answer comes, and the executive parrots everywhere repeat it, "Admit the southern Senators and Representatives."

The mind of the man who can see in that prescription a remedy for all political and social diseases must be curiously constituted. Would these Senators and Representatives vote a tax upon cotton? Would they protect American industry by increasing duties? Would they prevent excessive importations? To believe this requires an unquestioning faith as to believe in the sudden conversion of whole communities from treason to loyalty.

We are blocking the wheels of Government! Why, the Government has managed to get along for four years, not only without the aid of the Southern Senators and Representatives, but against their efforts to destroy it; and in the mean time has crushed a rebellion that would have destroyed any other Government under heaven. Surely the nation can do without the services of these men, at least during the time required to examine their claims and to protect by appropriate legislation *our* Southern brethren. None but a Democrat would think of consulting the wolf about what safeguard should be thrown around the flock.

Those who advocate the admission of the Senators and Representatives from the States lately reclaimed from the rebellion, as a means of protecting the loyal men in those States and as a substitute for the system of legislation of which this bill is part, well know that the majority in both Houses of Congress ardently desire the full recognition of those States, and only ask that the rights and interests of the truly loyal men in those States shall be first satisfactorily secured.

Much useless controversy has been had about the legal *status* of those States. There is no difference between the two parties of the country on that point. The actual point of difference is this: the Democrats affiliate with their old political friends in the South, the late rebels, the friends and followers of Breckinridge, Lee, and Davis. The Union majority, on the other hand, naturally affiliate with the loyal men in the South, the men who have always supported the Government against Breckinridge, Lee, and Davis. Each party wants the South reconstructed in the hands of its own "southern brethren."

In short, the northern party corresponding with the loyal men of the South ask that the legitimate results of Grant's vic-

tory shall be carried out, while the northern party corresponding with the rebels of the South ask that things should be considered as if Lee had been the conqueror, or at least as if there had been a drawn battle, without victory on either side.

This brings the rights of those in whose behalf the opponents of the bill under consideration are acting directly in question, and in order to limit down the field of controversy as far as possible, let us inquire how far all parties agree upon the legal *status* of the communities lately in rebellion. Now, the meanest of all controversies is that which comes from dialectics. Where the disputants attach different meanings to the same word their time is worse than thrown away. I have always looked upon the question whether the States are in or out of the Union as only worthy of the schoolmen of the middle ages, who could write volumes upon a mere verbal quibble. The disputants would agree if they were compelled to use the word "State" in the same sense. I will endeavor to avoid this trifling.

All parties agree that at the close of the rebellion the people of North Carolina, for example, had been "deprived of all civil government." The President, in his proclamation of May 29, 1865, tells the people of North Carolina this in so many words, and he tells the people of the other rebel States the same thing in his several proclamations to them. This includes the Conservatives and Democrats, who, however they may disagree, at last agree in this, that the President shall do their thinking.

The Republicans subscribe to this doctrine, though they differ in their modes of expressing it. Some say that those States have ceased to possess any of the rights and powers of government as States of the Union. Others say, with the late lamented President, that "those States are out of practical relations with the Government."

Others hold that the State organizations are out of the Union. And still others that the rebels are conquered, and therefore that their organizations are at the will of the conqueror.

The President has hit upon a mode of expression which embraces concisely all these ideas. He says that the people of those States were, by the progress of the rebellion and by its termination, "deprived of all civil government."

One step further. All parties agree that the people of these States, being thus disorganized for all State purposes, are still at the election of the government, citizens of the United States, and as such, as far as they have not been disqualified by treason, ought to be allowed to form their own State governments, subject to the requirements of the Constitution of the United States.

Still one step further. All parties agree that this cannot be done by mere unauthorized congregations of the people, but that the time, place and manner must be prescribed by some department of the Government, according to the argument of Mr. Webster and the spirit of the decision of the Supreme Court in *Luther vs. Borden*, 7 Howard, page 1.

Yet another step in the series of propositions. All parties agree that as Congress was not in session at the close of the rebellion, the President, as Commander-in-Chief, was bound to take possession of the conquered country and establish such government as was necessary.

Thus far all is harmonious; but now the divergence begins. At the commencement of the present session of Congress three-fourths of both Houses held that when the people of the States are "deprived of all civil government," and when, therefore, it becomes necessary to prescribe the time, place, and manner in and by which they shall organize themselves again into States while the President may take temporary measures, yet only the law-making power of the Government is competent to the full accomplishment of the task. In other words, that only Congress can enable citizens of the United States to create States. I have said that at the commencement of the session three-fourths of both houses held this opinion. The proportion is smaller now, and by a judicious use of executive patronage it may become still smaller; but the truth of the proposition will not be affected if every Representative and Senator should be manipulated into denying it.

On the other hand, the remaining fourth, composed of the supple Democracy and its accessions, maintain that this State-creating power is vested in the President alone, and that he has already exercised it.

The holy horror with which our opponents affect to contemplate the doctrine of destruction of States is that much political hypocrisy. Every man who asks the recognition of the existing local governments in the South thereby commits himself to that doctrine. The only possible claim that can be set up in favor of the existing governments is based upon the theory that the old ones have been destroyed. The present organizations sprang up at the bidding of the President after the conquest among a people who, he said, had been "deprived of all civil government."

If the President's "experiment" had resulted in organizing the southern communities in loyal hands, the majority in Congress would have found no difficulty in indorsing it and giving it the necessary efficiency by legislative enactment.

In this case, too, the President never would have denied the power of Congress

in the premises. He never would have set up the theory that the citizens of the United States, though their representatives, are not to be consulted when those who have once broken faith with them ask to have the compact renewed.

Our opponents have no love for the President. They called him a usurper and a tyrant in Tennessee. They ridiculed him as a negro "Moses." They tried to kill him, and failing that, they accused him of being privy to the murder of his predecessor. But when his "experiment" at reconstruction was found to result in favor of their friends, the rebels, then they hung themselves about his neck like so many mill-stones, and tried to damn him to eternal infamy by indorsing his policy. Will they succeed? Will he shake them off, or go down with them?

But let us suffer these discordant elements to settle their own terms of combinations as best they may. The final result cannot be doubtful.

If ten righteous men were needed to save Sodom, even Andrew Johnson will find it impossible to save the Democratic party.

Our path of duty is plain before us. Let us pass this bill and such others as may be necessary to secure protection to the loyal men of the South. If our political opponents thwart our purposes in this, let us go to the country upon that issue.

I am by no means an advocate of extensive punishment, either in the way of hanging or confiscation, though some of both might be salutary. I do not ask that full retribution be enforced against those who have so grievously sinned. I am willing to make forgiveness the rule and punishment the exception; yet I have my *ultimatum*. I might excuse the pardon of the traitors Lee and Davis, even after the hanging of Wirz, who but obeyed their orders, orders which he would have been shot for disobeying. I might excuse the sparing of the master after killing the dog whose bite but carried with it the venom engendered in the master's soul. I might look calmly upon a constituency ground down by taxation, and tell the complainants that they have neither remedy nor hope of vengeance upon the authors of their wrongs. I might agree to turn unpitifully from the mother whose son fell in the Wilderness, and the widow whose husband was starved at Andersonville, and tell them that in the nature of things retributive justice is denied them, and that the murderers of their kindred may yet sit in the councils of their country; yet even I have my *ultimatum*. I might consent that the glorious deeds of the last five years should be blotted from the country's history; that the trophies won on a hundred battle-fields, the sublime visible evidence of the heroic devotion of America's citizen soldiery, should be

burned on the altar of reconciliation. I might consent that the cemetery at Gettysburg should be razed to the ground; that its soil should be submitted to the plow, and that the lamentation of the bereaved should give place to the lowing of cattle. But there is a point beyond which I shall neither be forced nor persuaded. I will never consent that the government shall desert its allies in the South and surrender their rights and interests to the enemy, and in this I will make no distinction of caste or color either among friends or foes.

The people of the South were not all traitors. Among them were knees that never bowed to the Baal of secession, lips that never kissed his image. Among the fastness of the mountains, in the rural districts, far from the contagion of political centres, the fires of patriotism still burned, sometimes in the higher walks of life, oftener in obscure hamlets, and still oftener under skins as black as the hearts of those who claimed to own them.

These people devoted all they had to their country. The homes of some have been confiscated, and they are now fugitives from the scenes that gladdened their childhood. Some were cast into dungeons for refusing to fire upon their country's flag, and still others bear the marks of stripes inflicted for giving bread and water to the weary soldier of the Republic, and aiding the fugitive to escape the penalty of the disloyalty to treason. If the God of nations listened to the prayers that ascended from so many altars during those eventful years, it was to the prayers of these people.

Sir, we talked of patriotism in our happy northern homes, and claimed credit for the part we acted; but if the history of these people shall ever be written, it will make us blush that we ever professed to love our country.

The government now stands guard over the lives and fortunes of these people. They are imploring us not to yield them up without condition to those into whose hands recent events have committed the destinies of the unfortunate South. A nation which could thus withdraw its protection from such allies, at such a time, without their full and free consent, could neither hope for the approval of mankind nor the blessing of heaven.

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**Speech of Hon. Charles A. Eldridge, of Wisconsin,**

*Against the Civil Rights Bill, in the House of Representatives, March 2, 1866.*

Mr. Speaker: I thought yesterday that I would discuss this measure at some length; but I find myself this morning very unwell; and I shall therefore make

only a few remarks, suggesting some objections to the bill.

I look upon the bill before us, Mr. Speaker, as one of the series of measures rising out of a feeling of distrust and hatred on the part of certain individuals, not only in this House, but throughout the country, toward these persons who formerly held slaves. I had hoped that long before this time the people of this country would have come to the conclusion that the subject of slavery and the questions connected with it had already sufficiently agitated this country. I had hoped that now, when the war is over, when peace has been restored, when in every State of the Union the institution of slavery has been freely given up, its abolition acquiesced in, and the Constitution of the United States amended in accordance with that idea, this subject would cease to haunt us as it is made to do in the various measures which are constantly being here introduced.

This bill is, it appears to me, one of the most insidious and dangerous of the various measures which have been directed against the interest of the people of this country. It is another of the measures designed to take away the essential rights of the State. I know that when I speak of States and State rights, I enter upon unpopular subjects. But, sir, whatever other gentlemen may think, I hold that the rights of the States are the rights of the Union, that the rights of the States and the liberty of the States are essential to the liberty of the individual citizen. \* \* \* \* \*

Now, it may be said that there is no reason for this distinction; but I claim that there is. And there is no man that can look upon this crime, horrid as it is, diabolical as it is when committed by the white man, and not say that such a crime committed by a negro upon a white woman deserves, in the sense and judgment of the American people, a different punishment from that inflicted upon the white man. And yet the very purpose of this section, as I contend, is to abolish or prevent the execution of laws making a distinction in regard to the punishment.

But, further, it is said the negro race is weak and feeble; that they are mere children—"wards of the Government." In many instances it might be just and proper to inflict a less punishment upon them for certain crimes than upon men of intelligence and education, whose motives may have been worse. It might be better for the community to control them by milder and gentler means. If the judge sitting upon the bench of the State court shall, in carrying out the law of the State, inflict a higher penalty upon the white man than that which attaches to the freedman, not that I suppose it is ever contemplated to

enforce that, yet it would be equally applicable, and the penalty would be incurred by the judge in the same manner precisely.

But I proceed to the section I was about to remark upon when the gentleman interrupted me. The marshals who may be employed to execute warrants and precepts under this bill, as I have already remarked, are offered a bribe for the execution of them. It creates marshals in great numbers, and authorizes commissioners to appoint almost anybody for that purpose, and it stimulates them by the offer of a reward not given in the case of the arrest of persons guilty of any other crime.

It goes further. It authorizes the President, when he is apprehensive that some crime of that sort may be committed, on mere suspicion, mere information or statement that it is likely to be committed, to take any judge from the bench or any marshal from his office to the place where the crime is apprehended, for the purpose of more efficiently and speedily carrying out the provisions of the bill.

The gentleman from Pennsylvania (Mr. Thayer) tells us that it is very remarkable that it should be claimed that this bill is intended to create and continue a sort of military despotism over the people where this law is to be executed. It seems to me nothing is plainer. Where do we find any laws heretofore passed having no relation to the negro in which such a provision as this tenth section is to be found? Generally the marshal seeks by himself to execute this warrant, and failing, he calls out his POSSE COMITATUS. But this bill authorizes the use in the first instance of the Army and Navy by the President for the purpose of executing such writs.

The gentlemen who advocate this bill are great sticklers for equality, and insist that there shall be no distinction made on account of race or color.

Why, sir, every provision of this bill carries upon its face the distinction, and is calculated to perpetuate it forever as long as the act shall be in force. Where did this measure originate but in the recognition of the difference between races and colors? Does any one pretend that this bill is intended to protect white men—to save them from any wrongs which may be inflicted upon them by the negroes? Not at all. It is introduced and pressed in the pretended interest of the black man, and recognizes and virtually declares distinction between race and color.

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I deprecate all these measures because of the implication they carry upon their face, that the people who have heretofore owned slaves intend to do them harm. I do not believe it. So far as my knowledge goes, and so far as my information extends, I be-

lieve that the people who have held the freedmen as slaves will treat them with more kindness, with more leniency, than those of the North who make such loud professions of love and affection for them, and are so anxious to pass these bills. They know their nature; they know their wants; they know their habits; they have been brought up together; none of the prejudices and unkind feelings which many in the north would have toward them.

I do not credit all these stories about the general feeling of hostility in the South toward the negro. So far as I have heard opinions expressed upon the subject, and I have conversed with many persons from that section of the country, they do not blame the negro for anything that has happened. As a general thing, he was faithful to them and their interests, until the army reached the place and took him from them. He has supported their wives and children in the absence of the husbands and fathers in the armies of the South. He has done for them what no one else could have done. They recognize his general good feeling toward them, and are inclined to reciprocate that feeling toward him.

I believe that is the general feeling of the southern people to-day. The cases of ill-treatment are exceptional cases. They are like the cases which have occurred in the northern States where the unfortunate have been thrown upon our charity.

Take, for instance, the stories of the cruel treatment of the insane in the State of Massachusetts. They may have been barbarously confined in the loathsome dens as stated in particular instances; but is that any evidence of the general ill-will of the people of the State of Massachusetts toward the insane? Is that any reason why the Federal arm should be extended to Massachusetts to control and protect the insane there?

It has also been said that certain paupers in certain States have been badly used, paupers, too, who were whites. Is that any reason why we should extend the arm of the Federal Government to those States to protect the poor who are thrown upon the charity of the people there?

Sir, we must yield to the altered state of things in this country. We must trust the people; it is our duty to do so; we cannot do otherwise. And the sooner we place ourselves in a position where we can win the confidence of our late enemies, where our counsels will be heeded, where our advice may be regarded, the sooner will the people of the whole country be fully reconciled to each other and their changed relationship; the sooner will all the inhabitants of our country be in the possession of all the rights and immunities essential to their prosperity and happiness.



**Hon. A. K. McClure on What of the Republic?**

*Annual Address delivered before the Literary Societies of Dickinson College, June 26th, 1873.*

GENTLEMEN OF THE LITERARY SOCIETIES:—What of the Republic? The trials and triumphs of our free institutions are hackneyed themes. They are the star attractions of every political conflict. They furnish a perpetual well-spring of every grade of rhetoric for the hustings, and partisan organs proclaim with the regularity of the seasons, the annual perils of free government.

But a different occasion, with widely different opportunities and duties, has brought us together. The dissembling of the partisan would be unwelcome, but here truth may be manfully spoken of that which so profoundly concerns us all. I am called to address young men who are to rank among the scholars, the teachers, the statesmen, the scientists of their age. They will be of the class that must furnish a large proportion of the executives, legislators, ministers, and instructors of the generation now rapidly crowding us to the long halt that soon must come. Doubtless, here and there, some who have been less favored with opportunities, will surpass them in the race for distinction; but in our free government where education is proffered to all, and the largest freedom of conviction and action invites the humblest to honorable preferment, the learned must bear a conspicuous part in directing the destiny of the nation. Every one who moulds a thought or inspires a fresh resolve even in the remotest regions of the Continent, shapes, in some measure, the sovereign power of the Republic.

The time and the occasion are alike propitious for a dispassionate review of our political system, and of the political duties which none can reject and be blameless. Second only to the claims of religion are the claims of country. Especially should the Christian, whether teacher or hearer, discharge political duties with fidelity. I do not mean that the harangue of the partisan should desecrate holy places, or that men should join in the brawls of pot-house politicians; but I do mean that a faithful discharge of our duty to free government is not only consistent with the most exemplary and religious life, but is a Christian as well as a civil obligation. The government that maintains liberty of conscience as one of its fundamental principles, and under which Christianity is recognized as the common law, has just claims upon the Christian citizen for the vigilant exercise of all political rights.

If it be true, as is so often confessed around us, that we have suffered a marked decline in political morality and in our political

administration, let it not be assumed that the defect is in our system of government, or that the blame lies wholly with those who are faithless or incompetent. Here no citizen is voiceless, and none can claim exemption from just responsibility for evils in the body politic. Ours is, in fact as well as in theory, a government of the people; and its administration is neither better nor worse than the people themselves. It was devised by wise and patriotic men, who gave to it the highest measure of fidelity; and so perfectly and harmoniously is its framework fashioned, that the sovereign power can always exercise a salutary control over its own servants. An accidental mistake of popular judgment, or the perfidy of an executive, or the enactment of profligate or violent laws, are all held in such wholesome check by co-ordinate powers, as to enable the supreme authority of the nation to restrain or correct almost every conceivable evil.

Until the people as a whole are given over to debauchery the safety of our free institutions cannot be seriously endangered. True, such a result might be possible without the demoralization of a majority of the people, if good citizens surrender their rights, and their duties, and their government to those who desire to rule in profligacy and oppression.

If reputable citizens refrain from active participation in our political conflicts, they voluntarily surrender the safety of their persons and property, and the good order and well-being of society, to those who are least fitted for the exercise of authority. When such results are visible in any of the various branches of our political system, turn to the true source and place the responsibility where it justly belongs. Do not blame the thief and the adventurer, for they are but plying their vocations, and they rob public rather than private treasure, because men guard the one and do not guard the other. Good men employ every proper precaution to protect their property from the lawless. When an injury is done to them individually they are swift to invoke the avenging arm of justice. They are faithful guardians of their own homes and treasures against the untitled spoiler, while they are criminally indifferent to the public wrongs done by those who, in the enactment and execution of the laws, directly affect their happiness and prosperity. Do not answer that politics have become disreputable. Such a declaration is a confession of guilt. He who utters it becomes his own accuser. If it be true that our politics, either generally or in any particular municipality or State, have become disreputable, who must answer for it? Who have made our politics disreputable? Surely not the disreputable citizens, for they are a small mi-

nority in every community and in every party. If they have obtained control of political organizations, and thereby secured their election to responsible trusts, it must have been with the active or passive approval of the good citizens who hold the actual power in their own hands. There is not a disgraceful official shaming the people of this country to-day, who does not owe his place to the silent assent or positive support of those who justly claim to be respectable citizens, and who habitually plead their own wrongs to escape plain and imperative duties. If dishonest or incompetent appointments have been made, in obedience to the demands of mere partisans, a just expression of the honest sentiments of better citizens, made with the manliness that would point to retribution for such wrongs, would promptly give us a sound practical civil service, and profligacy and dishonesty would end.

Our Presidents and Governors are not wholly or even mainly responsible for the low standard of our officials. If good men concede primary political control to those who wield it for selfish ends, by refraining from an active discharge of their political duties, and make the appointing powers dependent for both counsel and support upon the worst political elements, who is to blame when public sentiment is outraged by the selection of unworthy men to important public trusts? The fruits are but the natural, logical results of good citizens refusing to accept their political duties. There is not a blot on our body politic to-day that the better elements of the people could not remove whenever they resolved to do so,—and they will so resolve in good time, as they have always done in the past. There is not a defect or deformity in our political administration that they cannot, and will not correct, by the peaceful expression of their sober convictions, in the legitimate way pointed out by our free institutions.

You who are destined to be more or less conspicuous among the teachers of men, should study well this reserved power so immediately connected with the preservation of our government. The virtue and intelligence of the people is the sure bulwark of safety for the Republic. It has been the source of safety in all times past, in peace and in war, and it is to-day, and will ever continue to be, the omnipotent power that forbids us to doubt the complete success of free government. It may, at times, be long suffering and slow to resent wrongs which grow gradually in strength and diffuse their poison throughout the land. It may invoke just censure for its forbearance in seasons of partisan strife. It may long seem lost as a ruling element of our political system, and may

appear to be faithless to its high and sacred duties. It may be unfelt in its gentler influences, which should ever be active in maintaining the purity and dignity of society and government. But if for a season the better efforts of a free people are not evident to quicken and support public virtue, it must not be assumed that the source of good influences has been destroyed, or that public virtue cannot be restored to its just supremacy. When healthful influences do not come like the dew drops which glitter in the morning as they revive the harvest of the earth, they will most surely come in their terrible majesty, as the tempest comes to purify the atmosphere about us. The miasmas which arise from material corruption, poison the air we breathe and disease all physical life within their reach. The poison of political corruption is no less subtle and destructive in its influences upon communities and nations. But when either becomes general or apparently beyond the power of ordinary means of correction, the angry sweep of the hurricane must perform the work of regeneration. In our government the mild, but effectual restraints of good men should be ceaseless in their beneficent offices, but when they fail to be felt in our public affairs, and evil control has widened and strengthened itself in departments of power, the storm and the thunderbolt have to be invoked for the public safety, and our convulsive but lawful revolutions attest the omnipotence of the reserved virtue of a faithful and intelligent people.

I am not before you to garner the scars and disjointed columns of free government. The Republic that has been reared by a century of patriotic labor and sacrifice, more than covers its wounds with the noblest achievements ever recorded in man's struggle for the rights of man. It is not perfect in its administration or in the exercise of its vast and responsible powers; but when was it so? when shall it be so? No human work is perfect. No government in all the past has been without its misshaped ends; and few, indeed, have survived three generations without revolution. We must have been more than mortals, if our history does not present much that we would be glad to efface. We should be unlike all great peoples of the earth, if we did not mark the ebb and flow of public virtue, and the consequent struggles between the good and evil elements of a society in which freedom is at times debased to license. We have had seasons of war and of peace. We have had tidal waves of passion, with their sweeping demoralization. We have enlisted the national pride in the perilous line of conquest, and vindicated it by the beneficent fruits of our civilization. We have had the tempest of aggression, and the profound calm that

was the conservator of peace throughout the world. We have revolutionized the policy of the government through the bitter conflicts of opposing opinions, and it has been strengthened by its trials. We have had the fruits of national struggles transferred to the vanquished, without a shade of violence; and the extreme power of impeachment has been invoked in the midst of intensest political strife, and its judgment patriotically obeyed. We have had fraternal war with its terrible bereavements and destruction. We have completed the circle of national perils, and the virtue and intelligence of the people have ever been the safety of the Republic.

At no previous period of our history have opportunity and duty so happily united to direct the people of this country to the triumphs and to the imperfections of our government. We have reached a healthy calm in our political struggles. The nation has a trusted ruler, just chosen by an overwhelming vote. The disappointments of conviction or of ambition have passed away, and all yield cordial obedience and respect to the lawful authority of the country. The long-lingering passions of civil war have, for the last time, embittered our political strife, and must now be consigned to forgetfulness. The nation is assured of peace. The embers of discord may convulse a State until justice shall be enthroned over mad partisanship, but peace and justice are the inexorable purposes of the people, and they will be obeyed. Sectional hatred, long fanned by political necessities, is henceforth effaced from our politics, and the unity of a sincere brotherhood will be the cherished faith of every citizen. We first conquered rebellion, and now have conquered the bitterness and estrangement of its discomfiture.

The Vice-President of the insurgent Confederacy is a Representative in our Congress. One who was first in the field and last in the Senate in support of rebellion has just died while representing the government in a diplomatic position of the highest honor. Another who served the Confederacy in the field and in the forum, has been one of the constitutional advisers of the national administration. One of the most brilliant of Confederate warriors now serves in the United States Senate, and has presided over that body. The first Lieutenant of Lee was long since honored with responsible and lucrative official trust, and many of lesser note, lately our enemies, are discharging important public duties. The war and its issues are settled forever. Those who were arrayed against each other in deadly conflict are now friends. The appeal from the ballot to the sword has been made, and its arbitrament has been irrevocably ratified by the supreme power of the nation. Each has won

from the other the respect that is ever awarded to brave men, and the affection that was clouded by the passion that made both rush to achieve an easy triumph, has returned chastened and strengthened by our common sacrifices. Our battle-fields will be memorable as the theatres of the conflicts of the noblest people the world had to offer to the god of carnage, and the monuments to our dead, North and South, will be pointed to by succeeding generations as the proud records of the heroism of the American people.

The overshadowing issues touching the war and its logical results are now no longer in controversy, and in vain will the unworthy invoke patriotism to give them unmerited distinction. No supreme danger can now confront the citizen who desires to correct errors or abuses of our political system. He who despairs of free institutions because evils have been tolerated, would have despaired of every administration the country has ever had, and of every government the world has ever known. If corruption pervades our institutions to an alarming extent, let it not be forgotten that it is the natural order of history repeating itself. It is but the experience of every nation, and our own experience returning to us, to call into vigorous action the regenerating power of a patriotic people. We have a supreme tribunal that is most jealous of its high prerogatives, and that will wield its authority mercilessly when the opportune season arrives. We have just emerged from the most impassioned and convulsive strife of modern history. It called out the highest type of patriotism, and life and treasure were freely given with the holiest devotion to the cause of self-government. With it came those of mean ambition, and of venal purposes, and they could gain power while the unselfish were devoted to the country's cause. They could not be dethroned because there were grave issues which dare not be sacrificed. Such evils must be borne at times in all governments, rather than destroy the temple to punish the enemies of public virtue. To whatever extent these evils exist, they are not the legitimate creation of our free institutions. They are not the creation of mal-administration, nor of any party. They are the monstrous barnacles spawned by unnatural war, which clogged the gallant ship of State in her extremity, and had to be borne into port with her. And now that the battle is ended, and the issues settled, do not distrust the reserved power of our free institutions. It will heal the scars of war and efface the stains of corruption, and present the great Republic to the world surpassing in grandeur, might and excellence, the sublimest conceptions ever cherished of human government.

As you come to assume the responsibilities which must be accepted by the educated citizen, you will be profoundly impressed with the multiplied dangers which threaten the government. They will appear not only to be innumerable and likely to defy correction, but they will seem to be of modern creation. It is common to hear intelligent political leaders declaim against the moral and intellectual degeneracy of the times, and especially against the decline in public morality and statesmanship. They would make it appear that the people and the government in past times were models of purity and excellence, while we are unworthy sons of noble sires. Our rulers are pronounced imbecile, or wholly devoted to selfish ends.

Our law-makers are declared to be reeking with corruption or blinded by ambition, and greed and faithlessness are held up to the world as the chief characteristics of our officials. From this painful picture we turn to the history of those who ruled in the earlier and what we call the better days of the Republic, and the contrast sinks us deep in the slough of despair. I am not prepared to say that much of the complaint against the political degeneracy of the times, and the standard of our officials, is not just; but in the face of all that can be charged against the present, I regard it as the very best age this nation has ever known. The despairing accusations made against our public servants are not the peculiar creation of the times in which we live, and the allegation of wide spread demoralization in the body politic, was no more novel in any of the generations of the past than it is now. We say nothing of our rulers that was not said of those whose memory we so sacredly worship. License is one of the chief penalties, indeed the sole defect of liberty, and it has ever asserted its prerogatives with tireless industry. It was as irreverent with Washington as it is with Grant. It racked Jefferson and Jackson, and it pained and scarred Lincoln and Chase, and their compatriots. It criticised the campaigns and the heroes of the revolutionary times, as we criticise the living heroes of our day. It belittled the statesmen of every epoch in our national progress, just as we belittle those who are now the guardians of our free institutions. Perhaps we have more provocation than they had; but if so, they were less charitable, for the tide of ungenerous criticism and distrust has known no cessation. I believe we have had seasons when our political system was more free from blemish than it is now, and that we have had periods when both government and people maintained a higher standard of excellence than we can boast of; but it is equally true that we have, in the past, sounded a depth in the decline of our po-

litical administration that the present age can never reach.

You must soon appear in the active struggles for the perpetuity of free government, and some of the sealed chapters of the past are most worthy of your careful study. I would not efface one good inspiration that you have gathered from the lives and deeds of our fathers, whose courage and patriotism have survived their infirmities. Whatever we have from them that is purifying or elevating, is but the truth of history; and when unborn generations shall have succeeded us, no age in all the long century of freedom in the New World, will furnish to them higher standards of heroism and statesmanship than the defamed and unappreciated times in which we live. And when the future statesmen shall turn to history for the most unselfish and enlightened devotion to the Republic, they will pause over the records we have written, and esteem them the brightest in all the annals of man's best efforts for his race. We can judge of the true standard of our government and people only by a faithful comparison with the true standard of the men and events which have passed away. You find widespread distrust of the success of our political system. It is the favorite theme of every disappointed ambition, and the vanquished of every important struggle are tempted, in the bitterness of defeat, to despair of the government. Would you know whence comes this chronic or spasmodic political despair? If so, you must turn back over the graves of ages, for it is as old as free government. Glance at the better days of which we all have read, and to which modern campaign eloquence is so much indebted. Do not stop with the approved histories of the fathers of the Republic. They tell only of the transcendent wisdom and matchless perfections of those who gave us liberty and ordained government of the people. Go to the inner temple of truth. Seek that which was then hidden from the nation, but which in these days of newspapers and free schools, and steam and lightning, is an open record so that he who runs may read. Gather up the few public journals of a century ago, and the rare personal letters and sacred diaries of the good and wise men whose examples are so earnestly longed for in the degenerate present, and your despair will be softened and your indignation at current events will be tempered, as you learn that our history is steadily repeating itself, and that with all our many faults, we grow better as we progress.

Do you point to the unfaltering courage and countless sacrifices of those who gave us freedom, so deeply crimsoned with their blood? I join you in naming them with reverence, but I must point to their sons, for whom we have not yet ceased to mourn,

who equalled them in every manly and patriotic attribute. When wealth and luxury were about us to tempt our people to indifference and ease, the world has no records of heroism which dim the lustre of the achievements we have witnessed in the preservation of the liberty our fathers bequeathed to us. Have corruption and perfidy stained the triumphs of which we boast? So did corruption and perfidy stain the revolutionary "times that tried men's souls." Do we question the laurels with which our successful captains have been crowned by a grateful country? So did our forefathers question the just distinction of him who was first in war and first in peace, and he had not a lieutenant who escaped distrust, nor a council of war that was free from unworthy jealousies and strife. Do politicians and even statesmen teach the early destruction of our free institutions? It is the old, old story; "the babbling echo mocks itself." It distracted the cabinets of Washington and the elder Adams. It was the tireless assailant of Jefferson and Madison. It made the Jackson administration tempestuous. It gave us foreign war under Polk. It was a teeming fountain of discord under Taylor, Pierce and Buchanan. It gave us deadly fraternal conflict under Lincoln. Its dying throes convulsed the nation under Johnson. The promise of peace, soberly accepted from Grant, was the crown of an unbroken column of triumphs over the distrust of every age, that was attacking free government. Do we complain of violent and profligate legislation? Hamilton, the favorite statesman of Washington, was the author of laws, enacted in time of peace, which could not have been enforced in our day even under the necessities and passions of war. And when the judgment of the nation repealed them, he sought to overthrow the popular verdict, because he believed that the government was overthrown. Almost before order began after the political chaos of the revolution, the intensest struggles were made, and the most violent enactments urged, for mere partisan control. Jefferson, the chief apostle of government of the people, did not always cherish supreme faith in his own work. He trembled at the tendencies to monarchy, and feared because of "the dupery of which our countrymen have shown themselves susceptible." He rescued the infant Republic from the centralization that was the lingering dregs of despotism, and unconsciously sowed the seeds which ripened into States' rights and nullification under Jackson, and into rebellion under Lincoln. But for the desperate conflict of opposing convictions as to the corner-stone of the new structure, Jefferson would have been more wise and conservative. He was faithful to popular

government in the broadest acceptation of the theory. He summed it up in his memorable utterance to his neighbors when he returned from France. He said:—"The will of the majority, the natural law of every society, is the only sure guardian of the rights of man. Perhaps even this may sometimes err, but its errors are honest solitary and short-lived." Politically speaking, with the patriots and statesmen of the "better days" of the Republic, their confidence in, or distrust of, the government, depended much upon whether Hamilton or Jefferson ruled. Dream of them as we may, they were but men, with the same ambition, the same love of power, the same infirmities, which we regard as the peculiar besetting sins of our times. If you would refresh your store of distrust of all political greatness, study Jefferson through Burr and Hamilton, or Washington and Hamilton through Jefferson, or Jackson through Clay and the second Adams, or Clay and Adams through Jackson and Randolph, and you will think better of the enlightened and liberal age in which you live.

No error is so common among free people as the tendency to depreciate the present and all its agencies and achievements.

We all turn with boundless pride to the Senate of Clay, Webster and Calhoun. In the period of their great conflicts, it was the ablest legislative tribunal the world has ever furnished. Rome and Greece in the zenith of their greatness, never gathered such a galaxy of statesmen. But not until they had passed away did the nation learn to judge them justly. Like the towering oaks when the tempest sweeps over the forest, the storm of faction was fiercest among their crowns, and their struggles of mere ambition, and their infirmities, which have been kindly forgotten, often made the thoughtless or the unfaithful despair of our free institutions. Not one of them escaped detraction or popular reprobation. Not one was exempt from the grave accusation of shaping the destruction of our nationality, and yet not one meditated deliberate wrong to the country on which all reflected so much honor. Calhoun despaired of the Union, because of the irrepressible antagonism of sectional interests, but he cherished the sincerest faith in free institutions. But when the dispassionate historian of the future is brought to the task of recording the most memorable triumphs of our political system, he will pass over the great Senate of the last generation, and picture in their just proportions the grander achievements of the heroes and statesmen who have been created in our own time. If we could draw aside the veil that conceals the future from us, and see how our children will judge the trials

and triumphs of the last decade, we would be shamed at our distrust of ourselves and of the instruments we have employed to discharge the noblest duties. Our agents came up from among us. We knew them before they were great, and remembered well their common inheritance of human defects.—They are not greater than were men who had lived before them, but the nation has had none in all the past who could have written their names higher on the scroll of fame. We knew Lincoln as the uncouth Western campaigner and advocate; as a man of jest, untutored in the graces, and unschooled in statesmanship. We knew him in the heat and strife of the political contests which made him our President, and our passions and prejudices survived his achievements. If his friends, we were brought face to face with his imperfections, and perhaps complained that he was unequal to impossibilities. If his enemies, we antagonized his policy and magnified his errors. We saw him wrestle with the greed of the place-man, with the ambitious warrior and with the disappointed statesman. We received his great act of Emancipation as a part of the mere political policy of his rule, and judged it by the light of prejudiced partisan convictions.

But how will those of the future judge him? When the hatreds which attached to his public acts have passed into forgetfulness; when his infirmities shall have been buried in oblivion, and when all his master monuments shall stand out in bold relief, made stainless by the generous offices of time, his name will be linked with devotion wherever liberty has a worshipper. And it will be measurably so of those who were his faithful co-laborers. It will be forgotten that they were at times weak, discordant, irresolute men when they had to confront problems the solution of which had no precedents in the world's history. It will not be conspicuous in the future records of those great events, that the most learned and experienced member of his cabinet would have accepted peace by any supportable compromise, and that one of the most trusted of his constitutional advisers would have assented to peaceable dismemberment to escape internecine war. Few will ever know that our eminent Minister of War was one of those who was least hopeful of the preservation of the unity of the States, when armed secession made its first trial of strength with the administration. It will not be recorded how the surrender of Sumter was gravely discussed to postpone the presence of actual hostilities, and how the midsummer madness of rebellion made weakness and discord give way to might and harmony, by the first gun that sent its unprovoked messenger of death against the flag and de-

fenders of the Union. It will not be remembered that faction ran riot in the highest places, and that the struggle for the throne embittered cabinet councils and estranged eminent statesmen, even when the artillery of the enemy thundered within sound of the Capital.

It will not be declared how great captains toyed with armies and decimated them upon the deadly altar of ambition, and how blighted hopes of preferment made jangled strife and fruitless campaigns. Nor will the insidious treason that wounded the cause of free government in the home of its friends, blot the future pages of our history in the just proportions in which the living felt and knew it. It will be told that in the hour of greatest peril, the administration was criticised, and the constitution and laws expounded, with supreme ability and boldness, while the meaner struggles of the cowardly and faithless will be effaced with the passions of the times that created them. And it is best that these defects of greatness should slumber with mortality. Not only the heroes and rulers, but the philanthropists as well, of all nations and ages, have had no exemption from the frailties which are colossal when in actual view. That we have been no better than we have seen ourselves, does not prove that we are a degenerate people. On the contrary, it teaches how much of good and great achievement may be hoped for with all the imperfections we see about us. In our unexampled struggle, when faction, and corruption, and faithlessness had done their worst, a regenerated nationality, saved to perfected justice, liberty and law, was the rich fruits of the patriotic efforts of the people and their trusted but fallible leaders. There is the ineffaceable record we have written for history, and it will be pointed to as the sublimest tribute the world has given to the theory of self-government. The many grievous errors and bitter jealousies of the conflict which weakened and endangered the cause; the venality that grew in hideous strength, while higher and holier cares gave it safety; the incompetency that grasped place on the tidal waves of devotion to country, and the wide-spread political evils which still linger as sorrowful legacies among us, will in the fulness of time be healed and forgotten, and only the grand consummation will be memorable. This generous judgment of the virtue and intelligence of the people, that corrects the varying efforts and successes of political prostitution; that pardons the defects of those who are faithful in purpose, and without which the greatest deeds would go down to posterity scarred and deformed, is the glass through which all must read of the noblest triumphs of men.

Our Republic stands alone in the whole

records of civil government. In its theory, in its complete organization, and in its administration, it is wholly exceptional. We talk thoughtlessly of the overthrow of the old Republics, and the weak or disappointed turn to history for the evidence of our destruction. It is true that Republics which have been mighty among the powers of the earth have crumbled into hopeless decay, and that the shifting sands of time have left desolate places where once were omnipotence and grandeur. Rome made her almost boundless conquests under the banner of the Republic, and a sister Republic was her rival in greatness and splendor. They are traced obscurely on the pages of history as governments of the people. Rome became mistress of the world. Her triumphal arches of costliest art recorded her many victories. Her temples of surpassing elegance, her colossal and exquisite statues of her chieftains, her imposing columns dedicated to her invincible soldiery, and her apparently rapid progress toward a beneficent civilization, give the story of the devotion and heroism of her citizens. But Rome never was a free representative government. What is called her Republic was but a series of surging plebeian and patrician revolutions, of Tribunes, Consuls and Dictators, with seasons of marvelous prowess under the desperate lead of as marvelous ambition. The tranquillity, the safety, and the inspiration of a government of liberty and law, are not to be found in all the thousand years of Roman greatness. The lust of empire was the ruling passion in the ancient Republics. Hannibal reflected the supreme sentiment of Carthage when he bowed at the altar and swore eternal hostility to Rome; and Cato, the Censor, as faithfully spoke for Rome when he declared to an approving Senate—" *Carthago delenda!*" Such was the mission of what history hands down to us as the great free governments of the ancients. Despotism was the forerunner of corruption, and the proudest eras they knew were but hastening them to inevitable destruction.

The imperial purple soon followed in Rome, as a debauched people were prepared to accept in form what they had long accepted with the mockery of freedom. Rulers and subjects, noble and ignoble, church and state, made common cause to precipitate her decay. At last the columns of the barbarian clouded her valleys. The rude hosts of Attila, the "Scourge of God," swarmed upon her, and their battle-axes smote the demoralized warriors of the tottering empire. The Goth and the Vandal jostled each other from the degraded sceptre they had conquered, and Rome was left widowed in her ruins. And Carthage!—she too had reared a great government by spoliation, and called it a

Republic. It was the creation of ambition and conquest. Her great chieftain swept over the Pyrenees and the Alps with his victorious legions, and even made the gates of the Eternal City tremble before the impetuous advance of the Carthaginians. But Carthage never was free until the cormorant and the bittern possessed it, and the God of nations had "stretched out upon it the line of confusion and the stones of emptiness." Conqueror and conquered are blotted from the list of the nations of the earth. We read of the Grecian Republic; but it was a libel upon free government. Her so-called free institutions consisted of a loose, discordant confederation of independent States, where despotism ruled in the name of liberty. Sparta has made romance pale before the achievements of her sons, but her triumphs were not of peace, nor were they for free government. Athens abolished royalty more than a thousand years before the Christian era, and made Athenian history most thrilling and instructive, but her citizens were strangers to freedom. The most sanguinary wars with sister States, domestic convulsions almost without cessation, and the grinding oppression of caste, were the chief offerings of the government to its subjects. Solon restored her laws to some measure of justice, only to be cast aside for the usurper. Greece yet has a name among the nations of the world, but her sceptre for which the mightiest once warred to enslave her people under the banner of the Republic, has long since been unfelt in shaping the destiny of mankind. Thus did Rome and Carthage and Greece fade from the zenith of distinction and power, before constitutional government of the people had been born among men. To-day there is not an established sister Republic that equals our single Commonwealth in population. Spain, France and Mexico have in turn worshiped Emperors, Kings, Dictators and popular Presidents. Yesterday they were reckoned Republics. What they have been made to-day, or what they will be made to-morrow, is uncertain and unimportant. They are not now, and never have been, Republics save in name, and never can be free governments until their people are transformed into law-creating and law-abiding communities. With them monarchy is a refuge from the license they miscall liberty, and despotism is peace. Switzerland is called a Republic. She points to her acknowledged independence four hundred years ago, but not until the middle of the present century did the Republic of the Alps find tranquillity in a constitutional government that inaugurated the liberty of law. Away on a rugged mountain-top in Italy, is the only Republic that has maintained popular government among

the States of Europe. For more than fourteen hundred years a handful of isolated people, the followers of a Dalmatian hermit priest, have given the world an example of unsullied freedom. Through all the mutations, and revolutions, and relinings of the maps of Europe, the little territory of San Marino has been sacredly respected. Her less than ten thousand people have prospered without interruption; and civil commotions and foreign disputes or conflicts have been unknown among them. She has had no wealth to tempt the spoiler; no commerce or teeming valleys to invite conquest; no wars to breed dictators; no surplus revenues to corrupt her officials; and in patient and frugal industry her citizens have enjoyed the national felicity of having no history. They have had no trials and no triumphs, and have made civilization better only by the banner of peace they have worshipped through all the convulsions and bloody strife of many centuries.

The world has but one Republic that has illustrated constitutional freedom in all its beneficence, power and grandeur, and that is our own priceless inheritance. As a government, our Republic has alone been capable of, and faithful to, representative free institutions, with equal rights, equal justice, and equal laws for every condition of our fellows. All the nations of the past furnish no history that can logically repeat itself in our advancement or decline. Created through the severest trials and sacrifices; maintained through foreign and civil war with unexampled devotion; faithful to law as the offspring and safety of liberty; progressive in all that ennoble our peaceful industry, and cherishing enlightened and liberal Christian civilization as the trust and pride of our citizens, for our government of the people, none but itself can be its parallel.

In what are called free governments of antiquity, we search in vain for constitutional freedom, or that liberty that subordinates passion and license to law. The refuge from the constant perils of an unrestrained Democracy was always found in despotism, and when absolutism became intolerable, the tide of passion would surge back to Democracy. The people, in mass councils, would rule Consuls, Presidents and Generals, but it was fruitful only of chaos and revolution. The victorious chieftain and the illustrious philosopher would be honored with thanksgivings to the gods for their achievements, and their banishment or death would next be demanded by the same supreme tribunal. Grand temples and columns and triumphal arches would be erected to commemorate the victories of the dominant power, and the returning waves of revolution would decree the actors and their monuments to

destruction. Ambitious demagogues prostituted such mockeries of government to the basest purposes. The Olympic games of Greece became the mere instruments of unscrupulous leaders to lure the people, in the name of freedom, to oppression and degradation, and the wealth of Rome was lavishly employed to corrupt the source of popular power, and spread demoralization throughout the Republic. The debauched citizens and soldiers were inflamed by cunning and corrupt devices, against the purest and most eminent of the sincere defenders of liberty; and the vengeance of the infuriated mob, usurping the supreme power of the State, would doom to exile or to death, honest Romans who struggled for Roman freedom. Cato, the younger, Tribune of the people, and faithful to his country, took his own life to escape the reprobation of a polluted sovereignty. Cicero was Consul of the people, made so by his triumph over Cæsar. But the same people who worshipped him and to whose honor and prosperity he was devoted, banished him in disgrace, confiscated his wealth and devastated his home. Again he was recalled through a triumphal ovation, and again proscribed by the triumvirs and murdered by the soldiers of Antony. The Grecian Republic banished "Aristides the just," and Demosthenes, the first orator of the world, who withstood the temptations of Macedonian wealth, was fined, exiled and his death decreed. He saved his country the shame of his murder by suicide. Miltiades won the plaudits of Greece for his victories, only to die in prison of wounds received in fighting her battles. Themistocles, orator, statesman and chieftain, was banished and died in exile. Pericles, once master of Athens, and who gave the world the highest attainments in Grecian arts, was deposed from military and civil authority by the people he had honored. Socrates, immortal teacher of Grecian philosophy, soldier and senator, and one of the most shining examples of public virtue, was ostracised and condemned and drank the fatal hemlock. The Republic of Carthage gave the ancients their greatest general, and as chief magistrate, he was as wise in statesmanship as he was skillful in war; but in a strange land Hannibal closed his eyes to his country's woes by taking his own life. Nor need we confine our research to Pagan antiquity alone, for such stains upon what is called popular government. During the present century France has enthroned and banished the Bourbons, and worshiped and execrated the Bonapartes; and Spain and Mexico, and scores of States of lesser note, have welcomed and spurned the same rulers, and created and overthrew the same dynasties.

For the matchless progress of enlight-



ened rule during the last century, the world is indebted to England and America. Parent and child, though separated by violence and estranged in their sympathies even to the latest days, have been co-workers in the great cause of perfecting and strengthening liberal government. Each has been too prone to hope and labor for the decline or subordination of the other, but they both have thereby "builided wiser than they knew." Their ceaseless rivalry for the approving judgment of civilization and for the development of the noblest attributes of a generous and enduring authority, have made them vastly better and wiser than either would have been without the other. We have inherited her supreme sanctity for law, and thus bounded our liberties by conservative restraints upon popular passions, until the sober judgment of the people can correct them. She has, however unwillingly, yielded to the inspiration of our enlarged freedom and advanced with hesitating steps toward the amelioration of her less favored classes. She maintains the form and splendor of royalty, but no monarch, no ministry, no House of Lords, can now defy the Commons of the English people. The breath of disapproval coming from the popular branch of the government, dissolves a cabinet or compels an appeal to the country. A justly beloved Queen, unvexed by the cares of State, is the symbol of the majesty of English law, and there monarchy practically ends. We have reared a nobler structure, more delicate in its framework, more exquisite in its harmony, and more imposing in its progress. Its beneficence would be its weakness with any other people than our own. Solon summed up the history of many peoples, when, in answer to the question whether he had given the Athenians the best of laws, he said: "The best they were capable of receiving!" Even England with her marked distinctions of rank, and widely divided and unsympathetic classes, could not entrust her administration to popular control, without inviting convulsive discord and probable disintegration. Here we confide the enactment and execution of our laws to the immediate representatives of the people; but executives, and judicial tribunals, and conservative legislative branches, are firmly established, to receive the occasional surges of popular error, as the rock-ribbed shore makes harmless the waves of the tempest. We have no antagonism of rank or caste; no patent of nobility save that of merit, and the Republic has no distinction that may not be won by the humblest of her citizens. Our illustrious patriots, statesmen, and chieftains are cherished as household gods. They have not in turn been applauded and condemned, unless they have betrayed pub-

lic trust. They are the creation of our people under our exceptional system, that educates all and advances those who are most eminent and faithful; and they are, from generation to generation, the enduring monuments of the Republic. We need no triumphal arches, or towering columns, or magnificent temples to record our achievements. Every patriotic memory bears in perpetual freshness the inscriptions of our noblest deeds, and every devoted heart quickens its pulsations at the contemplation of the power and safety of government of the people. In every trial, in peace and in war, we have created our warriors, our pacificators and our great teachers of the country's sublime duties and necessities. It is not always our most polished scholars, or our ripest statesmen who have the true inspiration of the loyal leader. Ten years ago one of the most illustrious scholars and orators of our age, was called to dedicate the memorable battle field of Gettysburg, as the resting place of our martyred dead. In studied grandeur he told the story of the heroism of the soldiers of the Republic, and in chaste and eloquent passages he plead the cause of the imperiled and bleeding Union. The renowned orator has passed away, and his oration is forgotten. There was present on that occasion, the chosen ruler and leader of the people. He was untutored in eloquence, and a stranger to the art of playing upon the hopes or grief of the nation. He was the sincere, the unfaltering guardian of the unity of the States, and his utterance, brief and un-studied, inspired and strengthened every patriotic impulse, and made a great people renew their great work with the holiest devotion. As he turned from the dead to the living, he gave the text of liberty for all time, when he declared: "It is rather for us to be here dedicated to the great task remaining before us,—that from these honored dead we take increased devotion to the cause for which they here gave the last full measure of devotion—that we here highly resolve that the dead shall not have died in vain; that the nation shall, under God, have a new birth of freedom, and that the government of the people, by the people, and for the people, shall not perish from the earth."

Neither birth, nor circumstance, nor power, can command the devotion of our people. Our revolutions in enlightened sentiment, have been the creation of all the varied agencies of our free government, and the judgments of the nation have passed into history as marvels of justice. We have wreathed our military and civil heroes with the greenest laurels. In the strife of ambition, some have felt keenly what they deemed the ingratitude of the Republic; but in their disappointment, they could not understand that the highest

homage of a free people is not measured by place or titled honors. Clay was none the less beloved, and Webster none the less revered, because their chief ambition was not realized. Scott was not less the "Great Captain of the Age," because he was smitten in his efforts to attain the highest civil distinction. But a few months ago two men of humblest opportunities and opposite characteristics, were before us as rival candidates for our first office. One had been a great teacher, who through patient years of honest and earnest effort, had made his impress upon the civilization of every clime. He was the defender of the oppressed, and the unswerving advocate of equal rights for all mankind. Gradually his labors ripened, but the fruits were to be gathered through the flame of battle, and he was unskilled in the sword. Another had to come with his brave reapers into the valley of death. He was unknown to fame, and the nation trusted others who wore its stars. But he transformed despair into hope, and defeat into victory. He rose through tribulation and malice, by his invincible courage and matchless command, until the fruition of his rival's teachings had been realized in their own, and their country's grandest achievement. In the race for civil trust, partisan detraction swept mercilessly over both, and two men who had written the proudest records of their age, in their respective spheres of public duty, were assailed as incompetent and unworthy. Both taught peace. One dared more for hastened reconciliation, forgiveness and brotherhood. The other triumphed, and vindicated his rival and himself by calling the insurgent to share the honors of the Republic. Soon after the strife was ended, they met at the gates of the "City of the Silent," and the victor, as chief of the nation, paid the nation's sincere homage to its untitled, but most beloved and lamented citizen. Had the victor been the vanquished, the lustre of his crown would have been undimmed in the judgment of our people or of history. Our rulers are but our agents, chosen in obedience to the convictions which govern the policy of the selection, and mere political success is no enduring constituent of greatness. The public servant, and the private citizen, will alike be honored or condemned, as they are faithful or unfaithful to their responsible duties.

When we search for the agencies of the great epochs in our national progress, we look not to the accidents of place. Unlike all other governments, ours is guided supremely by intelligent and educated public convictions, and those who are clothed with authority, are but the exponents of the popular will. Herein is the source of safety and advancement of our free institutions. On every hand, in the ranks

of people, are the tireless teachers of our destiny. Away in the forefront of every struggle, are to be found the masters who brave passion and prejudice and interest, in the perfection of our nationality.

Our free press reaching into almost every hamlet of the land; our colleges now reared in every section; our schools with open doors to all; our churches teaching every faith, with the protection of the law; our citizens endowed with the sacred right of freedom of speech and action; our railroads spanning the continent, climbing our mountains, and stretching into our valleys; our telegraphs making every community the centre of the world's daily records—these are the agencies which are omnipotent in the expression of our national purposes and duties. Thus directed and maintained, our free government has braved foreign and domestic war, and been purified and strengthened in the crucible of conflict. It has grown from a few feeble States east of the Ohio wilderness, to a vast continent of commonwealths, and forty millions of population. It has made freedom as universal as its authority within its vast possessions. The laws of inequality and caste are blotted from its statutes. It reaches the golden slopes of the Pacific with its beneficence, and makes beauty and plenty in the valleys of the mountains on the sunset side of the Father of Waters. From the cool lakes of the north, to the sunny gulfs of the South, and from the eastern seas to the waters that wash the lands of the Pagan, a homogeneous people obey one constitution, and are devoted to one country. Nor have its agencies and influences been limited to our own boundaries. The whole accessible world has felt its power, and paid tribute to its excellence. Europe has been convulsed from centre to circumference by the resistless throbbings of oppressed peoples for the liberty they cannot know and could not maintain. The proud Briton has imitated his wayward but resolute child, and now rules his own throne. France has sung the *Marseillaise*, her anthem of freedom, and waded through blood in ill-directed struggles for her disenthralment. The scattered tribes of the Fatherland now worship at the altar of German unity, with a liberalized Empire. The sad song of the serf is no longer heard from the children of the Czar. Italy, dismembered and tempest tossed through centuries, again ordains her laws in the Eternal City, under a monarch of her choice. The throne of Ferdinand and Isabella has now no kingly ruler, and the inspiration of freedom has unsettled the title of despotism to the Spanish sceptre. The trained lightning flashes the lessons of our civilization to the home of the Pyramids; the land of the Heathen has our teachers in its desolate places, and the God of Day sets not

upon the boundless triumphs of our government of the people.

**Robert G. Ingersoll, of Illinois,**

*In the National Republican Convention at Cincinnati, June, 1876, in nominating James G. Blaine for the Presidency.*

“Massachusetts may be satisfied with the loyalty of Benjamin H. Bristow; so am I; but if any man nominated by this convention cannot carry the State of Massachusetts, I am not satisfied with the loyalty of that State. If the nominee of this convention cannot carry the grand old Commonwealth of Massachusetts by seventy-five thousand majority, I would advise them to sell out Faneuil Hall as a Democratic headquarters. I would advise them to take from Bunker Hill that old monument of glory.

“The Republicans of the United States demand as their leader in the great contest of 1876 a man of intelligence, a man of integrity, a man of well-known and approved political opinions. They demand a reformer after as well as before the election. They demand a politician in the highest, broadest and best sense—a man of superb moral courage. They demand a man acquainted with public affairs, with the wants of the people; with not only the requirements of the hour, but with the demands of the future. They demand a man broad enough to comprehend the relations of this government to the other nations of the earth. They demand a man well versed in the powers, duties, and prerogatives of each and every department of this Government. They demand a man who will sacredly preserve the financial honor of the United States; one who knows enough to know that the national debt must be paid through the prosperity of this people; one who knows enough to know that all the financial theories in the world cannot redeem a single dollar; one who knows enough to know that all the money must be made, not by law, but by labor; one who knows enough to know that the people of the United States have the industry to make the money and the honor to pay it over just as fast as they make it.

“The Republicans of the United States demand a man who knows that prosperity and resumption, when they come must come together; that when they come, they will come hand in hand through the golden harvest fields; hand in hand by the whirling spindles and the turning wheels; hand in hand past the open furnace doors; hand in hand by the flaming forges; hand in hand by the chimneys filled with eager fire—greeted and grasped by the countless sons of toil.

“This money has to be dug out of the

earth. You cannot make it by passing resolutions in a political convention.

“The Republicans of the United States want a man who knows that this Government should protect every citizen, at home and abroad; who knows that any government that will not defend its defenders, and protect its protectors, is a disgrace to the map of the world. They demand a man who believes in the eternal separation and divorcement of Church and School. They demand a man whose political reputation is spotless as a star; but they do not demand that their candidate shall have a certificate of moral character signed by a Confederate Congress. The man who has, in full, heaped and rounded measure, all these splendid qualifications, is the present grand and gallant leader of the Republican party—James G. Blaine.

“Our country, crowned with the vast and marvelous achievements of its first century, asks for a man worthy of the past and prophetic of her future; asks for a man who has the audacity of genius; asks for a man who is the grandest combination of heart, conscience and brain beneath her flag. Such a man is James G. Blaine.

“For the Republican host, led by this intrepid man, there can be no defeat.

“This is a grand year—a year filled with the recollections of the Revolution; filled with proud and tender memories of the past; with the sacred legends of liberty; a year in which the sons of freedom will drink from the fountains of enthusiasm; a year in which the people call for a man who has preserved in Congress what our soldiers won upon the field; a year in which they call for the man who has torn from the throat of treason the tongue of slander; for the man who has snatched the mask of Democracy from the hideous face of rebellion; for the man who, like an intellectual athlete, has stood in the arena of debate and challenged all comers, and who is still a total stranger to defeat.

“Like an armed warrior, like a plumed knight, James G. Blaine marched down the halls of the American Congress, and threw his shining lance full and fair against the brazen foreheads of the defamers of his country and the maligners of his honor.

“For the Republican party to desert this gallant leader now, is as though an army should desert their general upon the field of battle.

“James G. Blaine is now and has been for years the bearer of the sacred standard of the Republican party. I call it sacred, because no human being can stand beneath its folds without becoming and without remaining free.

“Gentlemen of the convention, in the name of the great Republic, the only Republic that ever existed upon this earth;

in the name of all her defenders and of all her supporters; in the name of all her soldiers living; in the name of all her soldiers dead upon the field of battle, and in the name of those who perished in the skeleton clutch of famine at Andersonville and Libby, whose sufferings he so vividly remembers, Illinois—Illinois nominates for the next President of this country, that prince of parliamentarians—that leader of leaders—James G. Blaine.”

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**Roscoe Conkling, of New York,**

*In the National Republican Convention at Chicago, June, 1880, nominating Ulysses S. Grant for the Presidency.*

“And when asked what State he hails from,  
Our sole reply shall be,  
He hails from Appomattox  
And the famous Apple tree.”

Obeying instructions I should never dare to disregard, I rise in behalf of the State of New York to propose a nomination with which the country and the Republican party can grandly win. The election before us will be the Austerlitz of American politics. It will decide whether for years to come the country will be ‘Republican or Cossack.’ The need of the hour is a candidate who can carry doubtful States, North and South; and believing that he more surely than any other can carry New York against any opponent, and carry not only the North, but several States of the South, New York is for Ulysses S. Grant. He alone of living Republicans has carried New York as a Presidential candidate. Once he carried it even according to a Democratic count, and twice he carried it by the people’s vote, and he is stronger now. The Republican party with its standard in his hand, is stronger now than in 1868 or 1872. Never defeated in war or in peace, his name is the most illustrious borne by any living man; his services attest his greatness, and the country knows them by heart. His fame was born not alone of things written and said, but of the arduous greatness of things done, and dangers and emergencies will search in vain in the future, as they have searched in vain in the past, for any other on whom the nation leans with such confidence and trust. Standing on the highest eminence of human distinction, and having filled all lands with his renown, modest, firm, simple and self-poised, he has seen not only the titled but the poor and the lowly in the utmost ends of the world rise and uncover before him. He has studied the needs and defects of many systems of government, and he comes back a better American than ever, with a wealth of knowledge and experience added to the hard common sense which so conspicuously distinguished him in all the fierce light that beat upon him throughout the most eventful, trying and

perilous sixteen years of the nation’s history.

“Never having had ‘a policy to enforce against the will of the people,’ he never betrayed a cause or a friend, and the people will never betray or desert him. Vili-fied and reviled, truthlessly aspersed by numberless presses, not in other lands, but in his own, the assaults upon him have strengthened and seasoned his hold upon the public heart. The ammunition of calumny has all been exploded; the powder has all been burned once, its force is spent, and General Grant’s name will glitter as a bright and imperishable star in the diadem of the Republic when those who have tried to tarnish it will have mouldered in forgotten graves and their memories and epitaphs have vanished utterly.

“Never elated by success, never depressed by adversity, he has ever in peace, as in war, shown the very genius of common sense. The terms he prescribed for Lee’s surrender foreshadowed the wisest principles and prophecies of true reconstruction.

“Victor in the greatest of modern wars, he quickly signalized his aversion to war and his love of peace by an arbitration of international disputes which stands as the wisest and most majestic example of its kind in the world’s diplomacy. When inflation, at the height of its popularity and frenzy, had swept both houses of Congress, it was the veto of Grant which, single and alone, overthrew expansion and cleared the way for specie resumption. To him, immeasurably more than to any other man, is due the fact that every paper dollar is as good as gold. With him as our leader we shall have no defensive campaign, no apologies or explanations to make. The shafts and arrows have all been aimed at him and lie broken and harmless at his feet. Life, liberty and property will find safeguard in him. When he said of the black man in Florida, ‘Wherever I am they may come also,’ he meant that, had he the power to help it, the poor dwellers in the cabins of the South should not be driven in terror from the homes of their childhood and the graves of their murdered dead. When he refused to receive Denis Kearney he meant that lawlessness and communism, although it should dictate laws to a whole city, would everywhere meet a foe in him, and, popular or unpopular, he will hew to the line of right, let the chips fly where they may.

“His integrity, his common sense, his courage and his unequalled experience are the qualities offered to his country. The only argument against accepting them would amaze Solomon. He thought there could be nothing new under the sun. Having tried Grant twice and found him faith-

ful, we are told we must not, even after an interval of years, trust him again. What stultification does not such a fallacy involve! The American people exclude Jefferson Davis from public trust. Why? Because he was the arch traitor and would be a destroyer. And now the same people are asked to ostracize Grant and not trust him. Why? Because he was the arch preserver of his country; because, not only in war, but afterward, twice as a civic magistrate, he gave his highest, noblest efforts to the Republic. Is such absurdity an electioneering jugglery or hypocrisy's masquerade?

"There is no field of human activity, responsibility or reason in which rational beings object to Grant because he has been weighed in the balance and not found wanting, and because he has had unequalled experience, making him exceptionally competent and fit. From the man who shoes your horse to the lawyer who pleads your case, the officers who manage your railway, the doctor into whose hands you give your life, or the minister who seeks to save your souls, what now do you reject because you have tried him and by his works have known him? What makes the Presidential office an exception to all things else in the common sense to be applied to selecting its incumbent? Who dares to put fetters on the free choice and judgment which is the birthright of the American people? Can it be said that Grant has used official power to perpetuate his plan? He has no place. No official power has been used for him. Without patronage or power, without telegraph wires running from his house to the convention, without electioneering contrivances, without effort on his part, his name is on his country's lips, and he is struck at by the whole Democratic party because his nomination will be the death-blow to Democratic success. He is struck at by others who find offense and disqualification in the very service he has rendered and in the very experience he has gained. Show me a better man. Name one and I am answered. But do not point, as a disqualification, to the very facts which make this man fit beyond all others. Let not experience disqualify or excellence impeach him. There is no third term in the case, and the pretense will die with the political dog-days which engendered it. Nobody is really worried about a third term except those hopelessly longing for a first term and the dupes they have made. Without bureaus, committees, officials or emissaries to manufacture sentiment in his favor, without intrigue or effort on his part, Grant is the candidate whose supporters have never threatened to bolt. As they say, he is a Republican who never wavers. He and his friends stood by the creed and the candidates of the Republican

party, holding the right of a majority as the very essence of their faith, and meaning to uphold that faith against the common enemy and the charlatans and guerrillas who from time to time deploy between the lines and forage on one side or the other.

"The Democratic party is a standing protest against progress. Its purposes are spoils. Its hope and very existence is a solid South. Its success is a menace to prosperity and order.

"This convention is master of a supreme opportunity, can name the next President of the United States and make sure of his election and his peaceful inauguration. It can break the power which dominates and mildews the South. It can speed the nation in a career of grandeur eclipsing all past achievements. We have only to listen above the din and look beyond the dust of an hour to behold the Republican party advancing to victory, with its greatest marshal at its head."

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**James A. Garfield, of Ohio,**

*In the National Republican Convention at Chicago, June, 1880, nominating John Sherman for the Presidency.*

"I have witnessed the extraordinary scenes of this convention with deep solicitude. No emotion touches my heart more quickly than a sentiment in honor of a great and noble character. But as I sat on these seats and witnessed these demonstrations, it seemed to me you were a human ocean in a tempest. I have seen the sea lashed into a fury and tossed into a spray, and its grandeur moves the soul of the dullest man. But I remember that it is not the billows, but the calm level of the sea from which all heights and depths are measured. When the storm has passed and the hour of calm settles on the ocean, when sunlight bathes its smooth surface, then the astronomer and surveyor takes the level from which he measures all terrestrial heights and depths. Gentlemen of the convention, your present temper may not mark the healthful pulse of our people. When our enthusiasm has passed, when the emotions of this hour have subsided, we shall find the calm level of public opinion below the storm from which the thoughts of a mighty people are to be measured, and by which their final action will be determined. Not here, in this brilliant circle where fifteen thousand men and women are assembled, is the destiny of the Republic to be decreed; not here, where I see the enthusiastic faces of seven hundred and fifty-six delegates waiting to cast their votes into the urn and determine the choice of their party; but by four million Republican firesides, where the thoughtful fathers, with wives and children

about them, with the calm thoughts inspired by love of home and love of country, with the history of the past, the hopes of the future, and the knowledge of the great men who have adorned and blessed our nation in days gone by—there God prepares the verdict that shall determine the wisdom of our work to-night. Not in Chicago in the heat of June, but in the sober quiet that comes between now and the melancholy days of November, in the silence of deliberate judgment will this great question be settled. Let us aid them to-night.

But now, gentlemen of the convention, what do we want? Bear with me a moment. Hear me for this cause, and for a moment be silent, that you may hear. Twenty-five years ago this Republic was wearing a triple chain of bondage. Long familiarity with traffic in the bodies and souls of men had paralyzed the conscience of a majority of our people. The baleful doctrine of State Sovereignty had shocked and weakened the noblest and most beneficent powers of the National Government, and the grasping power of slavery was seizing the virgin territory of the West and dragging them into the den of eternal bondage. At that crisis the Republican party was born. It drew its first inspiration from that fire of liberty which God has lighted in every man's heart, and which all the powers of ignorance and tyranny can never wholly extinguish. The Republican party came to deliver and save the Republic. It entered the arena when the beleaguered and assailed territories were struggling for freedom, and drew around them the sacred circle of liberty which the demon of slavery has never dared to cross. It made them free forever. Strengthened by its victory on the frontier, the young party, under the leadership of that great man who, on this spot, twenty years ago, was made its leader, entered the national capital and assumed the high duties of the Government. The light which shone from its banner dispelled the darkness in which slavery had enshrouded the capital, and melted the shackles of every slave, and consumed, in the fire of liberty, every slave-pen within the shadow of the Capitol. Our national industries, by an impoverishing policy, were themselves prostrated, and the streams of revenue flowed in such feeble currents that the Treasury itself was well nigh empty. The money of the people was the wretched notes of two thousand uncontrolled and irresponsible State banking corporations, which was filling the country with a circulation that poisoned rather than sustained the life of business. The Republican party changed all this. It abolished the babel of confusion, and gave the country a currency as national as its flag, based upon the sacred

faith of the people. It threw its protecting arm around our great industries, and they stood erect as with new life. It filled with the spirit of true nationality all the great functions of the Government. It confronted a rebellion of unexampled magnitude, with slavery behind it, and, under God, fought the final battle of liberty until victory was won. Then, after the storms of battle, were heard the sweet, calm words of peace uttered by the conquering nation, and saying to the conquered foe that lay prostrate at its feet: 'This is our only revenge, that you join us in lifting to the serene firmament of the Constitution, to shine like stars for ever and ever, the immortal principles of truth and justice, that all men, white or black, shall be free and stand equal before the law.'

"Then came the question of reconstruction, the public debt, and the public faith. In the settlement of the questions the Republican party has completed its twenty-five years of glorious existence, and it has sent us here to prepare it for another lustrum of duty and of victory. How shall we do this great work? We cannot do it, my friends, by assailing our Republican brethren. God forbid that I should say one word to cast a shadow upon any name on the roll of our heroes. This coming fight is our Thermopylæ. We are standing upon a narrow isthmus. If our Spartan hosts are united, we can withstand all the Persians that the Xerxes of Democracy can bring against us. Let us hold our ground this one year, for the stars in their courses fight for us in the future. The census taken this year will bring reinforcements and continued power. But in order to win this victory now, we want the vote of every Republican, of every Grant Republican and every anti-Grant Republican in America, of every Blaine man and every anti-Blaine man. The vote of every follower of every candidate is needed to make our success certain; therefore I say, gentlemen and brethren, we are here to take calm counsel together, and inquire what we shall do. We want a man whose life and opinions embody all the achievements of which I have spoken. We want a man who, standing on a mountain height, sees all the achievements of our past history, and carries in his heart the memory of all its glorious deeds, and who, looking forward, prepares to meet the labor and the dangers to come. We want one who will act in no spirit of unkindness toward those we lately met in battle. The Republican party offers to our brethren of the South the olive branch of peace, and wishes them to return to brotherhood, on this supreme condition, that it shall be admitted forever and forevermore, that, in the war for the Union, we were right and they were wrong. On that supreme condition we

meet them as brethren, and on no other. We ask them to share with us the blessings and honors of this great Republic.

"Now, gentlemen, not to weary you, I am about to present a name for your consideration—the name of a man who was the comrade and associate and friend of nearly all those noble dead whose faces look down upon us from these walls to-night; a man who began his career of public service twenty-five years ago, whose first duty was courageously done in the days of peril on the plains of Kansas, when the first red drops of that bloody shower began to fall which finally swelled into the deluge of war. He bravely stood by young Kansas then, and, returning to his duty in the National Legislature, through all subsequent time, his pathway has been marked by labors performed in every department of legislation. You ask for his monuments. I point you to twenty-five years of national statutes. Not one great beneficent statute has been placed in our statute books without his intelligent and powerful aid. He aided these men to formulate the laws that raised our great armies and carried us through the war. His hand was seen in the workmanship of those statutes that restored and brought back the unity and married calm of the States. His hand was in all that great legislation that created the war currency, and in a still greater work that redeemed the promises of the Government, and made the currency equal to gold. And when at last called from the halls of legislation into a high executive office he displayed that experience, intelligence, firmness and poise of character which has carried us through a stormy period of three years. With one-half the public press crying 'crucify him,' and a hostile Congress seeking to prevent success, in all this he remained unmoved until victory crowned him. The great fiscal affairs of the nation, and the great business interests of the country, he has guarded and preserved, while executing the law of resumption and effecting its object without a jar and against the false prophecies of one-half of the press and all the Democracy of this continent. He has shown himself able to meet with calmness the great emergencies of the Government for twenty-five years. He has trodden the perilous heights of public duty, and against all the shafts of malice has borne his breast unharmed. He has stood in the blaze of 'that fierce light that beats against the throne,' but its fiercest ray has found no flaw in his armor, no stain on his shield. I do not present him as a better Republican or as a better man than thousands of others we honor, but I present him for your deliberate consideration. I nominate John Sherman, of Ohio.

**Daniel Dougherty, of Pennsylvania,**

*In the Democratic National Convention at Cincinnati, June 1880, nominating Winfield Scott Hancock for the Presidency.*

"I propose to present to the thoughtful consideration of the convention the name of one who, on the field of battle, was styled 'The Superb,' yet won the still nobler renown as a military governor whose first act when in command of Louisiana and Texas was to salute the Constitution by proclaiming that the military rule shall ever be subservient to the civil power. The plighted word of a soldier was proved by the acts of a statesman. I nominate one whose name will suppress all factions, will be alike acceptable to the North and to the South—a name that will thrill the Republic, a name, if nominated, of a man that will crush the last embers of sectional strife, and whose name will be hailed as the dawning of the day of perpetual brotherhood. With him we can fling away our shields and wage an aggressive war. We can appeal to the supreme tribunal of the American people against the corruption of the Republican party and their untold violations of constitutional liberty. With him as our chieftain the bloody banner of the Republicans will fall from their palsied grasp. Oh, my countrymen, in this supreme moment the destinies of the Republic are at stake, and the liberties of the people are imperiled. The people hang breathless on your deliberation. Take heed! Make no mis-step! I nominate one who can carry every Southern State, and who can carry Pennsylvania, Indiana, Connecticut, New Jersey and New York—the soldier-statesman, with a record as stainless as his sword—Winfield Scott Hancock, of Pennsylvania. If elected, he will take his seat."

**George Gray, of Delaware,**

*In the Democratic National Convention at Cincinnati, June, 1880, nominating Thomas F. Bayard for the Presidency.*

"I am instructed by the Delaware delegation to make in their behalf a nomination for the Presidency of the United States. Small in territory and population, Delaware is proud of her history and of her position in the sisterhood of States. Always devoted to the principles of that great party which maintains the equality and rights of the States, as well as of the individual citizen, she is here to-day in grand council to do all that in her lies for the advancement of our common cause. Who will best lead the Democratic hosts in the impending struggle for the restoration of honest government and the constitutional rights of the States and of their people, is the important question that we must decide. Delaware is not blinded by her affections when she presents to this convention, as a

candidate for this great trust, the name of her gallant son, Thomas Francis Bayard. He is no carpet knight rashly put forth to flash a maiden sword in this great contest. He is a veteran covered with the scars of many hard-fought battles, when the principles of constitutional liberty have been at stake in an arena where the giants of radicalism were his foes, and his bruised arms, not 'hung up,' but still burnished brightly, are monuments of his prowess. Thomas F. Bayard is a statesman who will need no introduction to the American people. His name and his record are known wherever our flag floats—aye, wherever the English tongue is spoken. His is no sectional fame. With sympathies as broad as the continent, a private character as spotless as the snow from heaven, a judgment as clear as the sunlight, an intellect keen and bright as a flashing sabre, a courage that none dare question, honest in thought and deed, the people all know him by heart, and, as I said before, they need not be told who and what he is. But you, gentlemen of the convention, who must keep in view the success so important to be achieved in November, pray consider the elements of his strength. Who more than he will as a candidate appeal to the best traditions of our party and our country? In whom more than he will the business interests of the country, now re-awakening to new life and hope, confide for that economy and repose which shall send capital and labor forth like twin brothers hand in hand to the great work of building up the country's prosperity and advancing its civilization? Who better than he will represent the heart and intellect of our great party, or give expression to its noblest inspirations? Who will draw so largely upon the honest and reflecting independent voters as he, whose very name is a synonym for honest and fearless opposition to corruption every where and in every form, and who has dared to follow in what he thought the path of duty with a chivalrous devotion that never counted personal gains or losses? Who has contributed more than Thomas Francis Bayard to the commanding strength that the Democratic party possesses to-day? Blot out him and his influence, and who would not feel and mourn his loss? Pardon Delaware if she says too much; she speaks in no disparagement of the distinguished Democrats whose names sparkle like stars in the political firmament. She honors them all. But she knows her son, and her heart will speak. Nominate him and success is assured. His very name will be a platform. It will fire every Democratic heart with a new zeal and put a sword in the hand of every honest man with which to drive from place and power the reckless men who have for four years held both against the expressed

will of the American people. Don't tell us that you admire and love him, but that he is unavailable. Tell the country that the sneer of our Republican enemies is a lie, and that such a man as Thomas F. Bayard is not too good a man to receive the nomination of the Democratic party. Take the whole people into your confidence, and tell them that an honest and patriotic party is to be led by as honest and pure a man as God ever made; that a brave party is to be led by a brave man whose courage will never falter, be the danger or emergency what it may. Tell them that our party has the courage of its convictions, and that statesmanship, ability and honesty are to be realized once more in the government of these United States, and the nomination of Thomas F. Bayard will fall like a benediction on the land, and will be the prelude of a victory that will sweep like a whirlwind from the lakes to the Gulf and from ocean to ocean."

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#### Frye Nominating Blaine

*In the Chicago Convention, 1880.*

"I once saw a storm at sea in the nighttime; an old ship battling for its life with the fury of the tempest; darkness everywhere; the winds raging and howling; the huge waves beating on the sides of the ship, and making her shiver from stem to stern. The lightning was flashing, the thunders rolling; there was danger everywhere. I saw at the helm, a bold, courageous, immovable, commanding man. In the tempest, calm; in the commotion, quiet; in the danger, hopeful. I saw him take that old ship and bring her into her harbor, into still waters, into safety. That man was a hero. [Applause.] I saw the good old ship of State, the State of Maine, within the last year, fighting her way through the same waves, against the dangers. She was freighted with all that is precious in the principles of our republic; with the rights of the American citizenship, with all that is guaranteed to the American citizen by our Constitution. The eyes of the whole nation were on her, and intense anxiety filled every American heart lest the grand old ship, the "State of Maine," might go down beneath the waves forever, carrying her precious freight with her. But there was a man at the helm, calm, deliberate, commanding, sagacious; he made even the foolish man wise; courageous, he inspired the timid with courage; hopeful, he gave heart to the dismayed, and he brought that good old ship safely into harbor, into safety; and she floats to-day greater, purer, stronger for her baptism of danger. That man too, was heroic, and his name was James G. Blaine. [Loud cheers.]



Maine sent us to this magnificent Convention with a memory of her own salvation from impending peril fresh upon her. To you representatives of 50,000,000 of the American people, who have met here to counsel how the Republic can be saved, she says, "Representatives of the people, take the man, the true man, the staunch man, for your leader, who has just saved me, and he will bring you to safety and certain victory."

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**Senator Hill's Denunciation of Senator Mahone.**

*In Extra Session of the Senate, March 14, 1881.*

Very well; the records of the country must settle that with the Senator. The Senator will say who was elected as a republican from any of the States to which I allude. I say what the whole world knows, that there are thirty-eight men on this floor elected as democrats, declaring themselves to be democrats, who supported Hancock, and who have supported the democratic ticket in every election that has occurred, and who were elected, moreover, by democratic Legislatures, elected by Legislatures which were largely democratic; and the Senator from New York will not deny it. One other Senator who was elected, not as a democrat, but as an independent, has announced his purpose to vote with us on this question. That makes thirty-nine, unless some man of the thirty-eight who was elected by a democratic Legislature proves false to his trust. Now, the Senator from New York does not say that somebody has been bought. No; I have not said that. He does not say somebody has been taken and carried away. No; I have not said that. But the Senator has said, and here is his language, and I hope he will not find it necessary to correct it:

It may be said, very likely I shall be found to say despite some criticism that I may make upon so saying in advance, that notwithstanding the words "during the present session," day after to-morrow or the day after that, if the majority then present in the Chamber changes, that majority may overthrow all this proceeding, obliterate it, and set up an organization of the Senate in conformity with and not in contradiction of the edict of the election.

The presidential election he was referring to—

If an apology is needed for the objection which I feel to that, it will be found I think in the circumstance that a majority, a constitutional majority of the Senate, is against that resolution, is against the formation of committees democratic in inspiration and persuasion, to which are to go for this session all executive matters.

The Senator has announced to-day that the majority on this side of the Chamber was only temporary. He has announced over and over that it was to be a temporary majority. I meet him on the fact. I say there are thirty-eight members sitting in this Hall to-day who were elected by democratic Legislatures, and as democrats, and one distinguished Senator who was not elected as a democrat, but by democratic votes, the distinguished Senator from Illinois, [Mr. DAVIS,] has announced his purpose to vote with these thirty-eight democrats. Where, then, have I misrepresented? If that be true, and if those who were elected as democrats are not faithless to the constituency that elected them, you will not have the majority when the Senate is full.

Again, so far from charging the Senator from New York with being a personal party to this arrangement, I acquitted him boldly and fearlessly, for I undertake to say what I stated before, and I repeat it, to his credit, he is no party to an arrangement by which any man chosen by a democratic Legislature and as a democrat is not going to vote for the party that sent him here. Sir, I know too well what frowns would gather with lightning fierceness upon the brow of the Senator from New York if I were to intimate or any other man were to intimate that he, elected as a republican, because he happened to have a controlling vote was going to vote with the democrats on the organization. What would be insulting to him he cannot, he will not respect in another.

Now, sir, I say the Senator has been unjust in the conclusion which he has drawn, because it necessarily makes somebody who was chosen as a democrat ally himself with the republicans, not on great questions of policy, but on a question of organization, on a question of mere political organization. I assume that that has not been done. No man can charge that I have come forward and assumed that his fidelity was in question. I have assumed that the Senator from New York was wrong in his statement. Why? Because if any gentleman who was chosen to this body as a democrat has concluded not to vote with the democrats on the organization, he has not given us notice, and I take it for granted that when a gentleman changes his opinions, as every Senator has a right to change his opinions, his first duty is to give notice of that change to those with whom he has been associated. He has not given that notice; no democrat of the thirty-eight has given that notice to this side of the House. I therefore assume that no such change has occurred.

But there is another obligation. While I concede the right of any gentleman to change his opinions and change his party

affiliations, yet I say that when he has arrived at the conclusion that duty requires him to make that change he must give notice to the constituency that sent him here. I have heard of no such notice. If the people of any of these democratic States, who through democratic Legislatures have sent thirty-eight democrats to this body and one more by democratic votes, have received notice of a change of party opinion or a change of party affiliations by any of those they sent here, I have not heard of it; the evidence of it has not been produced.

Sir, I concede the right of every man to change his opinions; I concede the right of every man to change his party affiliations; I concede the right of any man who was elected to the high place of a seat in this Senate as a democrat to change and become a republican; but I deny in the presence of this Senate, I deny in the hearing of this people, that any man has a right to accept a commission from one party and execute the trust confided to him in the interest of another party. Demoralized as this country has become, though every wind bears to us charges of fraud and bargain and corruption; though the highest positions in the land, we fear, have been degraded by being occupied by persons who procured them otherwise than by the popular will, yet I deny that the people of either party in this country have yet given any man a right to be faithless to a trust. They have given no man a right to accept a commission as a democrat and hold that commission and act with the republicans. Manhood, bravery, courage, fidelity, morality, respect for the opinions of mankind requires that whenever a man has arrived at the conclusion that he cannot carry out the trust which was confided to him, he should return the commission and tell his constituents, "I have changed my mind and therefore return you the commission you gave me." Sir, I do not believe that a single one of the thirty-eight gentlemen who were elected as democrats and whose names are before me here, will hold in his pocket a commission conferred by democrats, conferred on him as a democrat, and without giving notice to his constituency, without giving notice to his associates, will execute that commission in the interest of the adversary party and go and communicate his conclusion, first of all, and only, to the members of the adversary party.

Sir, who is it that has changed? Whom of these thirty-eight does the Senator rely upon to vote with the republicans? That one has not notified us; he has not notified his constituency. Therefore I say it is not true, and I cannot sit here quietly and allow a gentleman on the other side of the Chamber, however distinguished, to get up

here and assume and asseverate over and over that somebody elected as a democrat is faithless to his trust, and not repel it. No, gentlemen, you are deceived; you will be disappointed. I vindicate the character of American citizenship, I vindicate the honor of human nature when I say you will be disappointed, and no man elected as a democrat is going to help you organize the committees of this Senate. I do not say so because I know. No, I have no personal information, but I will stand here and affirm that no man who has been elected by any constituency in this country to be worthy of a place in this body will be guilty of that treachery. And how is the Senator's majority to come? How many are there? He has not told us. The papers said this morning that there were two or three, and they named my good friend from Tennessee, [Mr. HARRIS.] When I saw that I knew the whole thing was absurd. The idea that anybody in this world would ever believe that my friend from Tennessee could possibly be guilty of such a thing, and my colleague [Mr. BROWN] also was named—gentlemen who were born and reared in the school of fidelity to their party. How many? Have you one? If you have but one that was elected as a democrat and who has concluded to go with the republicans, then you have only half, you have 38 to 38, and I suppose you count upon the vote of the Vice-President. Has that been arranged? Sir, I will not blame you if you vote for voting according to the sentiment that elected you, for voting according to the professions of your principles which you avowed when you were elected. I deny myself the right of the Vice-President to take part in the constitution and organization of this Senate; but I shall not make the question. If you have got one, the vote will be 38 to 38. Who is the one? Who is ambitious to do what no man in the history of this country has ever done, to be the first man to stand up in this high presence, after this country has reached fifty million people, and proclaim from this proud eminence that he disgraces the commission he holds. [Applause in the galleries.]

The VICE-PRESIDENT rapped to order.

Mr. HILL, of Georgia. Who is it? Who can he be? Do you receive him with affection? Do you receive him with respect? Is such a man worthy of your association? Such a man is not worthy to be a democrat. Is he worthy to be a republican? If my friend from Illinois, my friend from Kansas, or my friend from New York, were to come to me holding a republican commission in his pocket, sent here by a republican Legislature, and whisper to me "I will vote with the democrats on organization," I would tell him that if he so

came he would be expelled with ignominy from the ranks of the party.

And why do you beg us to wait? If all who were elected as democrats are to remain democrats, what good will waiting do you? You will still be in a minority of two, the same minority you are in this morning.

Mr. President, I affirm that no man elected and sent here by a democratic Legislature as a democrat, whatever may have been local issues, whatever may have been the divisions of factions, and above all no man who professed to be a democrat when he was elected and who procured his election by professing to be a democrat, in the name of democracy and republicanism as well, in the name of American nature, I charge that no such man will prove false to his trust; and therefore why wait? Why delay the business of the country? Why should the nominations lie on the table unacted on? Why should we spend days and days here with the parties on the other side filibustering for time to get delay, to get a few days? Why should we do that when upon the assumption that the Senate is not to blush at an exhibition of treachery the result will be the same one week, two weeks, six months, two years from now that it is now?

Sir, I know that there is a great deal in this question. The American people have had much to humiliate them; all peoples have much to humiliate them. I know that the patronage of this Government has become very great. I know that the distinguished gentleman who presides at the other end of the Avenue holds in his hand millions and hundreds of millions of patronage. To our shame be it said it has been whispered a hundred times all through the country by the presses of both parties until it has become absolutely familiar to American ears that the patronage of the Federal Government has been used to buy votes and control elections to keep one party in power. It is a question that confronts every honest statesman whether something shall not be done to lessen that patronage. I respond to the sentiment of the President in his inaugural when I say there ought to be a rule in even the civil service by which this patronage shall be placed where it cannot be used for such purposes. If it is not done, I do not know what humiliations are in store for us all.

But, Mr. President, here are facts that no man can escape. Gentlemen of the republican party of this Senate, you cannot organize the Senate unless you can get the vote of some man who was elected as a democrat. You cannot escape that. Have you gotten it? If so, how? If you have, nobody knows it but yourselves. How? There is no effect without a cause; there is no change without a purpose; there is no

bargain without a consideration. What is the cause? If there has been a change, why a change? How does it happen that you know the change and we do not? What induced the change? I deny that there has been a change. I maintain that all the distinguished gentlemen who make up the thirty-eight democrats on this side of the Chamber are firm, firm to the principles that sent them here, firm to the professions that sent them here, and firm to the constituencies that sent them here. They were elected as democrats. Now on the question of organization, which is nothing in the world but a pure political question and a party question at that, they will act with the democratic party, and you, gentlemen, will be deceived if you calculate otherwise. Therefore, there is no necessity for you to enter into all this filibustering and producing this delay for the purpose of getting the organization.

Mr. President, as I said before, the Senate should be a place where there should be no masquerading; men should deal frankly with each other. If I were to charge any gentleman on the republican side of the Chamber who was elected as a republican, who professed to be a republican when he was elected, with having made arrangements with the democrats to vote with them, I should insult him and he would resent it as an insult, and gentlemen excuse me for repelling the charge which if made against you, you would repel as an insult. I repel as an insult the charge made against any democrat that he would be false to his colors and is intending to vote with you on the organization.

Mr. HARRIS. Mr. President, I rise only to say that I regret that the honorable Senator from Georgia should have deemed it proper to dignify the miserable newspaper twaddle in respect to my political position—

Mr. HILL, of Georgia. I will say to my friend I did not intend—

Mr. HARRIS. I am quite sure the Senator did not intend anything unkind to me; yet, by mentioning the matter here, he gives a dignity to it that it never could have had otherwise, and one that it is not worthy of, especially in view of the fact, as I very well know, that there is not a democrat or a republican in America, who knows me, who has ever doubted, or doubts to-day, what my political position is. It is unworthy of further notice, and I will notice it no more.

Mr. MAHONE. Mr. President, I do not propose to detain you and the Senate more than a few minutes. The distinguished Senator from Georgia has manifestly engaged in an effort to disclose my position on this floor.

Mr. HILL, of Georgia. I do not know

what your position is. How could I disclose it?

Mr. MAHONE. Sir, the Senator might be a little more direct as he might well have been in the course of his remarks in asking my position; and that I will give him.

Now, Mr. President, the Senator has assumed not only to be the custodian here of the democratic party of this nation, but he has dared to assert his right to speak for a constituency that I have the privilege, the proud and honorable privilege on this floor, of representing [applause in the galleries] without his assent, without the assent of such democracy as that he speaks for. [Applause in the galleries.] I owe them, sir, I owe you [addressing Mr. HILL] and those for whom you undertake to speak nothing in this Chamber. [Applause in the galleries.] I came here, sir, as a Virginian to represent my people, not to represent that democracy for which you stand. [Applause in the galleries.] I come with as proud a claim to represent that people as you to represent the people of Georgia, won on fields where I have vied with Georgians whom I commanded and others in the cause of my people and of their section in the late unhappy contest; but thank God for the peace and the good of the country that contest is over, and as one of those who engaged in it, and who has neither here nor elsewhere any apology to make for the part taken, I am here by my humble efforts to bring peace to this whole country, peace and good will between the sections, not here as a partisan, not here to represent that Bourbonism which has done so much injury to my section of the country. [Applause in the galleries.]

Now, sir, the gentleman undertakes to say what constitutes a democrat. A democrat! I hold, sir, that to-day I am a better democrat than he, infinitely better—he who stands nominally committed to a full vote, a free ballot, and an honest count. I should like to know how he stands for these things where tissue ballots are fashionable. [Laughter, and applause in the galleries.]

Now, sir, I serve notice on you that I intend to be here the custodian of my own democracy. I do not intend to be run by your caucus. I am in every sense a free man here. I trust I am able to protect my own rights and to defend those of the people whom I represent, and certainly to take care of my own. I do not intend that any Senator on this floor shall undertake to criticise my conduct by innuendoes, a method not becoming this body or a straightforward legitimate line of pursuit in argument.

I wish the Senator from Georgia to understand just here that we may get along in the future harmoniously, that the way

to deal with me is to deal directly. We want no bills of discovery. Now, sir, you will find out how I am going to vote in a little while. [Applause.]

Mr. DAVIS, of West Virginia. Mr. President, during this temporary suspension—

Mr. MAHONE. I have not yielded the floor. I am waiting for a little order.

Mr. DAVIS, of West Virginia. I wish to call the attention of the Chair to the disorder in the Senate both when my friend from Georgia was speaking and now. I believe it has been some time since we have had as much disorder as we have had to-day in the galleries. I hope the Chair will enforce order.

Mr. TELLER. I should like to say that much of the disorder originated in the first place from the cheering on the democratic side of the Chamber

The VICE-PRESIDENT. The Chair announces that order must be maintained in the galleries; otherwise the Sergeant-at-Arms will be directed to clear the galleries.

Mr. MAHONE. I promised not to detain the Senate, and I regret that so early after my appearance here I should find it necessary to intrude any remarks whatsoever upon the attention of this body. I would prefer to be a little modest; I would prefer to listen and to learn; but I cannot feel content after what has passed in this presence, when the gentleman by all manner of methods, all manner of insinuations, direct and indirect, has sought to do that which would have been better done and more bravely pursued if he had gone directly to the question itself. He has sought to discover where the democrat was who should here choose to exercise his right to cast his vote as he pleased, who should here exercise the liberty of manhood to differ with his caucus. Why, sir, the gentleman seems to have forgotten that I refused positively to attend his little love-feast; not only that, I refused to take part in a caucus which represents a party that has not only waged war upon me but upon those whom I represent on this floor. They have not only intruded within the boundaries of my own State, without provocation, to teach honesty and true democracy, but they would now pursue my people further by intruding their unsolicited advice and admonition to their representative in this Chamber. Yes, sir, you have been notified, duly notified that I would take no part or lot in any political machinery.

Further than that, you have been notified that I was supremely indifferent to what you did; that I had no wish to prefer, and was indifferent to your performances; that I should stand on this floor representing in part the people of the State of Virginia, for whom I have the right to speak (and not

the Senator from Georgia) even of their democracy. The gentleman may not be advised that the Legislature which elected me did not require that I should state either that I was a democrat or anything else. I suppose he could not get here from Georgia unless he was to say that he was a democrat, anyhow. [Laughter.] I come here without being required to state to my people what I am. They were willing to trust me, sir, and I was elected by the people, and not by a legislature, for it was an issue in the canvass. There was no man elected by the party with which I am identified that did not go to the Legislature instructed by the sovereigns to vote for me for the position I occupy on this floor. It required no oath of allegiance blindly given to stand by your democracy, such as is is, [laughter,] that makes a platform and practices another thing. That is the democracy they have in some of the Southern States.

Now, I hope the gentleman will be relieved. He has been chasseur all around this Chamber to see if he could not find a partner somewhere; he has been looking around in every direction; occasionally he would refer to some other Senator to know exactly where the Senator was who stood here as a democrat that had the manhood and the boldness to assert his opinions in this Chamber free from the dictation of a mere caucus. Now, I want the gentleman to know henceforth and forever here is a man, sir, that dares stand up [applause] and speak for himself without regard to caucus in all matters. [Applause, long continued, in the galleries and on the floor.] Mr. President, pardon me; I have done.

Mr. HILL, of Georgia. Mr. President—

The VICE-PRESIDENT. The Senate will be in order. Gentlemen on the floor not members of the Senate will take seats.

Mr. HILL, of Georgia. Mr. President, I hope nobody imagines that I rise to make any particular reply to the remarkable exhibition we have just seen. I rise to say a few things in justification of myself. I certainly did not say one word to justify the gentleman in the statement that I made an assault upon him, unless he was the one man who had been elected as a democrat and was not going to vote with his party. I never saw that gentleman before the other day. I have not the slightest unkind feeling for him. I never alluded to him by name; I never alluded to his State; and I cannot understand how the gentleman says that I alluded to him except upon the rule laid down by the distinguished Senator from New York, that a guilty conscience needs no accuser. [Applause and hisses in the galleries.] I did not mention the Senator. It had been stated here by the Senator from New York over and over that the other side would have a

majority when that side was full. I showed it was impossible that they should have a majority unless they could get one democratic vote, with the vote of the Vice-President. I did not know who it was; I asked who it was; I begged to know who it was; and to my utter astonishment the gentleman from Virginia comes out and says he is the man.

The Senator from Virginia makes a very strange announcement. He charged me not only with attacking him, but with attacking the people of Virginia? Did I say a word of the people of Virginia? I said that the people of no portion of this country would tolerate treachery. Was that attacking the people of Virginia? I said that thirty-eight men had been elected to this body as democrats. Does the Senator deny that? Does he say he was elected here not as a democrat? He says he was not required to declare that he was a democrat, and in the next breath he says he is a truer, better democrat than I am. Then I commend him to you. Take good care of him, my friends. Nurse him well. How do you like to have a worse democrat than I am?

Mr. CONKLING and others. A better democrat.

Mr. HILL, of Georgia. Oh, a better! Then my friend from New York is a better democrat than I am. You have all turned democrats; and we have in the United States Senate such an exhibition as that of a gentleman showing his democracy by going over to the Republicans!

Sir, I will not defend Virginia. She needs no defense. Virginia has given this country and the world and humanity some of the brightest names of history. She holds in her bosom to-day the ashes of some of the noblest and greatest men that ever illustrated the glories of any country. I say to the Senator from Virginia that neither Jefferson, nor Madison, nor Henry, nor Washington, nor Leigh, nor Tucker, nor any of the long list of great men that Virginia has produced ever accepted a commission to represent one party and came here and represented another. [Applause on the floor and in the galleries.]

Mr. COCKRELL. I trust that those at least who are enjoying the privilege of the floor of the Senate Chamber will be prohibited from cheering.

The VICE PRESIDENT. The Chair will state that the violation of the rules does not appear to be in the galleries, but by persons who have been admitted to the privilege of the floor. The Chair regrets to clear the floor, but if the manifestation is continued he will be obliged to do so. It is a violation of the rules of the Senate.

Mr. MAHONE rose.

Mr. HILL, of Georgia. Does the Senator from Virginia wish to interrupt me?

Mr. MAHONE. I do wish to interrupt you.

The VICE-PRESIDENT. Does the Senator from Georgia yield?

Mr. HILL, of Georgia. Certainly.

Mr. MAHONE. I understand you to say that I accepted a commission from one party and came here to represent another. Do I understand you correctly?

Mr. HILL, of Georgia. I understood that you were elected as a democrat.

Mr. MAHONE. Never mind; answer the question.

Mr. HILL, of Georgia. Yes, I say you accepted a commission, having been elected as a democrat. That is my information.

Mr. MAHONE. I ask you the question: Did you say that I had accepted a commission from one party and came here to represent another? That is the question.

Mr. HILL, of Georgia. Oh, I said that will be the case if you vote with the republicans. You have not done it yet, and I say you will not do it.

Mr. MAHONE. If not out of order in this place, I say to the gentleman that if he undertakes to make that statement it is unwarranted and untrue.

Mr. HILL, of Georgia. I should like to ask the gentleman a question: Was he not acting with the democratic party, and was he not elected as a democrat to this body? Answer that question.

Mr. MAHONE. Quickly, sir. I was elected as a readjuster. Do you know what they are? [Laughter and applause.]

The VICE-PRESIDENT rapped with his gavel.

Mr. HILL, of Georgia. I understand there are in Virginia what are called readjuster democrats and debt-paying democrats, or something of that kind, but as I understand they are all democrats. We have nothing to do with that issue. We are not to settle the debt of Virginia in the Senate Chamber; but I ask the Senator again, was he not elected to this body as a member of the national democratic party?

Mr. MAHONE. I will answer you, sir. No. You have got the answer now.

Mr. HILL, of Georgia. Then I conceive that the gentleman spoke truly when he said that I do not know what he is. What is he? Everybody has understood that he voted with the democrats. Did he not support Hancock for the Presidency? Did not the Senator support Hancock for the Presidency, I ask him? [A pause] Dumb! Did he not act with the democratic party in the national election, and was not the Senator from Virginia himself a democrat? That is the question. Why attempt to evade? Gentlemen, I commend him to you. Is there a man on that side of the Chamber who doubts that the Senator was sent to this body as a democrat? Is there a man in this whole body who doubts it? Is there a man in Vir-

ginia who doubts it? The gentleman will not deny it. Up to this very hour it was not known on this side of the Chamber or in the country how he would vote in this case, or whether he was still a democrat or not. I maintain that he is. The Senator from New York seemed to have information that somebody who was elected as a democrat was not, and I went to work to find out who it was. It seems I have uncovered him. For months the papers of the country have been discussing and debating how the Senator would vote. Nobody could know, nobody could tell, nobody could guess. I have been a truer friend to the Senator than he has been to himself. I have maintained always that when it came to the test the Senator would be true to his commission; that the Senator would be true to the democratic professions he made when he was elected. He will not rise in this presence and say he could have been elected to the Senate as a republican. He will not rise in the Senate and say he could have been elected to the Senate if he had given notice that on the organization of this body he would vote with the republicans. He will not say it.

The gentleman makes some remarks about the caucus. I have no objection to a gentleman remaining out of a caucus. That is not the question. I have no objection to a gentleman being independent. That is not the question. I have no objection to a gentleman being a readjuster in local politics. That is not the question. I have no objection to a man dodging from one side to another on such a question. With that I have nothing to do. That is a matter of taste with him; but I do object to any man coming into this high council, sent here by one sentiment, commissioned by one party, professing to be a democrat, and after he gets here acting with the other party. If the gentleman wants to be what he so proudly said, a man, when he changes opinions, as he had a right to do, when he changes party affiliations as he had a right to do, he should have gone to the people of Virginia and said, "You believed me to be a democrat when you gave me this commission; while I differed with many of you on the local question of the debt, I was with you cordially in national politics; I belonged to the national democratic party; but I feel that it is my duty now to cooperate with the republican party, and I return you the commission which you gave to me." If the gentleman had done that and then gone before the people of Virginia and asked them to renew his commission upon his change of opinion, he would have been entitled to the eulogy of manhood he pronounced upon himself here in such theatrical style. I like manhood.

I say once more, it is very far from me

to desire to do the Senator injury. I have nothing but the kindest feelings for him. He is very much mistaken if he supposes I had any personal enmity against him. I have not the slightest. As I said before, I never spoke to the gentleman in my life until I met him a few days ago; but I have done what the newspapers could not do, both sides having been engaged in the effort for months; I have done what both parties could not do, what the whole country could not do—I have brought out the Senator from Virginia.

But now, in the kindest spirit, knowing the country from which the honorable Senator comes, identified as I am with its fame and its character, loving as I do every line in its history, revering as I do its long list of great names, I perform the friendly office unasked of making a last appeal to the honorable Senator, whatever other fates befall him, to be true to the trust which the proud people of Virginia gave him, and whoever else may be disappointed, whoever else may be deceived, whoever else may be offended at the organization of the Senate, I appeal to the gentleman to be true to the people, to the sentiment, to the party which he knows commissioned him to a seat in this body.

Mr. LOGAN. Mr. President, I have but a word to say. I have listened to a very extraordinary speech. The Senate of the United States is a body where each Senator has a right to have a free voice. I have never known before a Senator, especially a new Senator, to be arraigned in the manner in which the Senator from Virginia has been, and his conduct criticised before he had performed any official act, save one, so far as voting is concerned. He needs no defense at my hands; he is able to take care of himself; but I tell the Senator from Georgia when he says to this country that no man has a right to come here unless he fulfills that office which was dictated to him by a party, he says that which does not belong to American independence. Sir, it takes more nerve, more manhood, to strike the party shackles from your limbs and give free thought its scope than any other act that man can perform. The Senator from Georgia himself, in times gone by, has changed his opinions. If the records of this country are true (and he knows whether they are or not) he, when elected to a convention as a Union man, voted for secession. [Applause in the galleries.]

The VICE-PRESIDENT rapped with his gavel.

Mr. HOAR. If my friend will pardon me a moment, I desire to call the attention of the Chair to the fact that there has been more disorder in this Chamber during this brief session of the Senate than in all the aggregate of many years before. I take

occasion when a gentleman with whose opinions I perfectly agree myself in speaking to say that I shall move the Chair to clear any portion of the gallery from which expressions of applause or dissent shall come if they occur again.

Mr. LOGAN. What I have said in reference to this record I do not say by way of casting at the Senator, but merely to call attention to the fact that men are not always criticised so severely for changing their opinions. The Senator from Georgia spoke well of my colleague. Well he may. He is an honorable man and a man deserving well of all the people of this country. He was elected not as a democrat but by democratic votes. He votes with you. He never was a democrat in his life; he is not to-day. You applaud him and why? Because he votes with you. You want his vote; that is all. You criticise another man who was elected by republican votes and democratic votes, readjusters as they are called, and say that he has no right to his opinions in this Chamber. The criticism is not well. Do you say that a man shall not change his political opinions?

The Senator from Georgia in days gone by, in my boyhood days, I heard of, not as a democrat. To-day he sits here as a democrat. No one wishes to criticise him because he has changed his political opinions. He had a right to do so. I was a democrat once, too, and I had a right to change my opinions and I did change them. The man who will not change his opinions when he is honestly convinced that he was in error is a man who is not entitled to the respect of men. I say this to the Senator from Georgia. The Senator says to us, "take him," referring to the Senator from Virginia. Yes, sir, we will take him if he will come with us, and we will take every other honest man who will come. We will take every honest man in the South who wants to come and join the republican party, and give him the right hand of fellowship, be he black or white. Will you do as much?

Mr. HILL of Georgia. We have got them already.

Mr. LOGAN. Yes, and if a man happens to differ with you the tyranny of political opinion in your section of country is such that you undertake to lash him upon the world and try to expose him to the gaze of the public as a man unfaithful to his trust. We have no such tyranny of opinion in the country where I live; and it will be better for your section when such notions are driven to the shades and retired from the action of your people.

I do not know that the gentleman from Virginia intends to vote as a republican. I have never heard him say so. I know only what he has said here to-day; but

I respect him for stating to the Senate and the country that he is tired of the Bourbon democracy; and if more men were tired of it the country would be better off. The people are getting tired of it even down in your country, every where. The sooner we have a division down there the better it will be for both sides, for the people of the whole country.

I did not rise to make any defense of the Senator from Virginia, for he is able, as I said, to defend himself, but merely to say to the Senator from Georgia that the criticism made upon that Senator without any just cause is something I never witnessed before in this Chamber or in any other deliberative body, and in my judgment it was not justified in any way whatever.

Mr. HILL, of Georgia. I desire to say once more, what everybody in the audience knows is true, that I did not arraign the Senator from Virginia. In the first speech I never alluded to Virginia or to the Senator from Virginia.

Mr. LOGAN. Every one in the Chamber knew to whom the Senator alluded.

Mr. HILL, of Georgia. I alluded to somebody who was elected as a democrat, and who was going to vote as a republican.

Mr. TELLER. He was not elected as a democrat.

Mr. HILL, of Georgia. Then I did not allude to the Senator from Virginia.

Mr. TELLER. The Senator said that thirty-eight members of the Senate were elected as democrats.

Mr. HILL, of Georgia. Certainly they were.

Mr. TELLER. That is a mistake.

Mr. HILL, of Georgia. Certainly they were, and the record shows it.

Mr. CONKLING. May I ask the Senator a question?

Mr. HILL, of Georgia. Let me go on and then you can follow me. I again say it is strange that the Senator from Virginia should say I arraigned him, and his valiant defender, the Senator from Illinois, comes to defend him from an arraignment that was never made.

Mr. LOGAN. Did not the Senator from Georgia ask the Senator from Virginia in his seat if he was not elected as a Democrat? Did not the Senator charge that a man was acting treacherously to his constituents? Did the Senator not make the most severe arraignment of him that he could possibly make?

Mr. HILL, of Georgia. If the Senator will allow me, I did that only after the Senator from Virginia had arraigned himself. The Senator from Virginia insisted that I alluded to him when I had not called his name, and I had not alluded to his State and when I had arraigned nobody.

Mr. LOGAN. Will the Senator allow me to ask him this question: Did he not have

in his mind distinctly the Senator from Virginia when he made his insinuations?

Mr. HILL, of Georgia. I will answer the gentleman's question fairly. I did believe that the gentlemen on the other side who were counting upon a democratic vote were counting upon the Senator from Virginia, but I equally believed that they would be disappointed. I did not believe that the Senator from Virginia was guilty, and I in perfect sincerity and good faith, so far from arraigning him, intended to defend him from the foul suspicion, and my honest repulsion of the insinuation, which was necessary in consequence of what they expected, was regarded by the Senator himself as an arraignment. There is an anecdote told in the life of the great minister, Whitefield. When he was speaking one day in the country to an audience, he described the enormity of sin and the characteristics of sin; he did it with wonderful power. When he came out he was assailed by a gentleman for having made a personal assault on him. "Why," said Whitefield, "I never heard of you before; I did not intend any assault upon you." He replied, "Well, sir, you told me everything I have been doing all my life." I frankly confess I am not a man to dodge. The papers have justified me in believing, Senators have justified me in believing, that you are calculating to get the democratic vote of the Senator from Virginia, whom the whole country has treated as having been elected as a democrat. I believed you would be disappointed; I believed that because you would be disappointed it was wholly unnecessary to delay this organization. I did not believe the Senator would vote with you, and in vindication of that Senator I will not believe it yet. He has not said so. He has made the mistake, because of what the papers say, of assuming that I alluded to him; but I vindicate him yet. He said if I asserted that he was elected as a democrat and would be false to his commission, I said what was not warranted and what was untrue. I am glad he said so. I did not say he would; but I say you expected it, I say your papers expected it, and I say it has been calculated on. I vindicate the Senator from Virginia, and I hope he will vindicate himself by not doing what you expect him to do. The Senator from Illinois charges me again with criticising a man for changing his opinion. I distinctly said that every man in this country has a right to change his opinion. The distinguished Senator from Illinois has changed his opinion. He says the country is tired of Bourbon democracy. He ought to know, for he used to be one of the worst Bourbon democrats this country ever saw.

Mr. LOGAN. That was when you belonged to the other side.



Mr. HILL, of Georgia. The first time I ever heard of that Senator was when I was battling in the South for the good old whig principles and he was an outrageous Bourbon democrat. That amounts to nothing. You had a right to change, if you have changed; I do not say you have.

Mr. LOGAN. I will only say, if the Senator will allow me, that when I saw the light I changed for the right. The Senator saw the darkness and changed for the wrong.

Mr. HILL, of Georgia. Ah, that is not argument.

Mr. LOGAN. It is true, however, just the same.

Mr. HILL, of Georgia. I hope the Senator will see more light and change again.

Mr. LOGAN. I do not think I shall.

Mr. HILL, of Georgia. He needs a great deal of light.

Mr. LOGAN. No doubt of that. I do not expect to get it, however, from that side.

Mr. HILL, of Georgia. I object to this style of interruption; it is unworthy of the Senate. I am not here to indulge in such remarks. The Senator has a right to change; I have arraigned nobody for changing his opinion. If the Senator from Virginia has changed his opinions he has a right to change them; I have not said he has not. I do not deny his right. I admit that a man has a right also to change his party affiliations if he is convinced he has been wrong; but a man has no right to hold a commission which was given him while he was a democrat and because he was a democrat and given to him as a democrat, and change his opinions and act with the adversary party. It is his duty to return that commission to the people who gave it and ask them to renew it upon his change of opinion. That is all I ask.

Mr. LOGAN. Will the Senator allow me to ask him what right has he as a Senator to undertake to dictate to the Senator from Virginia as to what shall be required in his State?

Mr. HILL, of Georgia. That is incorrect again. I have not undertaken to dictate to the Senator from Virginia. The Senator from Virginia can do just as he pleases; but when the Senator from Virginia acts as a public man I have a right to my opinion of his public acts, and I have a right to speak of all public acts and their character. I will not deny his right; I am not dictating to him—far from it. There is not in my heart now an unkind feeling for the Senator from Virginia. I would if I could rescue him from the infamy into which others are trying to precipitate him. That is what I want to do. I am not assailing him; I am not arraigning him; I am not dictating to

him. I know the proud nature of the Senator from New York. I know if that Senator was elected to this body as a republican, although he might have been a readjuster at the time, and if he should come to this body and the democrats should begin to intimate in this Hall and the democratic papers should intimate over the country that he was going to vote with the democrats on the organization, he would feel insulted just as my friend from Tennessee (Mr. Harris) justly felt by the allusions to him in the newspapers. So with any other man on that side. If the Senator from Virginia was elected as a democrat I am right; but if as a republican I have nothing more to say.

Mr. LOGAN. Will the Senator allow me right there? Is it not true that the democracy of the Virginia Legislature that elected the Senator now in his seat from Virginia did nominate Mr. Withers as their candidate and supported him, and was not this senator elected by the opponents of the democrats of that Legislature? Is not that true? I ask the Senator from Virginia.

Mr. MAHONE. Substantially so.

Mr. LOGAN. Then if that be true, why say that he came here as the representative of the democracy of Virginia?

Mr. HILL, of Georgia. My understanding is that the democracy of Virginia is very much like the democracy of other States, as Tennessee. We are divided down there in several States on local questions that have nothing to do with national politics. In Virginia the democracy was divided between what are called readjuster democrats and debt-paying democrats, but all democrats.

What was called the republican party it was said, although I must vindicate many of the republicans in the State from the charge, coalesced with what are called the readjuster democrats. The late Senator from Virginia was nominated by what are called the debt-paying democrats, and the present Senator from Virginia, as I understand it, was run against him as a readjuster democrat.

Mr. LOGAN. And the republicans all supported him.

Mr. HILL, of Georgia. Certainly, because they always support a candidate who is running against the regular nominee. I suppose the republicans always go for men who are not in favor of paying debts! I had thought that republicans professed to affiliate with those who would pay debts. But I have nothing to do with that question; it does not come in here. What I say and what will not be denied, and I am ashamed that there is an attempt to deny it, is, and it is the worst feature of this whole thing, that anybody should get up

here and attempt to deny that the Senator from Virginia was elected to the Senate as a democrat; should attempt to evade the fact that he was a Hancock democrat last year; that he has acted with the national democracy all the time; and that whatever might have been the local differences in Virginia, he has been a national democrat every hour, held out to the country as such. I say I am ashamed that anybody should attempt to make a question of that fact. He was not only a democrat, a national democrat, and voted for Hancock, but I remember the historical fact that he had what he called his own ticket in the field for Hancock and voted for it. He is just as much a democrat, sent here as a readjuster democrat, as the other candidate, the debt-paying democrat, would have been if he had been elected.

Mr. LOGAN. The difference is, if the Senator will allow me, if the other had been elected, he would have been in full accord with the democracy here. This gentleman does not happen to be, and therefore the criticism of the Senator from Georgia.

Mr. HILL, of Georgia. I do not wish to do the republicans of Virginia injustice; I do not wish to do anybody injustice. There are some republicans of Virginia for whom I confess, if reports be true, I have a profound respect. When a portion of the democrats, under the cry of readjusterism, sought to get the support of the republicans of Virginia, there were many republicans who refused to go into a coalition that would compromise the character of the State on the question of its debt. I am told there are republicans now in Virginia who say that if republicanism here means the Senator from Virginia, and you accept him as a republican, you must give them up as republicans. I do not know how true it is. But this is unworthy of the Senate.

I repeat, the worst feature of this whole transaction is that anybody should get up here and attempt to make an impression that there was a doubt as to the democracy of the Senator from Virginia heretofore. That is an evasion unworthy of the issue, unworthy of the place, unworthy of the occasion, unworthy of Virginia, unworthy of the Senator, unworthy of his defenders. Admit the fact that he was a democrat, and then claim that he exercised the inalienable right of changing his opinions and his party affiliations, but do not claim that he had a right to do it in the manner you say he has done it.

Once more let me say, the Senator from Virginia ought to know that by all the memories of the past there is not a man in this body whose whole soul goes out more in earnest to protect his honor than my own. I would rather lose the organization

of the Senate by the democratic party and never again have a democratic committee in this body than have Virginia soiled with dishonor. I do not say that the Senator is going to do it, but I see the precipice yawning before him. I see whither potential influences are leading him. I know the danger just ahead. I would rescue him if I could. He may say it is enmity; he may say it is an unfriendly spirit; he will live to know the force of the words I am uttering. Men in this country have a right to be democrats; men in this country have a right to be republicans; men in this country have a right to divide on national issues and local issues; but no man has a right to be false to a trust, I repeat it, and whether the Senator from Virginia shall be guilty or not is not for me to judge and I will not judge. I say if he votes as you want him to vote God save him or he is gone. If he comes here to illustrate his democracy by going over to that side of the House and voting with that side of the House, he will be beyond my rescue. No, gentlemen, I honor you. I like a proud republican as well as I do a proud democrat. I am conscious of the fact that some of the best personal friends I have in this body sit on that side of the Chamber, men whose high character I would trust anywhere and everywhere. Gentlemen, you know your hearts respond to every word I am uttering when I say you despise treachery, and you honor me to-day for making an effort to rescue a gentleman, not from treachery, but from the charge of it. If the Senator shall vote as you desire him to vote, he cannot escape the charge.

Mr. MAHONE. Mr. President, I want to interrupt the Senator from Georgia.

The VICE-PRESIDENT. Does the Senator from Georgia yield?

Mr. HILL, of Georgia. Certainly.

Mr. MAHONE. I cannot allow you to make any such insinuation.

Mr. HILL, of Georgia. I make no insinuation.

Mr. MAHONE. You did emphatically, and it was unmanly. Now it must stop. Let us understand that.

Mr. HILL, of Georgia. I repeat, I do not know how the Senator is going to vote. I believe he is not going to vote as you expect. I believe he is not going to be guilty of being false to his commission. I will not charge that he will; I will not insinuate that he will. I have not insinuated it. The gentleman must be his own keeper; the gentleman must solve his own questions; but I repeat, I repeat as a friend, I repeat as a friend whose friendship will be appreciated some day, that the Senator is in danger of bringing upon himself a charge which he will never have the power to explain.

Mr. MAHONE. I cannot allow you or

any other man to make that charge without a proper answer.

Mr. HILL, of Georgia. Oh, well.

**Senator Mahone's Reply to Senator Hill**

*in Extra Senate Session, March 28th, 1881.*

Mr. MAHONE. Mr. President, my profound respect for the wisdom and experience of my seniors in this Chamber compels me to renew expression of the reluctance with which I so soon intrude upon its deliberations. Senators and the country will concede that to this seeming forwardness I have been provoked.

If I do not challenge generous consideration from those who would appear to have found pleasure in their unjustifiable assaults, I do not doubt that I shall command the respect of the brave and independent here, as I know I shall command that of my own people. I shall not complain of the intolerance and indirection which have characterized the allusions of some Senators to myself. Doubtless they comport entirely with their own sense of manly deportment and senatorial dignity, however little they do with mine. Virginia is accustomed to meet occasions where the independent spirit of the Anglo-Saxon is required to assert itself; Virginia has ever met, with fortitude and dignity, every duty that destiny has imposed, always, however, with much contempt for small party tactics where principles were involved to which her faith and her honor were committed.

With absolute confidence in my loyalty to her and my devotion to every interest of her people, I shall not relax my purpose to repel every impeachment of the constituency which sent me here with clearly defined duties which they and I comprehend. I was elected to the *Senate* of the United States to do *their* will, not to a *caucus* to do *its* petty bidding. Virginia earned her title of the Old Dominion by the proud and independent action of her own people, by the loyalty of her sons to the instincts of independence, without help at the hands of those who would now interfere with her affairs.

However feebly I may assert that spirit against the gratuitous and hypocritical concern for her of strangers to her trials, her sacrifices, and her will, I feel that the spirit of my people inspires me when I scornfully repel for them and for myself ungracious attempts to instruct a Virginia Senator as to his duty to them and to himself. Senators should learn to deal with *their* constituencies, while I answer to *mine*.

To him who would insinuate that my action in respect to the organization of the committees of this body and the proposed election of its officers has been governed or controlled by impure consider-

ations—and I am loth to believe that any honorable Senator has so intended—in the language of another, I say:

If thou saidst I am not peer  
To any lord in Scotland here,  
Lowland or highland, far or near,  
Lord Angus, thou hast lied!

And now, Mr. President, permit me to say that Senators can no more realize my regret than they can measure my amazement that my colleague should have felt it incumbent upon him to join the assaulting column in this Chamber. He first introduces the consideration of my political consistency, and he next introduces me, with the eighty-odd thousand of his fellow-citizens who sent me here, to this honorable body as a repudiator of public obligations. The sense of justice of fellow Senators renders it unnecessary for me to apologize for noticing my colleague's criticisms on the one hand and his perversions on the other. However much he and his friends may endeavor, by the chop-logic of the attorney, to demonstrate what I ought to be, I know by my convictions and by my sense of duty what I am. In this particular I have largely the advantage of my colleague; for if I take him by his record, diminutive as it is, he neither knows what he was, what he is, or what duty he came here to perform. A very brief recital of Virginia political history, covering but a decade, will give a clear view of the Virginia situation as it is represented on this floor. My colleague gave the first page, and then, like the lazy, truant school-boy, skipped many pages, or, like the shifty lawyer, read only so much of the authority as suited his case. I am duly grateful to him for the small meed of praise he would deal out to me for the humble part I bore in the great liberal movement of 1869, which was undertaken to return our State to her normal condition in the Union.

I am the more grateful because the organs of the faction he represents here have recently published columns to prove that I was breathed into political existence subsequently to that momentous period. Not being sworn, my colleague thought it was sufficient for him to tell the truth without the usual obligation to tell the *whole* truth. It is now my privilege, as well as duty, to supply all deficiencies. The views I entertained then I still adhere to, and though, as far as my information goes, we had no material assistance from him in that severe and trying ordeal of 1869, I do know that after his election to this body he confessed himself in entire accord with all that had been done by Virginia as a condition-precedent to her restoration, and with the zeal of a new convert expressed the hope that other States of the Union without the same propelling cause should do likewise. In a letter addressed to the

then governor of Virginia (Walker) he wrote as follows:

JOHNSTON TO GOVERNOR WALKER IN 1869.

Believing fully not only that we in Virginia could not prosper, but that our continued exclusion from the Union interfered with the business of the whole country, I have been anxious for an early compliance with the reconstruction laws, and that the State should itself inaugurate some movement similar to that which resulted in your election for the purpose, and not wait, like Micawber, "for something to turn up."

\* \* \* \* \*

The fifteenth amendment, which I trust will soon be adopted by States enough to make it a part of the Constitution of the United States, will end a question which has agitated the country for half a century. I entirely approve of the principles of that amendment, and as we have invested the freedman with the right to vote, let us give him a fair opportunity to vote understandingly. He has civil rights, and it is our interest he should know their value.

\* \* \* \* \*

That we are apparently so near to the consummation of reconstruction we are greatly indebted to President Grant's kind offices. The State was in a dilemma; it wanted a constitution; but the one made for it has at least two very objectionable features. We felt that we were suffering in all our material interests by staying out of the Union, and yet to go in under the constitution with all its provisions would have been worse.

The Gordian knot was happily cut by the President's first message to Congress and the prompt response of that body. Up to this time the conduct of the administration has been liberal, and if the same policy is pursued hereafter it ought to have the hearty support of this State. If we cast dead issues behind us and look only to that line of conduct which shall restore quiet and confidence, and encourage enterprise and industry, we shall even see the country richer and more prosperous than it has ever been.

This movement in 1869 accomplished the restoration of our State under the expurgated constitution and gave us representation here in the persons of my colleague and ex-Senator Lewis. We were relieved of military government, became rehabilitated in our sovereignty, with entire control of our local autonomy. Thus, for a period, Virginia seemed to be enjoying the full freedom of her long-deferred hope for peace.

In the curious panoramic exhibition of my colleague I next appear as a candidate for governor in 1877. To be a candidate in Virginia is a privilege which every qualified voter may constitutionally exercise, and in that year there were three prom-

inent candidates other than those named by the Senator. Two of them had been major-generals and one a brigadier-general. What an omission! Shades of departed glory defend us! when a United States Senator of the Bourbon persuasion can omit imposing titles in detailing events with which they were intimately associated. 'Tis true I was not nominated, lacking forty votes of a certain majority of a convention composed of over fourteen hundred delegates against a combination of five candidates, one of whom my colleague preferred, that preference perhaps being based upon motives as unselfish as are usual in veteran politicians and office-holders.

Mr. President, I can scarcely hope, in the presence of this body, where my colleague has served for many years, and where the altitude of his statesmanship frowns contemptuously down upon all who would aspire to reach its summit, to attain the awful diffidence with which I should undertake to correct any of his statements. He is one of the conscript fathers of the Senate, old in all its ways and usages; and long absence from his constituency and perpetual service to the national democratic party in helping to organize its numerous defeats make him forgetful of recent events in Virginia. Hence the necessity of my attempting to inform him as to certain matters of recent history at home.

"The next event," says my colleague, "was that the readjusters separated themselves from the *democratic* party;" and after treating this at some length he says, "This brings us down to what is called Mozart Hall convention," in which, he adds, "I spoke of the *conservative* party as though I belonged to it."

Mr. President, I confess my inability to understand all this curious mixture of the odds and ends of my colleague's scrap-book. He parades his facts in curiously-contrived array. He empties his ill-assorted jewels of information and "chunks of wisdom," and seems to rely upon Senators to give them that consecutive arrangement as to fact and date which they have, possibly, in his own great mind. But, sir, the fact is there was no remarkable incident in Virginia politics between the election of 1877 and 1879, the month of February of the latter year being, the date of the assembling of the Mozart Hall convention. Certainly until February, 1879, there was no change in the status of parties in Virginia within that period. There was no organization of readjusters until February, 1879, and there was no *declared* democratic party until 1880.

This brings me, Mr. President, to a period when I propose to do more than follow my colleague in his half-way candid and nearly always inaccurate statement. It is at this juncture, he says, that Mr. Riddle-

berger and I are so much identified that he cannot separate us. It is at this point the organization of the readjusters begins; and it is at this point he appears to seek to make an impression wholly unwarranted by any act of the readjusters in Virginia. It is at this point, too, Mr. President, that I am constrained by a sense of duty to my people, my State, and myself to treat the question of our State debt as it presents itself in Virginia. In doing this, I wish it distinctly understood that I hold this to be a matter belonging exclusively to the State of Virginia, and I should repel any Federal interference with this as I would with any other question of mere State concern. I shall presume upon the indulgence of Senators because they have heard but one side, and that more than once, and I know they will be willing to hear a defense of Virginia against unjust attacks from those who ought to be her defenders.

Sir, there is not a fact upon which to base any one of the statements or arguments of my colleague. Instead of the Mozart Hall convention being held to effect a repeal of an irrevocable contract, it was a body of people assembled on a call of members of the General Assembly opposed to what is known in Virginia as the "brokers' bill." They assembled before that bill had passed either House of the General Assembly, and, coming fresh from the people, expressed their unqualified disapproval of that measure. It was apparent the measure was to pass, and organized opposition began. But, Mr. President, this is neither the beginning nor the end of this question. It was in 1871 that the first funding bill was enacted, and this we know in Virginia as the first contract.

I will not go into the details of this measure, as I shall ask the clerk to read a review of all the Virginia funding acts before concluding my remarks. It is my purpose now only to notice the speeches of Senators, notably that of my colleague, in this Chamber. It will be news to Senators to hear to-day that the readjusters never repealed either of the funding contracts. That enacted and only partially executed in 1866-'67 was in effect repealed by the Assembly which passed it, and the work of repeal was consummated by the Legislature that enacted the more obnoxious measure of 1871. This in turn was repealed by the Assembly of 1872, the propounder of the repeal measure being the present lieutenant-governor of the State, subsequently in full fellowship with the alleged debt-payers. Indeed this measure was so obnoxious that Governor Walker, who was conceded to be its author, subsequently urged that the Federal Government should assume the debts of the Southern States.

Mr. President, I might pause to inquire if that is a part of the doctrine of my col-

league and the Senators who co-operate with him, when they stand here to represent the party for which Governor Walker then spoke, the pretended debt-payers of Virginia? It was this repeal bill which the Virginia court of appeals held to be unconstitutional, and here the matter rested until the State had accumulated interest arrears to over five million dollars, beside diverting one and a half million dollars which was dedicated by the constitution to the public free schools.

In 1877 what is known as the Barbour bill was proposed and passed, not a few of the latter-day self-styled debt-payers being among its most zealous supporters. Although this did not repeal in terms the original funding bill, it was nevertheless vetoed by the governor.

Such was our condition at the succeeding election—schools reduced 50 per cent., length of sessions abridged, asylums sustained by money borrowed from the banks—after exhausting every possible expedient even to a reduction of judicial salaries, that a Legislature was returned pledged to a resettlement of this debt.

That settlement came in the form of the brokers' bill, for which my colleague stands at home and here the champion, aided and abetted by distinguished gentlemen on this floor. I commend the virtuous democracy of this Chamber to read that bill, and then tell this Senate whether there ever was a more undemocratic measure than the bill propounded in Virginia by the party whose cause they espouse.

That settlement came in the form of the broker's bill, as I have said, and this was the last repeal of the original contract. Yet my colleague would say the readjusters of to-day disregard the court decisions. Surely he has not forgotten that he was upon the hustings in Virginia advocating each of the successive measures repealing the "irrevocable" contract, while in every instance the readjusters proper opposed the new measure.

But here again I am called upon to answer the charge of personal inconsistency. My colleague cannot ascertain that I opposed the funding scheme of 1871—a measure which, I assert without the fear of contradiction, not only repudiated but forcibly repudiated what my colleague understands to be one-third of the debt of Virginia. I suggest to my fellow-Senators on the opposite side to take care of that contamination of which they have warned the country in respect to the readjusters of Virginia.

My colleague adverted to the Richmond Whig, and proclaimed it as my mouth-piece. Mr. President, nobody speaks for me; I speak for myself. Why not have ascertained from the same source how I stood on the funding bill of 1871? Sena-

tors will not find that I ever supported the measure of 1871.

Passing over what appears in my colleague's speech as extracts from newspapers, to whose misstatements he has contributed a full share, I come now to notice his animadversions on the Riddleberger bill. If his criticisms were based on fact and a proper understanding of that measure, they would be unanswerable. He says that "the 'Riddleberger bill' has been substantially pronounced unconstitutional by the Supreme Court of the United States." I ask him in what particular? Is it in this—that it does not recognize the interest that accrued during the war? If so, will my learned colleague inform me upon what principle of right he last summer sustained a measure which repudiated one-half of the interest that has accrued since the complete restoration of our State? Does he not know that that measure of forcible readjustment absolutely repudiated one-half of the accrued and unfunded interest, while the Riddleberger bill provides for paying it dollar for dollar? The difference is simply this: that since 1871 we have denied the right of the creditor to exact war interest and proposed to pay him all else in full. Our adversaries would and did fund that war interest and proposed to repudiate one-half of that which we are in honor and in law bound to pay.

Is it unconstitutional in that it pays but 3 per cent.? The only measure ever passed by the Virginia Assembly to pay as much as 4 per cent. and the only one under which one-third of our creditors have received a penny of interest, was introduced and patronized by Mr. Riddleberger. The first time that our Legislature ever voiced 3 per cent. was when they passed the brokers' job, the pet scheme of my colleague, so ably re-enforced in his advocacy of it on this floor by distinguished gentlemen on the other side, the Legislature then themselves admitting and declaring in the preamble of their bill that this is all the State can pay for ten years "without destroying its industries;" and last winter every legislator of their party voted to run the 3 per cent. for the whole time.

Is it unconstitutional in that it does not exempt the bonds from taxation *forever*, as the brokers' bill attempted to do, a feature peculiar to that measure for paying the debt of Virginia which my colleague advocates here? If so, I would respectfully refer my colleague to his State constitution, which says that all property shall be taxed equally and uniformly; that no one species of property shall be taxed higher than another, and that only such property as is used for religious, educational, and charitable purposes may be exempt from taxation. My learned col-

league, who so unkindly characterized the patron of that bill as a county court lawyer, cites only *Hartman vs. Greenhow* as the case which holds this bill unconstitutional. That case decided no principle that this bill infringes. The Riddleberger bill imposes no tax upon bonds held either in or out of the State. It simply does not exempt any. By what authority, I would ask my colleague, can such a tax be made and collected? He must answer to the party which he undertakes to represent here for doing an unconstitutional act: to tax bonds of the State of Virginia held by a non-resident. The Riddleberger bill does not tax them. Whenever the General Assembly, carrying out the Riddleberger bill, shall endeavor to tax bonds held out of the State, it will be time for the Senator to renew the test in the Supreme Court of the United States and cite the precedent of *Hartman vs. Greenhow*.

Is it the much-discussed fourteenth section which is unconstitutional? If so I would remind my legal colleague that it is a verbatim copy of a statute passed by the State of Tennessee, adjudicated by the Supreme Court of the United States, and not only held by that high tribunal to be constitutional but proper legislation for the protection and maintenance of government. Is it unconstitutional in what is called its force feature? If so it has precedent in the bill of '71, which forbade the payment of any interest to a creditor who did not accept a reduction of one-third. It has precedent in the brokers' bill, which provided tax certificates to compete at a reduced price with the receivable coupon, and both of these measures found a hustings advocate in my colleague.

But he would imply that our debt was ascertained at a certain sum in pursuance of the State Constitution, which he says was \$29,667,304.76.

Mr. President, if there is any man in the party which my colleague represents who agrees with another member of that party in Virginia as to what the debt of that State is, we have yet to find the concurrence; it is with one leader this figure, with another leader another figure; by one report of their officers one sum, and then by another report of other officers a different sum. Grant that sum to be the true one; but let the Senator state that our constitution recognized no specific sum. It says there shall first be a settlement with West Virginia, which has not yet been had, and commands payment of what Virginia shall owe. That is the language, that is the instruction of the constitution of Virginia; that, after a settlement with West Virginia, covering one-third of old Virginia's territory, shall have been arrived at by an adjustment of their rela-

tive proportions of the public debt, Virginia will provide for her share. Now I would like the Senators from West Virginia in this cry against readjusters as repudiators to tell the country what answer they have made to their obligation for one-third of the debt contracted by the old Commonwealth of Virginia. Will they tell the country where they have ever made a proposition to pay one stiver of their share of the public debt of that State to maintain the honor and the dignity of their own Commonwealth? Let them answer.

It was the party of my colleague, that repudiated the settlement of 1871 by the passage of the brokers' bill in 1879, and in turn attempted to repudiate the latter by unanimously indorsing what is known as the "Ross Hamilton bill." I suppose it would not suit my colleague to tell this audience who Ross Hamilton is. Yet, I beg Senators to take notice that the party of my colleague, after a winter spent in the vain effort to find a leader capable of devising means to overthrow the popular will, discovered such, as they supposed, in the person of Ross Hamilton, a colored republican member of the Legislature from the county of Mecklenburg, and blindly followed him to defeat. Hamilton's bill, which was thus unanimously supported by my colleague's party, not only in effect repealed their pet scheme, the brokers' bill, but all other acts in respect to the public debt of Virginia.

I come now to perform a duty—the most unpleasant in one sense and the most agreeable in another. It is to repel the charge flippantly, I hope ineconsiderately, made on this floor that we are repudiators and our proposed measure dishonorable. To the first I reply that my colleague's party in eight years of administration of our State affairs paid 2 per cent. installments of interest on ten millions of our public debt just six times, or 12 per cent. in all; 6 times 8 would be 48 per cent. Instead of that they paid 12 per cent., and that is debt-paying!

Let this suffice. But when Senators apply the word dishonorable, they do not know either whom or what they characterize. Two things they have endeavored to demonstrate, and one is that I received a majority of the white conservative vote of both branches of the Virginia General Assembly. Proudly do I proclaim the truth of this. Every one of those who voted for me to come to this Chamber gave an unqualified vote for the Riddleberger bill. Are they dishonorable men? Scornfully do I repel the charge that any one of them is capable of dishonorable action.

Were it true, what a sad commentary it would be upon those honorable gentlemen whom it is said I am not representing

here. Mr. President, my colleague comes from what we call in Virginia the great Southwest, a noble and prosperous section of Virginia. Fifteen white Conservative counties compose his congressional district, and though the ablest of the orators of my colleague's party canvassed it thoroughly against me and the views set forth in this measure, but two delegates and no senator of the gentleman's party came to the Legislature. To a man they supported the Riddleberger bill. Every senator and every delegate from my colleague's own congressional district, save and except two delegates, supported me for the Senate and the Riddleberger bill as a measure for debt-paying. He would do well to spend a little more time with his constituents!

Whatever our differences on this question, it seems to me those people should have had a defender in him against such foul and slanderous accusations as have been made—that they are dishonorable men. O Shame! where is thy blush? Dishonorable in Virginia to beg the privilege of paying every dollar she borrowed—that is, her rightful share, instead of not only paying that but also the share of West Virginia—dishonorable to pay every dollar she borrowed, only abating the war interest! Dishonorable, too, in the opinion of the gentlemen who represent States on this floor and municipalities which have by arbitrary legislation reduced their indebtedness from \$243,000,000 down to \$84,000,000! Dishonorable in Virginia not only to assume her full share of her public obligations, as measured by her territory in this division of it, but offering to tax her people to an extent threatening the destruction of her industrial interests! Is that dishonorable in that people? If so, what have you to say of this tier of Southern States whose public indebtedness, whose plighted faith, whose sacred obligations—as sacred as are those of my State of Virginia—have been reduced from \$243,000,000 by one or another method of repudiation, upon one or another excuse, down to \$84,000,000, with a reduced interest rate upon the curtailed principal, and only proposing to pay interest in some cases at 2 per cent. and in others 3 and in others 4 on the reduced principal? Is it dishonorable in Virginia to assume \$20,000,000 of the debt of the old State and then to tax her industries within the verge of endurance to pay on that sum the highest rate of interest? Let Senators who assail unjustly the conduct of Virginia in this respect put their own houses in order. I want, Mr. President, the Secretary to read from the International Review the measures of readjustment in the Southern States that Senators may know how fashionable readjustment has been in that section

of this great country on which northern democrats rely in a presidential election.

The Chief Clerk read as follows:

Fluctuation of the Debts of twelve Southern States since the year 1842.

States.	1842.	1852.	1860.	1870.	Date after the war when debt reached highest.	1880.	Amount of debt repudiated highest & June, 1880
West Virginia.....	\$6,994,307	\$13,573,355	\$31,779,062	\$47,390,839	\$47,390,839	No debt.	118,045,613
Virginia.....	None.	977,000	9,699,000	29,300,045	29,900,045	\$29,345,226	26,270,534
North Carolina.....	5,691,234	3,144,931	4,046,540	7,665,909	21,782,906	3,629,511	17,607,452
South Carolina.....	1,309,750	2,801,972	2,670,750	6,544,500	20,197,500	7,175,454	9,863,500
Georgia.....	4,000,000	2,800	4,120,000	1,288,697	5,512,268	10,334,000	4,120,911
Florida.....	15,400,050	8,500,000	6,700,000	8,478,018	31,932,000	1,391,357	20,338,330
Alabama.....	7,000,000	7,271,707	None.	1,796,230	3,226,847	11,613,670	2,847,362
Mississippi.....	23,985,000	11,492,566	4,561,109	25,021,734	40,416,734	12,635,810	27,780,924
Louisiana.....	.....	5,725,671	None.	508,641	5,782,887	5,782,887	.....
Texas.....	2,676,000	1,506,562	3,092,624	3,459,557	18,287,273	5,813,627	12,473,646
Arkansas.....	3,198,166	3,776,856	20,896,606	38,539,802	41,863,406	25,685,822	16,177,584
Tennessee.....	3,085,500	5,726,307	5,479,244	3,892,480	3,892,480	180,394	3,712,086
Kentucky.....	.....	64,499,727	93,046,934	174,486,452	273,205,185	113,967,243	159,237,942
Totals.....	73,340,017	64,499,727	93,046,934	174,486,452	273,205,185	113,967,243	159,237,942

Mr. MAHONE. There is no mere readjustment there; I will not say it is repudiation. "Repudiation" is honorable, perhaps; "readjustment" dishonorable.

Oh, Virginia! It was for this you bared your bosom to soldier's tread and horse's hoof. It was for this you laid waste your fields. It was for this you displayed your noble virtues of fortitude and courage, your heroic suffering and sacrifice. It was for this you suffered the dismemberment of your territory and sent your sons to the field to return to the ruins where were once their homes. It was for this you so reluctantly abandoned your allegiance to a common country to be the last to make war and the last to surrender. O Ingratitude, thou basest and meanest of crimes!

And now, Mr. President, at the time of my election who constituted my opponents? Already, as you have been advised, another representing distinctly the Bourbon democracy of Virginia and the so-

called democracy of this Chamber, another representing distinctly the republican party of Virginia—these were the candidates before the Legislature which elected me to this body. I received not only a majority of the so-called democratic readjusters but of the so-called republican readjusters. And now what were the efforts, known there if not here to gentlemen, to defeat me? Were not combinations sought to be made? It is known of all men there at the capital of my State, if not here, that every influence from whatsoever quarter it could be adduced, whether democratic or republican, was brought together at Richmond for the purpose by combination of defeating my election, of defeating the sovereign will of the people of that Commonwealth as expressed on the 4th of November, 1879.

There was a democracy which sought to secure the election of an orthodox, simon-pure, unadulterated republican, but of that kind called Bourbons in Virginia—a democracy which was not only willing but ready and anxious to send here in the place I have the honor to hold a republican whom they would otherwise profess to despise. What for? For the consideration well known there, that they might elect certain county judges and control the State offices, and by that means prevent the disclosures which have subsequently followed since the readjusters have gotten possession of the capitol. That democracy which like Cæsar's wife would stand "above suspicion," were ready to trade a seat in the United States Senate so that a few county judges might be preserved, that the offices in the capitol at Richmond might be retained in their control; I say in order, perhaps, that the disclosures which have followed the advent of the party I represent might have been longer concealed; moreover that control of the ballot-box in the State might continue where it had been; so certainly I believe; and all this by those who professed to represent the party which had declared in national convention for a full vote, a free ballot, and an honest count.

Such were the considerations, such I say were the inducements which prompted that democracy to its efforts to send to this Chamber a republican beyond question since these many long and weary years. If that is the democracy that the gentlemen on that side love, I proclaim my inability to co-operate with them.

I supported neither of the candidates for Congress in my district, and emphatically declared that purpose on more than one public occasion, because one was a candidate of that party, the Bourbon reactionists, and the other a Bourbon republican with accommodating views on the debt question.



To obey the behests of the democratic caucus of this body, whose leadership on this floor, whose representative national authority—the one here and the other elsewhere—have championed the cause of the Bourbon-funder party in Virginia, would be an obsequious surrender of our State policy and self-condemnation of our independent action.

The desire of our people for cordial relations with all sections of a common country and the people of all the States of the Union, their devotion to popular education, their efforts for the free enjoyment of a priceless suffrage and an honest count of ballots, their determination to make Virginia, in the public belief, a desirable home for all men, wherever their birthplace, whatever their opinions, and to open her fields and her mines to enterprise and capital, and to stay the retrograde movement of years, so as to bring her back from the fifteenth in grade to her original position among the first in the sisterhood of States, forbid that my action here should be controlled or influenced by a caucus whose party has waged war upon my constituency and where party success is held paramount to what I conceive to be the interests of Virginia and the welfare of the whole country.

The readjusters of Virginia have no feeling of hostility, no words of unkindness for the colored man. His freedom has come, and whether by purpose or by accident, thank God, that among other issues which so long distracted our country and restrained its growth, was concluded, and I trust forever, by the results of the sanguinary struggle between the sections.

I have faith, and it is my earnest hope, that the march of an enlightened civilization and the progress of human freedom will proceed until God's great family shall everywhere enjoy the products of their own labor and the blessings of civil, political, and religious liberty.

The colored man was loyal to Virginia in all the days of conflict and devastation which came of the heroic struggle in the war of sections that made her fields historic. By no act of his was either the clash of arms provoked or freedom secured. He did not solve his duty by consideration of self-interest.

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**Speech of Hon. Justin S. Morrill, of Vermont,**

*(Author of the Tariff Bill of 1861), delivered in the Senate of the United States, December 8, 1881, on the Bill to Appoint a Tariff Commission.*

The Senate, being as in Committee of the Whole, and having under consideration the bill (S. No. 22) to provide for the appointment of a commission to investigate the

question of the tariff and internal revenue laws—

Mr. MORRILL said: I have brought this subject to the early attention of the Senate because, if early legislative action on the tariff is to be had, obviously the measure proposed by Senator Eaton and passed at the last session of the Senate is a wise and indispensable preliminary, which cannot be started too soon. The essential information needed concerns important interests, vast in number and overspreading every nook and corner of our country; and when made available by the ingathering and collocation of all the related facts, will secure the earliest attention of Congress, as well as the trust and confidence of the country, and save the appropriate committees of both Houses weeks and months of irksome labor—possibly save them also from some blunders and from final defeat.

An enlargement of the free list, essential reductions and readjustments of rates, are to be fully considered, and some errors of conflicting codifications corrected.

If a general revision of the Bible seems to have been called for, it is hardly to be wondered at that some revision of our revenue laws should be invited. But changes in the frame-work of a law that has had more of stability than any other of its kind in our history, and from which an unexampled growth of varied industries has risen up, should be made with much circumspection, after deliberate consideration, by just and friendly hands, and not by ill-informed and reckless revolutionists. When our recent great army was disbanded, war taxes were also largely dismissed, and we have now, and certainly shall have hereafter, no unlimited margin for slashing experiments.

**THE TARIFF OF 1861.**

The tariff act of 1861, which, by a nickname given by baffled opponents as an echo to a name so humble as my own, it was perhaps hoped to render odious, was yet approved by a democratic President and gave to Mr. Buchanan a much-needed opportunity to perform at last one official act approved by the people.

If I refer to this measure, it will not be egotistically nor to shirk responsibility, but only in defense of those who aided its passage—such as the never-to-be-forgotten Henry Winter Davis, Thad. Stevens, and William A. Howard, and, let me add, the names of Fessenden and Crittenden—and, without the parliamentary skill of one (Mr. SHERMAN) now a member of this body, its success would not have been made certain.

And yet this so-called "Morrill tariff," hooted at as a "Chinese wall" that was to shut out both commerce and revenue, notwithstanding amendments subsequently

piled and patched upon it at every fresh demand during the war, but retaining its vertebræ and all of its specific characteristics, has been as a financial measure an unprecedented success in spite of its supposed patronymical incumbrance. Transforming ad valorem duties into specific, then averaging but 25 per cent. upon the invoice values, imposing much higher rates upon luxuries than upon necessaries, and introducing compound duties\* upon woollens, justly compensatory for the duties on wool, it has secured all the revenue anticipated, or \$198,159,676 in 1881 against \$53,187,511 in 1860, and our total trade, exports and imports, in 1860, of \$687,192,176, appears to have expanded in 1880 to \$1,613,770,633, with a grand excess of exports in our favor of \$167,683,912, and an excess in 1881 of \$259,726,254, while it was \$20,040,062 against us in 1860. A great reduction of the public debt has followed, and the interest charged has fallen from \$143,781,591 in 1867 to about \$60,500,000 at the present time.

If such a result is not a practical demonstration of healthy intrinsic merits, when both revenue and commerce increase in a much greater ratio than population, what is it? Our imports in the past two years have been further brilliantly embellished by \$167,060,041 of gold and silver coin and bullion, while retaining in addition all of our own immense domestic productions; and it was this only which enabled us to resume and to maintain specie payments. Let the contrast of 1860 be also borne in mind, when the excess of our exports of gold and silver was \$57,996,004.

As a protective measure this tariff, with all its increasing amendments, has proven more satisfactory to the people and to various industries of the country than any other on record. The jury of the country has so recorded its verdict. Agriculture has made immense strides forward. The recent exports of food products, though never larger, is not equal by twenty-fold to home consumption, and prices are every where more remunerative, agricultural products being higher and manufactures lower. Of wheat, corn, and oats there was produced 1,184,540,849 bushels in 1860, but in 1880 the crop had swelled to 2,622,200,039 bushels, or had much more than doubled. Since 1860 lands in many of the Western States have risen from 100 to 175 per cent. The production of rice, during the same time, rose from 11,000,000 pounds to 117,000,000. The fires of the tall chimneys have every where been lighted up; and while we made only 987,559 tons of pig iron in 1860, in 1880 we made 4,295,414 tons; and of railroad iron the increase

was from 235,107 tons to 1,461,837 tons. In twenty years the production of salt rose from 12,717,200 bushels to 29,800,298 bushels. No previous crop of cotton equalled the 4,861,000 bales of 1860; but the crop of 1880 was larger, and that of 1881 is reported at 6,606,000 bales. The yield of cotton from 1865 to 1881 shows an increase over the fifteen years from 1845 to 1861 of 14,029,000 bales, or almost an average gain of a million bales a year.

The giant water-wheels have revolved more briskly, showing the manufacture of 1,797,000 bales of cotton in 1880 against only 979,000 bales in 1860, and this brought up the price of raw cotton to higher figures than in 1860. Thirteen States and one Territory produced cotton, but its manufacture spreads over thirty States and one Territory. The census of cotton manufacture shows:

	1860.	1880.
Capital invested.....	\$98,535,269	\$207,781,868
Number of operatives.....	122,028	175,187
Wages paid.....	\$23,940,108	\$41,921,106
Value of productions.....	115,681,774	192,773,960

It will be found that a larger amount of capital has been invested in cotton mills than in woolen, and that the increase of productions has been large and healthy, a very handsome proportion of which is to be credited to Southern States. Goods of many descriptions have also been cheapened in price. Standard prints or calicoes which sold in 1860 for nine and one-half cents per yard now sell for six and one-half cents.

The census returns of woolen manufactures show the following astonishing results:

	Census of 1880.	Census of 1860.
Males employed.....	74,367	24,841
Females employed.....	65,261	16,519
Capital invested.....	\$155,454,105	\$30,862,654
Wages paid.....	47,115,614	9,808,254
Value raw mater'l consum'd	162,609,436	36,586,887
Value of annual product.....	265,684,796	61,895,217
Importations of woollens.....	33,613,897	37,876,945
Ann'l product'n of wool..lbs	264,500,000	60,511,343

It thus appears, that while the number of hands employed is three times and a half larger than in 1860, the wages paid is about five times larger and the capital is five times greater. The annual productions have been more than quadrupled, and the aggregate importations have fallen off four millions. With these results in our front, protection on wool and woollens will be likely to withstand the hand-grenades of all free-trade besiegers.

\* The dominion of Canada has since imposed compound duties upon a large number of articles.

In New England and some other States sheep husbandry has fallen off, and in some places it has been replaced by the dairy business; but in other States the wool-clip has largely increased, especially has the weight of the fleece increased. The number of sheep has increased about 80 per cent. and the weight of wool over 400 per cent. The discovery that the fine long merino wools, known as the American merino, are in fact the best of combing wools and now used in many styles of dress goods has added greatly to their demand and value. Many kinds of woolen goods can be had at a less price than twenty years ago. Cashmerets that then brought forty-six cents per yard brought only thirty-eight and one-fourth cents in 1880, and muslin de laines dropped from twenty cents to fifteen, showing that the tariff did not make them dearer, but that American competition caused a reduction of prices.

The length of our railroads has been trebled, rising from 31,185 miles in 1860 to 94,000 miles in 1881, and possibly to one-half of all in the world. For commercial purposes the wide area of our country has been compressed within narrow limits, and transportation in time and expense, from New York to Kansas, or from Chicago to Baltimore, is now less formidable than it was from Albany or Pittsburgh to Philadelphia prior to the era of railroads. The most distant States reach the same markets, and are no longer neighbors-in-law, but sister States. The cost of eastern or western bound freight is less than one-third of former rates. Working-men, including every ship-load of emigrants, have found acceptable employment. Our aggregate wealth in 1860 was \$19,089,156,289, but is estimated to have advanced in 1880 to over forty billions. Further examination will show that the United States are steadily increasing in wealth, and increasing, too, much more rapidly than free-trade England, notwithstanding all her early advantages of practical experience and her supremacy in accumulated capital. The increase of wealth in France is twice as rapid as in England, but in the United States it is more rapid than even in France.

These are monumental facts, and they can no more be blinked out of sight than the Alleghanies or the Rocky Mountains. They belong to our country, and sufficiently illustrate its progress and vindicate the tariff of 1861. If the facts cannot be denied, the argument remains irrefutable. If royal "cowboys" who attempted to whistle down American independence one hundred years ago ingloriously failed, so it may be hoped will fail royal trumpeters of free-trade who seem to take sides against the United States in all commercial contests for industrial independence.

Among the branches of manufactures absolutely waked into life by the tariff of 1861, and which then had no place above zero, may be named crockery and china ware. The number of white-ware factories is now fifty-three, with forty decorating establishments; and the products, amounting to several millions, are sold at prices 25 to 50 per cent. below the prevailing prices of twenty years ago. Clay and kaolin equal to the best in China have been found east, west, and south in such abundance as to promise a large extension of American enterprise, not only in the ordinary but in the highest branches of ceramic art. Steel may also here claim its birth. No more of all sorts than 11,838 tons were made in 1860, but 1,397,015 tons were made in 1880. Those who objected to a duty on steel have found they were biting something more than a file. Silks in 1860, hardly unwound from the cocoon, were creeping along with only a small showing of sewing-silk and a few trimmings, but now this industry rises to national importance, furnishing apt employment to many thousand women as well as to men; and the annual products, sharply competing with even the Bonnet silks of Lyons, amount to the round sum of \$34,500,000. Notwithstanding the exceptionally heavy duties, I am assured that silk goods in general are sold for 25 per cent. less than they were twenty years ago.

Plate-glass is another notable manufacture, requiring great scientific and mechanical skill and large capital, whose origin bears date since the tariff of 1861. It is made in Missouri and in Indiana, and to a small extent in Kentucky and Massachusetts; but in Indiana it is made of the purest and best quality by an establishment which, after surmounting many perils, has now few equals in the magnitude or perfection of its productions, whether on this or the other side of the Atlantic, and richly merits not only the favor but the patronage of the Government itself. Copper is another industry upon which a specific duty was imposed in 1861, which has had a rapid growth, and now makes a large contribution to our mineral wealth. The amount produced in 1860 was less than one-fifth of the present production, and valued at \$2,288,182; while in 1880 the production rose to the value of \$8,849,961. The capital invested increased from \$8,525,500 to \$31,675,096. In 1860 the United States Mint paid from twenty-three and one-half to twenty-five cents per pound for copper; but has obtained it the present year under a protective tariff as low as seventeen cents. Like our mines of inexhaustible coal and iron, copper is found in many States, some of it superior to any in the world, and for special uses is constantly sought after by foreign governments.

Many American productions sustain the character they have won by being the best in the world. Our carpenters and joiners could not be hired to handle any other than American tools; and there are no foreign agricultural implements, from a spade to a reaper, that an American farmer would accept as a gift. There is no saddlery hardware nor house-furnishing, equal in quality and style to American. Watches and jewelry and the electric gold and silver plated ware of American workmanship as to quality have the foremost place in the marts of the world. The superiority of our staple cotton goods is indisputable, as is proven by the tribute of frequent counterfeits displayed abroad. The city of Philadelphia alone makes many better carpets and more in quantity than the whole of Great Britain. These are noble achievements, which should neither be obscured nor lost by the sinister handling and industrious vituperation of free-trade monographists.

The vast array of important and useful inventions recorded in our Patent Office, and in use the world over, shows that it is hardly arrogance for us to accept the compliment of Mr. Cobden and claim that the natural mechanical genius of average Americans will soon appear as much superior to that of Englishmen as was that of Englishmen one hundred years ago to that of the Dutch.

#### THE TARIFF SHIELDED US IN 1873.

If we had been under the banner of free trade in 1873, when the wide-spread financial storm struck our sails, what would have been our fate? Is it not apparent that our people would have been stranded on a lee shore, and that the general overproduction and excess of unsold merchandise everywhere abroad would have come without hindrance, with the swiftness of the winds, to find a market here at any price? As it was the gloom and suffering here were very great, but American working-men found some shelter in their home markets, and their recovery from the shock was much earlier assured than that of those who in addition to their own calamities had also to bear the pressure of the hard times of other nations.

In six years, ending June 30, 1881, our exports of merchandise exceeded imports by over \$1,175,000,000—a large sum in itself, largely increasing our stock of gold, filling the pockets of the people with more than two hundred and fifty millions not found in the Treasury or banks, making the return to specie payments easy, and arresting the painful drain of interest so long paid abroad. It is also a very conclusive refutation of the wild free-trade chimeras that exports are dependent upon

imports, and that comparatively high duties are invariably less productive of revenue than low duties. The pertinent question arises, Shall we not in the main hold fast to the blessings we have? As Americans we must reject free trade. To use some words of Burke upon another subject: "If it be a panacea we do not want it. We know the consequences of unnecessary physic. If it be a plague, it is such a plague that the precautions of the most severe quarantine ought to be established against it."

#### FREE-TRADE PROSPERITY ON THE WANE.

It gives me no pleasure to notice retrograde steps in the prosperity of Great Britain; and, if some evidence of this sort is brought out, like that of the five thousand houses now marked "To let" in Sheffield and ten thousand in Birmingham, it will have no other purpose than to show that free trade has failed to secure the promised supremacy to English manufactures. The avowal of Mr. Gladstone that the additional penny to the income-tax produces less revenue than formerly indicates a positive decrease of wealth; and the steady diminution of British exports since 1873, amounting in 1880 to one hundred and sixty million dollars, with a diminution in the total of exports and imports of two hundred and fifty million dollars, is more conclusive proof as well of British decadence as of the advancement of other nations.

#### COMMERCIAL PROTECTION.

The sum of our annual support bestowed upon the Navy, like that upon the Army, may be too close-fisted and disproportionate to our extended ocean boundaries, and to the value of American commerce afloat; yet whatever has been granted has been designed almost exclusively for the protection of our foreign commerce, and amounts in the aggregate to untold millions. Manufacturers do not complain that this is a needless and excessive favor to importers; and why, then, should importers object to some protection to a much larger amount of capital, and to far greater numbers embarked certainly in an equally laudable enterprise at home?

#### THE FREE-TRADE PROPAGANDISTS OF ENGLAND.

For the last thirty-five years England has been making extraordinary efforts, political, industrial, legislative, diplomatic, social, and literary, all combined, to persuade mankind to follow her example of reversing that policy of protection, supreme in her Augustan age, or from Queen Anne down throughout the Georgian era, and the policy maintained by Chatham, by the younger Pitt, and by Canning with an

energy that created and sustained the most varied and extensive workshops of the world. Already mistress of the ocean and abounding in wealth, the sea-girt Island aspired to a world-wide monopoly of trade. Penetrated with this later free-trade ambition, and not infrequently accused of trying to make all England tributary to Manchester, and all the rest of the world tributary to England, the eloquent Mr. Bright, who grandly rejected any idea of a new nation in America, resorts even to the infelicitous language of passion when he denounces his opponents, as he does, by declaring that any looking toward protective legislation anywhere in the world is proof either of "congenital depravity or defect of judgment." Let us be thankful it is no worse, for what would have happened if the wrathful Englishman had said "total depravity?"

The repeal of the corn laws was not for the benefit of foreign nations, but solely for the benefit of Englishmen.

FIRST. It was their belief that their skill and great capital gave them that superiority which would secure them against all competition except that arising from cheaper food.

SECOND. The cheaper-fed workmen of Germany, France, and America presented the only competition not to be resisted, and it had to be at once squarely met. Protection was abandoned, and abandoned possibly forever, but abandoned because the laboring British population had become too great and too hungry, with over a million and a half of paupers, when measured by the supply of home-grown food. Some of the little Benjamins must go to Egypt for corn. Starving men do little work, but occasionally do too much. The sole conditions to the continuance of the dense population and the grand scale of British manufactures in competition with modern nations appeared to be parsimony and privation, or lower-priced bread and lowest-priced labor. With these partially secured there came a season of temporary relief, but, unfortunately, with no increase of wages. It was barely success at the cost of an alliance with the discontent of underpaid workmen, with strikes and organized expatriation. Free trade, it is found, grinds labor to the bone, and forces it to fly, with muscles and machinery, to more inviting fields.

British agriculture, long depressed and chronically exposed to bad harvests, is now threatened with ruin by foreign competition, and British manufactures also seem almost as destitute of sunshine as their agriculture, though still owning a reluctant allegiance to the laws of the universe and to the exact science of the garrulous Bonamy Price. Lord Derby, in a late speech to the Lancashire farmers, recom-

mended that some of the farmers should emigrate—five millions, I believe, he proposed—and those who might remain, said he, will then be able to farm on better terms.

True enough; but what a cold, sunless, and desperate remedy is that! If not Roman decimation, at least a sentence of banishment, crushing out the sweetest affections planted in human hearts, their love for their birthplaces, the homes of their fathers! But if these ill-fated men have barely supported life by the pittance daily earned, by what means, at whose cost, can they be transported to better and more welcome homes? The advice of Lord Derby is like that of the children of Marie Antoinette when the populace of Paris were clamoring for bread. Said the children: "Why don't they buy cake?" Equally "child-like and bland" is Lord Derby. It would seem, when over 40 per cent. of their yearly imports must be of food, that the British Islands are too small for the foundations of the empire. The grand pyramid stands upon its apex reversed.

English statesmen have not forgotten the reservation of Sir Robert Peel, the author of the free-trade bill in 1846: "I reserve to myself," said he, "distinctly and unequivocally the right of adapting my conduct to the exigencies of the moment and to the wants of the country;" and that is all protectionists ever claim to do.

Already Sir Stafford Northcote, the leader of the Tory opposition in the House of Commons, is on the fence, and only ventures to favor "universal free trade." That is surely a horse of another color, not Wellington's "Copenhagen," but more like Sancho Panza's "Dapple."

The recent reaction or change in many organs of British opinion shows that this right of adaptation to the exigencies of the moment is neither surrendered nor obsolete. Let me cite an extract from an influential paper, called the Observer:

There is no obligation upon us to incur industrial martyrdom for the sake of propagating free-trade principles, even supposing their truth to be as self-evident as we fondly imagined. Moreover, to speak the honest truth, we are beginning to doubt how far the creed to which we pinned our faith is so self-evident as we originally conceived. If we can persuade other nations to follow our example, then free trade is unquestionably the best thing for England. It does not follow, however, that it is the best thing for us, if we are to be left the sole adherents of free trade in the midst of a community of nations devoted to protection.

The Observer does not say, as will be seen, that it is best for other nations, but

only, if they will follow her example, "unquestionably the best thing for England;" and that will not be disputed.

Other nations, however, seem to prefer to profit by the earlier English example, displayed for seventy years after Smith's *Wealth of Nations* appeared, and free trade, like the favorite English plum-pudding, is now called for by nobody but themselves, and is getting so cold as to be unpalatable even at home. Yet it is proposed by the amateur statesmen of our urban free-trade clubs, guiltless of any drop of perspiration in the paths of industry, to arrest American development by copying this foreign example, and thus bring our home labor and all of its rewards down to the European and Asiatic level. Nevertheless, I have faith that we shall abide in the track of the principles and politics which elevate and give character to American citizens, surrounding them with the daily presence and beauty of the useful arts, which so largely add to the power and dignity of any people in the great family of nations. To limit the industrial forces of an active, inventive, and ingenious people to agriculture alone, excluding manufactures and the mechanic arts, would be little better than in time of war to restrict an army to infantry alone, to the exclusion of cavalry and artillery. Great battles are not often so won.

A diversity of pursuits makes a great nation possible in peace, and greater in war. General competence, habits of self-reliance, and higher culture are thus more surely obtained. The improvement in one occupation is contagious, and spreads to all others. Philosophy, politics, and liberty all go up higher, and the happiness and dignity of mankind are promoted.

It is an axiom of British free-trade economy that for any branch of manufactures to rest on safe foundations it is indispensable that both the raw material and the skilled labor required should be indigenous. This seems to be a rule intended to fence out of the field all nations where either the raw material or the skilled labor called for is not native and abundant; but, if applied where the raw material is not indigenous, the British Islands would be stripped of a great share of their industry. Nor can any nation claim a class of men as born with a monopoly of skilled endowments; these, at any rate, are not "congenital," and trades must be taught by long apprenticeships; but raw materials are usually planted by nature, and climate and soil fix and determine inflexible boundaries. Cotton is not indigenous in the British Islands, though their accomplished cotton manufactures have made it the leading article of commerce, leading their national policy. Hemp and silk, also, are the products of other lands.

Having no timber or lumber good enough for ships, it is all brought, like their royal timber, from any place in the world but home. The steel used at Sheffield for cutlery is made from iron imported from Sweden and Norway; and no fine or merino wool consumed is of home growth. Not a little of the best machinery now alive in England had its birth on this side of the Atlantic, and must be credited to American genius.

The title of the British Islands to all the raw material, and to exclusive and hereditary mechanical skill among men, is widely contested, and the world will not fold its arms unresistingly to any such pretentious domination. The power of steam, though marvelously developed by English cleverness, is an auxiliary force belonging of right to the whole human race, as much as gravity or electricity, wherever its service may be called for, and its abode can no more be exclusively monopolized than that of the Promethean fire stolen from Heaven.

The first steam-engine is supposed to have been employed at Manchester in 1790, where there are now, it is stated, in daily use within a circuit of ten miles more than fifty thousand boilers, yielding a total force equal to the power of one million horses, and the combined steam-power of Great Britain is represented to be equal to the manual labor of twice the number of males living on the globe. We greatly admire the prodigious enterprise of Great Britain, and it would be strange if, with our immensely greater coal-fields, it should let Americans sleep.

#### THE THEORY.

Free trade, as a theory, unembarrassed by contact with practical affairs, and divorced from any idea of supplying other equal and legitimate sources of revenue for the support of governments, appears wonderfully simple and seductive. Tearing down custom-houses, as a knock-down argument, is held to be scientific, but it is not conclusive. Some schoolmen, innocent of earning even a coat or a pair of shoes by the sweat of the brow, and sage without experience, adopt the theory because it is an article of faith—saving without works—with a ready-made catechism in imported text-books, and requires no comprehensive investigation of the multi-form and ever-varying facts and exigencies in national affairs; but when the theory comes to be practically applied alike to all times, places and conditions of men, it obviously becomes political quackery, as untenable and preposterous as it would be to insist upon clothing all mankind in garments of the same material, in summer or winter, and of equal cut and dimensions, whether for big men or little, on the

Danube or on the Mississippi. But however free trade comes to America, it comes as a strait-jacket, and whether new or second-hand, it is equally a misfit and unacceptable.

The affairs of communities are subject to endless differences from age to age and year to year, and governments that do not recognize these differences are either stupid or tyrannical, and deserve to be superseded or overthrown. In 1816 the sound policy of England, as Lord Brougham declared, was to stifle "in the cradle those infant manufactures in the United States which the war had forced into existence." In 1824 the policy, according to Huskisson, was "an extension of the principle of reducing duties just so far as was consistent with complete protection of British industry." In 1846 duties upon most foreign manufactures had almost ceased to yield any revenue, and Sir Robert Peel was forced to listen to the cry for cheap bread, though he was teased almost to the fighting point by the fertile, bitter, and matchless sarcasms of Disraeli, who also said: "The time will come when the working classes of England will come to you on bended knees and pray you to undo your present legislation."

At this moment important changes of public opinion seem to be going on abroad, and the ponderous octavos of Malthus, Ricardo, McCulloch, and Mill may have some repose. What may have been found expedient yesterday may be fraught with mischief to-day, and he that has no distrust of an inflexible free-trade hobby will turn out to be, unwittingly perhaps, as has been well said, "a friend of every other country but his own," and find at last that he has rejected the solid school of experience only to get astride of an imported catch-word, vainly imagining he is bot-tomed on a scientific and universal principle. Daniel Webster declared, "I give up what is called the science of political economy. There is no such science. There are no rules on these subjects so fixed and invariable that their aggregate constitutes a science."

#### PRACTICE VERSUS THEORY.

But English free trade does not mean free trade in such articles as the poor require and must have, like tea and coffee, nor in tobacco, wines and spirituous liquors. These articles they reserve for merciless exactions, all specific, yielding a hundred millions of revenue, and at three times the rate we levy on spirits and more than five times the rate we levy on tobacco! This is the sly part of the entertainment to which we are invited by free-traders.

In 1880 Great Britain, upon tobacco and cigars, mainly from the United States, valued at \$6,586,520, collected \$43,955,-

670 duties, or nearly two-thirds as much as we collect from our entire importations of merchandise from Great Britain.

After all, is it not rather conspicuous hypocrisy for England to disclaim all protection, so long as she imposes twenty-nine cents per pound more upon manufactured tobacco than upon unmanufactured, and double the rate upon manufactured cocoa of that upon the raw? American locomotives are supposed to have great merit, and the foreign demand for them is not unknown, but the use of any save English locomotives upon English railroads is prohibited. Is there any higher protection than prohibition? And have not her sugar refiners lived upon the difference of the rates imposed upon raw and refined sugars? On this side of the Atlantic such legislation would be called protection.

#### WHAT THEY MEAN.

One of the cardinal principles of British free-traders is, "Buy where you can buy cheapest, and sell where you can sell dearest," and that is precisely what they mean. They expect to buy of us cheapest and sell to us dearest. It is the only logical outcome of the whole policy. We are to be the victims of sharpers, whether we sell or buy. One-half of this resounding phrase, "buy where you can buy cheapest," often appears to touch the pocket nerve of those who, having nothing to sell, derive their income from capital, or from a fixed salary, and they forget that their capital or their salary might have been much smaller had it not been for the greater prosperity and compensation which protection has given to labor and to all business enterprises. Some part of this class are accustomed to make periodical journeys through foreign lands, and as they often bring home more or less of esthetic rarities, they feel aggrieved that such expensive luxuries, which, if cheap and common, would have had no attractions for them, often happen to be among the very tidbits upon which it is the fitting policy of a republican form of government to levy revenue. The tax falls upon those able to pay. No country on the globe sends out so many foreign travelers with a spendable surplus, as the United States, or that scatter their money more generously, not to say extravagantly. English reciprocity in pleasure travel, however, like their often proposed commercial reciprocity, is comparatively jug-handled. They come singly; we go in droves and caravans.

#### AMERICA VINDICATED BY THOSE WHO COME TO STAY.

But if foreign countries send comparatively an unequal number of visitors tending to reimburse the abounding expenditures of Americans abroad, they do send

us a far more numerous if not valuable company who come to stay, bringing both fortunes and affections, and adding, as they have added within the past two years, over a million and a quarter of brave hearts and willing hands to the productive forces of the country. Their tracks are all one way. None go back and none come here as drones, for such stay away to absorb honey already stored; but the "tenth legions," so to say, of all the conscripted armies of Europe, in health and fit for any service, are rushing to our shore on the "waves of the Atlantic, three thousand miles long," as volunteers for life. Were we to drop protection this western exodus would cease and the emigrants now here would be relegated to the same scale of wages from which they so anxiously attempted to escape.

These facts are pregnant arguments annually reproduced, upholding the American policy of protection, and show that those who expect to earn their living—tempted, it is true, by the highest rewards, and tempted by free schools for their children—know where to find the largest opportunities for the comforts of life, for happiness and intellectual progress; and know also that America is not and never intends to be a transatlantic Ireland nor an agricultural back lot of Europe.

#### COMMERCIAL RULES NOT A SCIENCE.

We have some worthy literary professors of free trade and some hacks who know their master's crib "of quick conception and easy delivery," as John Randolph would have described them, who, having determined that the sun shall hereafter rise in the west, assume for their doctrines, like their English masters, the basis of absolute science, which they insist shall be everywhere accepted, regardless of all conditions, wants, or circumstances, as the latest revelation of economic truth; but free trade fails, shamefully fails, to stand the admitted tests of an exact science, as its results must ever be both an inconsistent quantity and incapable of prediction. It yields to the condition of nations and of the seasons, to war, to time, and constantly yields to facts. The blackboard compels universal assent to mathematics, and the laboratory offers the same service to chemistry; but any test or analysis of free trade yields nothing but polemical vagaries, and it may appropriately be consigned to the witches' cauldron with—

Eye of newt, and toe of frog,  
Wool of bat, and tongue of dog.

\* \* \*  
Mingle, mingle, mingle,  
You that mingle may.

Queerly enough some of the parties referred to, denounce the tariff men as but

"half-educated," while, perhaps, properly demanding themselves exclusive copyright protection for all of their own literary productions, whether ephemeral or abiding. It is right, they seem to think, to protect brains—and of these they claim the monopoly—but monstrous to protect muscles; right to protect the pen, but not the hoe nor the hammer.

Free trade would almost seem to be an aristocratic disease from which working-men are exempt, and those that catch it are as proud of it as they would be of the gout—another aristocratic distinction.

It might be more modest for these "nebulous professors" of political economy to agree among themselves how to define and locate the leading idea of their "dismal science" whether in the value in exchange or value in use, in profits of capital or wages, whether in the desire for wealth or aversion to labor, or in the creation, accumulation, distribution and consumption of wealth, and whether rent is the recompense for the work of nature or the consequence of a monopoly of property, before they ask a doubting world to accept the flickering and much disputed theory of free trade as an infallible truth about which they have themselves never ceased to wrangle. The weight of nations against it is as forty to one. It may be safe to say that when sea-serpents, mermaids, and centaurs find a place in natural history, free trade will obtain recognition as a science; but till then it must go uncrowned, wearing no august title, and be content with the thick-and-thin championship of the "Cobden Club."

#### THE BRITISH POLICY EVERYWHERE REJECTED.

All of the principal British colonies from the rising to the setting of the sun—India alone possibly excepted—are in open and successful revolt against the application of the free-trade tyranny of their mother country, and European States not only refuse to copy the loudly-heralded example, but they are retreating from it as though it were charged with dynamite. Even the London Times, the great "thunderer" of public opinion in Great Britain, does not refrain from giving a stunning blow to free trade when it indicates that it has proved a blunder, and reminds the world that it predicted it would so prove at the start. The ceremony of free trade, with only one party responding solitary and alone, turns out as dull and disconsolate as that of a wedding without a bride. The honeymoon of buying cheap and selling dear appears indefinitely postponed.

There does not seem to be any party coming to rescue England from her isolated predicament. Bismarck, while aiming to take care of the interests of his own coun-



try, as do all ministers, on this question perhaps represents the attitude of the greater part of the far-sighted statesmen of Europe, and he, in one of his recent parliamentary speeches, declared :

Without being a passionate protectionist, I am as a financier, however, a passionate imposer of duties, from the conviction that the taxes, the duties levied at the frontier, are almost exclusively borne by the foreigner, especially for manufactured articles, and that they have always an advantageous, retrospective, protectionist action.

Practically the nations of continental Europe acquiesce in this opinion, and are a unit in their flat refusal of British free trade. They prefer the example of America. Before self-confident men pronounce the whole world of tariff men, at home and abroad, "half-educated or half-witted," they would do well to see to it that the stupidity is not nearer home, or that they have not themselves cut adrift from the logic of their own brains, only to be wofully imposed upon by free-trade quackery, which treats man as a mere fact, no more important than any other fact, and ranks labor only as a commodity to be bought and sold in the cheapest or dearest markets.

So long as statesmen are expected to study the prosperity and advancement of the people for whose government and guidance they are made responsible, so long free-trade theories must be postponed to that Utopian era when the health, strength and skill, capital and labor of the whole human race shall be reduced or elevated to an entire equality, and when each individual shall dwell in an equal climate, upon an equal soil, freely pasture his herds and flocks where he pleases, and love his neighbor better than himself.

#### OUR FARMERS.

The test of profitable farming is the state of the account at the end of the year. Under free trade the evidence multiplies that the English farmer comes to the end of the year with no surplus, often in debt, bare and discontented. Their laborers rarely know the luxury of meat, not over sixteen ounces per week,\* and never expect to own a rood of the soil.

But under the protective policy the American farmer holds and cultivates his own land, has a surplus at the end of the year for permanent investments or improvements, and educates and brings up his sons and daughters with the advantages and comforts of good society. There are more American houses with carpets than in any

other country of the world. I believe it will not be disputed that the down-trodden tillers of the soil in Great Britain are not well fed; that they are coarsely underclad, and that for lack of common-school culture they would hardly be regarded as fit associates here for Americans who drive their teams afield, or for the young men who start in life as laborers upon farms. The claim that free trade is the true policy of the American farmer would seem to be, therefore, a very courageous falsehood.

It is an unfortunate tendency of the age that nearly one-half of the population of the globe is concentrated in cities, often badly governed, and sharply exposed to extravagance, pauperism, immorality, and all the crimes and vices which overtake mankind reared in hot-beds. I would neither undervalue the men of brilliant parts, nor blot out the material splendor of cities, but regret to see the rural districts depopulated for their unhealthy aggrandizement. Free trade builds up a few of these custom-house cities, where gain from foreign trade is the chief object sought, where mechanics, greater in numbers than any other class, often hang their heads, though Cræsus rolls in Pactolian wealth, and Shylock wins his pound of flesh; but protection assembles artisans and skilled workmen in tidy villages and towns, details many squadrons of industry to other and distant localities, puts idle and playful waterfalls at work, opens, builds up, and illumines, as with an electric light, the whole interior of the country; and the farmer of Texas or of New England, of Iowa or of Wisconsin, is benefited by such reinforcements of consumers, whether they are by his side or across the river, at Atlanta or South Bend, at Paterson or at Providence. The farmers own and occupy more than nineteen-twentieths of our whole territory, and their interest is in harmony with the even-handed growth and prosperity of the whole country.

There is not a State whose interests would not be jeopardized by free trade, and I should like to dwell upon the salient facts as to Missouri, Kansas, Indiana, Alabama, Illinois, and many other States, but I shall only refer to one. The State of Texas, surpassing empires in its vast domains, doubling its population within a decade, and expending over twenty million dollars within a year in the construction of additional railroads, with a promised expenditure within the next fifteen months of over twenty-seven millions more, has sent to market as raw material the past year 12,262,052 pounds of hides, 20,671,639 pounds of wool, and 1,260,247 bales of cotton. Her mineral resources, though known to be immense, are as yet untouched. Her bullocks, in countless herds on their way to market, annually crowd and crop

\* In the British Almanac of 1881 it is stated that meat is eaten in Ireland by only 59 per cent. of the farm laborers, and in quantity only four and one-half ounces per week.

the prairies from Denver to Chicago. But now possessed of a liberal system of railroads, how long will the dashing spirit of the Lone Star State—where precious memories still survive of Austin, of Houston, of Rusk, and of Schleicher—be content to send off unmanufactured her immense bulk of precious raw materials, which should be doubled in value at home, and by the same process largely multiply her population? With half as many in number now as had the original thirteen, and soon to pass our largest States, wanting indefinite quantities of future manufactures at home, Texas should also prepare to supply the opening trade with Mexico, in all of its magnitude and variety, and far more worthy of ambition than in the golden days of Montezuma.

No State can run and maintain railroads unless the way-stations, active and growing settlements and towns, are numerous enough to offer a large, constant, and increasing support. The through business of long lines of railroads is of great importance to the termini, and gives the roads some prestige, but the prosperity and dividends mainly accrue from the local business of thrifty towns on the line of the roads. It is these, especially manufacturing towns, which make freight both ways, to and from, that free trade must ever fail to do, and while through freights, owing to inevitable competition, pay little or no profit, the local freights sustain the roads, and are and must be the basis of their chief future value. Without this efficient local support, cheap and rapid long transportation would be wholly impracticable.

The Southern States, in the production of cotton, have possibly already reached the maximum quantity that can be cultivated with greatest profit, unless the demand of the world expands. A short crop now often brings producers a larger sum than a full crop. The amount of the surplus sent abroad determines the price of the whole crop. Production appears likely soon to outrun the demand. Texas alone has latent power to overstock the world. Is it not time, therefore, to curtail the crop, or to stop any large increase of it, while sure to obtain as much or more for it, and to turn unfruitful capital and labor into other and more profitable channels of industry? The untrodden fields, where capital and labor wait to be organized for the development of Southern manufactures and mining, offer unrivaled temptations to leaders among men in search of legitimate wealth.

The same facts are almost equally applicable to general agriculture, but more particularly to the great grain-growing regions of the West. A great harvest frequently tends to render the labor of the

whole year almost profitless, whenever foreign countries are blessed with comparatively an equal abundance. The export of corn last year in October was 8,535,067 bushels, valued at \$4,604,840, but the export of only 4,974,661 bushels this year brings \$3,605,813. An equal difference appears in the increased value of exports of flour. A much larger share of crops must be consumed nearer home, if any sure and regular market is to be permanently secured. The foreign demand, fitful and uncertain as it is, rarely exceeds one-twentieth of even the present home requirements, and the losses from long transportation, incident to products of great bulk, can never be successfully avoided except by an adequate home demand.

Farmers do not look for a market for grain among farmers, but solely among non-producing consumers, and these it is greatly to their interest to multiply rather than to diminish by forcing them to join in producing or doubling crops for which there may be an insufficient demand. Every ship-load of wheat sent abroad tends to bring down foreign prices; and such far-off markets should be sought only when the surplus at home is excessive or when foreign prices are extraordinarily remunerative.

The wheat regions of the West, superb as they undoubtedly are, it is to be feared, have too little staying character to be prodigally squandered, and their natural fertility noticeably vanishes in the rear unless retained by costly fertilizers almost as rapidly as new fields open in front. Some of the Middle States as well as the New England, though seeking fertilizers far and near, already look to the West for much of their corn and bread; and there is written all over Eastern fields, as Western visitors may read, the old epitaph, "As we are now so you may be." It will take time for this threatened decadence, but not long in the life of nations. The wheat crop runs away from the Atlantic coast to the Pacific, and sinks in other localities as it looms up in Minnesota, Nebraska, and Dakota. Six years of cropping in California, it is said, reduces the yield per acre nearly one-half.

There was in 1880 devoted to wheat culture over thirty-five million acres, or nearly double the acreage of 1875. In twenty-five years a hundred million people will more than overtake any present or prospective surplus, and we may yet need all of our present magnificent wheat-fields to give bread to our own people. Certainly we need not be in haste to slaughter and utterly exhaust the native fertility of our fields on the cheap terms now presented.

England, with all her faults, is great, but unfortunately has not room to support

her greatness, and must have cheap food and be able to offer better wages or part with great numbers of her people. I most sincerely hope her statesmen—and she is never without those of eminence—will prove equal to their great trust and to any crisis; but we cannot surrender the welfare of our Republic to any foreign empire. Free trade may or may not be England's necessity. Certainly it is not our necessity; and it has not reached, and never will reach, the altitude of a science. An impost on corn there, it is clear, would now produce an exodus of her laboring population that would soon leave the banner of Victoria waving over a second-rate power.

Among the nations of the world the high position of the United States was never more universally and cordially admitted. Our rights are everywhere promptly conceded, and we ask nothing more. It is an age of industry, and we can only succeed by doing our best. Our citizens under a protective tariff are exceptionally prosperous and happy, and not strangers to noble deeds nor to private virtues. A popular government based on universal suffrage will be best and most certainly perpetuated by the elevation of laboring men through the more liberal rewards of diversified employments, which give scope to all grades of genius and intelligence and tend to secure to posterity the blessings of universal education and the better hope of personal independence.

**Speech of Hon. J. D. Cameron, of Penna.**

*On the Reduction of Revenue as Affecting the Tariff. Delivered in the United States Senate January 16, 1882.*

Mr. CAMERON, of Pennsylvania. I move to take up the resolution submitted by me in relation to internal-revenue taxes.

The motion was agreed to; and the Senate proceeded to consider the following resolution submitted by Mr. CAMERON, of Pennsylvania, December 6, 1881:

*Resolved,* That in the opinion of the Senate it is expedient to reduce the revenue of the Government by abolishing all existing internal revenue taxes except those imposed upon high wines and distilled spirits.

Mr. CAMERON, of Pennsylvania. Mr. President, the surplus revenue of this Government applicable to the payment of the public debt for the year ending June 30, 1881, was \$100,069,404.98.

The inference from these figures must be that if such surplus receipts are applied to the reduction of the debt it will be paid within ten or twelve years. The question then is: Should the people continue to be taxed as heavily as they now are to pay it off within so short a period? Is it wise or prudent?

No one will deny the wisdom of the legislators who inaugurated the system of reducing the debt, or the patriotism of the people who have endured a heavy load of taxation to pay the interest and reduce the principal of such indebtedness. Both have been causes of wonder to the world, and have shown the strength, honesty, and prudence attainable under a republican form of government in matters where it was thought to be weak. It is acknowledged that the course thus pursued by Congress, and supported by the people, has had several good results. The exercise of the power of the Government and the cheerful submission to the enacting nature of the laws by the people has had an undoubted tendency to elevate and strengthen the moral tone of the nation, giving the people more confidence in each other, and compelling the approval of the world. It has reduced the principal sum of our national indebtedness until it is entirely within the ready control of the financial ability of the people either to pay off or to pay the interest thereon. It has established the credit of the country, and brought it up from a position where the 6 per cent. gold bonds of the United States before the war would not command par to a present premium of 17 per cent. on a 4 per cent. bond, and to the ready exchange of called 6 per cent. bonds into new ones bearing 3½ per cent. interest. It has demonstrated the ability of the country not only to carry on a most expensive internal war, but to pay off its cost in a time unknown to any other people; and further, that the ability of the country to furnish men and material of war and to meet increased financial demands is cumulative. The burden carried by this country from 1861 to the present day has been much greater than it would be if laid upon this nation and people from 1881 to 1900.

The burden, therefore, of the present debt would fall but lightly on the country if the payment thereof should be for a time delayed, or the rate at which it has been paid be decreased. It thus becomes a question of prudence with the Government whether they will continue the burden upon the people, or relieve them of part of it.

The burdens of general taxation borne by the people are very onerous. They have not only the General Government to sustain, on which devolves the expenses of legislation, of the Federal judiciary, of the representatives of our country in all the principal governments and cities of the world, of the management of such of our internal affairs and conveniences as belong to Congress, the keeping up of our Army and Navy, the erection of public buildings, the improvement of the rivers and harbors, and many other items that require large

annual expenditures. With the increase of population and the filling up of our unoccupied lands almost all these annual outlays and expenses will tend to increase in place of decreasing, and all such expenditures must be in some way met by the people of the country. They have also to sustain their State governments with the expenses and outlays incident to them, their legislatures, judiciaries, penitentiaries, places of reform, hospitals, and all means of aiding the afflicted, to sustain the common schools, to pay the cost of such improvements of rivers, of canals, of railways, or of roads as the States may undertake. They have also the heavy cost to meet of city governments, of county, town and borough governments; they must pay the inferior Legislatures, erect buildings, provide water, police, jails, poor-houses, and build roads and take care of them.

On the liberality of the people the country depends for the building of charitable institutions, universities, colleges, private schools of high grade, and every variety of relief to the poor and the afflicted. In addition to these burdens almost all the States, most of the large cities, and many of the counties and towns in the States still labor under the burdens of indebtedness incurred during the war to sustain the General Government, which indebtedness, incurred on the then value of paper currency, has now to be paid in gold. They have not had the means at command to pay off much of such indebtedness like the General Government, nor to refund it at a lower rate of interest. The superior credit of the General Government has been made partially at the expense of the local governments. I have stated these facts that Senators might keep in mind that the question should not be considered as merely one of our ability to reduce our indebtedness by paying off annually one hundred millions of dollars and by continuing our present laws for raising revenues, as if it were but a small matter for the people to do, but it should be considered in connection with the total burden of taxation imposed by the revenue laws of the General Government, as well as by those of the State and the subordinate governments within their bounds.

There is, therefore, a strong argument to be found in these facts of the other burdens of taxation borne by the people in favor of reducing the amount of revenue applicable to the payment of the public debt when it can be done without injury to the credit of the Government and without risking in the least the ability of the Government either to pay such indebtedness as it matures or to interfere with the ability of the Government to fully provide for the wants of the country as they may be developed. A complete statement of

the percentage of taxation borne by each male citizen of the United States over twenty-one years of age in the various ways stated would astound the Senate and the country. There is probably no country in the world where the taxation direct and indirect is so heavy, and only a people situated and circumstanced as the American people are could prosper under such a burden. If no other reason could be advanced in favor of a reduction of the amount of moneys derived from our internal-revenue laws than this one of reducing the burdens of the people, it would be amply sufficient, in my judgment, to warrant the proposed reduction. Yet I will say frankly that I have another object in wishing to have the internal revenue reduced, and I hope before long that every vestige of that system will cease to exist. That object is to prevent any material change being made in the tariff upon imports as it now exists, for upon its existence depends the prosperity, the happiness, the improvement, the education of the laboring people of the country, although I do not object to a careful revision of it by a competent commission.

I want to say a word here about the arrears of pension act. This act never should be repealed, and in my judgment it never will or can be. It has lately been held up to contempt by that class of people who twenty years ago were engaged in exhorting these same pensioners to go to the front, and who now object to rewarding them; but their opinion is not shared by the people at large; in fact, no more essentially just law was ever placed upon the statute-book. Its effect is simply and solely to prevent the Government from pleading the statute of limitation against its former defenders. It did not increase the rate of pensions in any way whatever, but merely said that a man entitled to a pension for physical injury received in Government service should not be debarred from receiving it because he was late in making his application. To the payment of these pensions every sentiment of honesty and gratitude should hold us firmly committed.

My friend the Senator from Kentucky [Mr. BECK] is very honest, is generally very astute, and has great capacity as a leader. My personal friendship makes me desire his success, and as an individual I want him to be the recipient of all the honors his party can bestow upon him, but I am very sure that he is now opposing a measure that is intended to promote the welfare of and is in accord with the wishes of the people of the country. He is leading his party astray, he is holding it back, he is tying it to the carcass of free trade.

Politically I am glad that he is; on his own account I regret it. He is opposing the principle of protection, and, in my

judgment, no man can do that and retain the support of the people. No party can to-day proclaim the doctrine of "a tariff for revenue only" and survive. Opposition to an earnest prosecution of the war for the suppression of the rebellion failed to destroy the Democratic party because of the recruits it received from the South, but opposition to the doctrine of protection to American productions, hostility to the elevation of American labor, no party in this enlightened day can advocate and live. I am astonished that the Democratic party does not learn by experience. The "tariff-for-a-revenue-only" plank in the Cincinnati platform lost it Indiana, lost it New York, and in 1884 it will lose it one-half of the Southern States.

The PRESIDENT *pro tempore*. The morning hour has expired. Is it the pleasure of the Senate that unanimous consent be given to the Senator from Pennsylvania to proceed with his remarks?

Mr. BECK. I move that unanimous consent be granted.

The PRESIDENT *pro tempore*. The Chair hears no objection, and the morning hour will be continued until the Senator from Pennsylvania closes his remarks.

Mr. CAMERON, of Pennsylvania. The great question of protection to American labor will be the question which will obliterate old dissensions and unite the States in one common brotherhood. The Democratic party has made its last great fight. It will struggle hard, and in its death throes will, with the aid of a few unsuccessful and disappointed Republicans, possibly have temporary local successes, but death has marked it for its victim, die it will, and on its tomb will be inscribed, "Died because of opposition to the education, the elevation, the advancement of the people."

The historic policy of this country has been to raise its revenues mainly from duties on imports and from the sale of the public lands. There are many reasons in favor of this policy. It is more just and equal in its burdens on the States and on the people; it is less inquisitorial, less expensive, less liable to corruption; it is free from many vexed questions which our experience of twenty years in collecting internal revenue has developed. The internal revenue brings the General Government in contact with the people in almost every thing they eat, wear, or use. The collection of revenue by duties on imports is so indirect as to remove much of the harshness felt when the citizen comes in direct contact with the iron grip of the law compelling him to affix a stamp to what he makes or uses. No one will question the fact that the collection of internal duties unfavorably affected the general morals of the nation.

The internal revenue laws were adopted by the Government as a war measure, as an extraordinary and unusual means of raising money for an emergency, and it is proper and in accordance with public opinion that with the end of the emergency such policy should cease. I cannot but think that every Senator will agree with me that the end of the emergency has been reached. The emergency embraced not only the time of the expenditures, but their continuation until the debt incurred during the emergency was so reduced as to be readily managed, if not exclusively by the ordinary revenues of the Government, yet with a greatly reduced system of internal revenues and for a limited time. But in determining wherein such reduction shall be made, two great interests of the country are to be considered:

First, the system of duties on foreign goods, wares, &c.

Second, our national banking system.

It has been proposed to meet this question of reduction by lowering the rates of duty, and thus to continue in this country indefinitely the use of direct and indirect taxation, supposing that such reduction would require the prolonged continuation of internal taxation.

The first effect of this would be to increase the revenues, as lower duties would lead for a while to increased importations; but ultimately these increased importations would destroy our manufactures and impoverish the people to the point of inability to buy largely abroad, and when that point would be reached, we should have no other source of revenue than internal taxes upon an impoverished people. At first we should have more revenue than we need, but in the end much less.

This statement of the effect of lower duties may at first seem anomalous and questionable, but that such would be the result is proven by the effect on the revenues of the country of the reduction in duties in the tariff of 1845 below that of 1842. This will be evident from the Treasury statistics of the years 1844, 1845, 1846, 1847, &c., which will show for the latter years a large increase of revenues. A reduction of duties which would affect the ability of our manufacturers to compete with foreign makers would cause a large importation of goods, with two objects: first, to find a market, the effect of which would be to keep the mills of England and other countries fully employed; and, second, a repetition of the custom of English manufacturers to put goods on our markets at low and losing prices for the purpose of crippling and breaking down our operators. And this increase of our national revenues would continue until our fires were stopped, our mills and mines closed, our laborers starved, and our capital and skill, the work

of many years, lost. This time would be marked by a renewal of our vassalage to England. Then the tables would be turned, our revenues would fall off with our inability to purchase, our taxation would continue and become very onerous, and in place of a strong, reliant, and self-supporting people, exercising a healthful influence over the nations of the world, we would be owned and be the servants of Europe, tilling the ground for the benefit of its people; our laborers would be brought down to a level with the pauper labor of Europe.

Our form of government will not permit the employment of ignorant pauper labor. It is a government of the people, and to have it continue to grow and prosper the people must be paid such wages as will enable them to be educated sufficiently to realize and appreciate the benefits of its free institutions; and knowing these benefits, they will maintain them. If, on the other hand, it is desirable that the revenues from duties should be decreased, and thereby retain both kinds of taxation, the direct and the indirect, the best possible way to do this would be to largely increase the duties on imported goods, which would for a time decrease the imports, thereby decreasing the amount of duties received. This tendency would last until, through this policy, the wealth and purchasing power of the country would so largely increase that the revenues would again increase, both by reason of decreased cost in foreign countries and because of the purchase by us of articles of special beauty, skill, and luxury. It may be said (and however paradoxical it may appear, the assertion is proven by the history of the tariff) that while the immediate tendency with free-trade duties is to increase imports and revenues, the ultimate result of such low duties is to decrease the imports and revenues, due to the decreasing ability of the country to purchase. The immediate tendency of protective tariffs is to decrease imports and revenues, but the final result is to increase the imports and duties, arising from the greater ability of the country to purchase. But my intention is not to discuss at this time the question of a tariff, but to show the effect of a change in the duties on imports upon the revenues of the country.

I clearly recognize that while the public mind is decidedly in favor of encouraging home manufacturers by levying what are called protective duties, yet the people are opposed to placing those duties so high that they become prohibitory and making thereby an exclusive market for our manufacturers at home. It seems very clear to my mind, in view of these statements as to the result of decreasing or increasing the duties on our imports, that no reduction

of revenue is practicable by changes in our tariff.

The second great interest of the people, which will very shortly be directly affected by the large and increasing surplus revenues of the country, is the system of national banks, and this through the decrease of the public indebtedness by the application of the annual surplus to its payment. The large annual reduction of the public debt will very shortly begin to affect the confidence of the public in the continuation of the system. It will increase public anxieties and excite their fears as to a substitution of any other system for this that has proven so acceptable and so valuable to the country. If the national banking system is to be worked out of existence, it will inevitably cause serious financial trouble.

Financial difficulties among a people like those of this country, however ill-based or slight, are always attended by disastrous consequences, because in times of prosperity the energies and hopefulness of the people are stretched to the utmost limits, and the shock of financial trouble has the effect of an almost total paralysis on the business of the country. It is certainly the part of statemanship to avoid such a calamity whenever it is possible.

I unhesitatingly declare and believe that the value of our system of national banks is so great in the benefits the country derives therefrom and the dangers and losses its continuance will avoid that it were better to continue in existence an indebtedness equal to the wants of the banks which the country may from time to time require until some equally conservative plan may be offered that will enable us to dispense with the system.

It is also important in this connection for Senators to bear in mind that the increasing business of the country will annually require increased banking facilities, and consequently increased bonds as the basis on which they can be organized; and it should not be overlooked that a possible determination by Congress to pay off by retiring or by funding the greenbacks will create a great hiatus in the circulating medium of the country, which can only be replaced by additional national-bank notes based upon an equivalent amount of public indebtedness.

In view of the statements I have made, I cannot but conclude that the wisest and most prudent course for Congress is to leave the question of changes in the tariff laws to be adjusted as they may from time to time require, and to make whatever reduction of the income of the Government that may be found desirable by reducing the changes in the internal-revenue laws.

The national revenue laws as they now are may be greatly and profitably changed.

They are very burdensome to a heavily-taxed people, and such burdens should be relieved wherever it is possible. This can now be done with safety by providing that so much of the public debt may be paid off from time to time as may not be required to sustain the system of national banks.

I move that the resolution be referred to the Committee on Finance.

The motion was agreed to.

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**Extracts from Speech of Hon. Thomas H. Benton,**

*On Proposed Amendments of the Constitution in relation to the election of President and Vice-President, Delivered in the U. S. Senate Chamber, A. D. 1824.*

He said:—The evil of a want of uniformity in the choice of Presidential electors, is not limited to its disfiguring effect upon the face of our government, but goes to endanger the rights of the people, by permitting sudden alterations on the eve of an election, and to annihilate the rights of the small States, by enabling the large ones to combine, and to throw all their votes into the scale of a particular candidate. These obvious evils make it certain that *any uniform rule* would be preferable to the present state of things. But, in fixing on one, it is the duty of statesmen to select that which is calculated to give to every portion of the Union its due share in the choice of a chief magistrate, and to every individual citizen a fair opportunity of voting according to his will. This would be effected by adopting the *District System*. It would divide every State into districts equal to the whole number of votes to be given, and the people of each district would be governed by its own majority, and not by a majority existing in some remote part of the State. This would be agreeable to the *rights* of individuals: for in entering into society, and submitting to be bound by the decision of the majority, each individual retained the right of voting for himself wherever it was practicable, and of being governed by a majority of the vicinage, and not by majorities brought from remote sections to overwhelm him with their accumulated numbers. It would be agreeable to the *interests* of all parts of the States; for each State may have different interests in different parts; one part may be agricultural, another manufacturing, another commercial; and it would be unjust that the strongest should govern, or that two should combine and sacrifice the third. The district system would be agreeable to the *intention* of our present constitution, which, in giving to each elector a separate vote, instead of giving to each State a consolidated vote, composed of all its electoral suffrages, clearly intended that each mass of persons entitled to one elector,

should have the right of giving one vote, according to their own sense of their own interest.

The general ticket system now existing in ten States, was the offspring of policy, and not of any disposition to give fair play to the will of the people. It was adopted by the leading men of those States, to enable them to consolidate the vote of the State. It would be easy to prove this by referring to facts of historical notoriety. It contributes to give power and consequence to the leaders who manage the elections, but it is a departure from the intention of the constitution; violates the rights of the minorities, and is attended with many other evils.

The intention of the constitution is violated because it was the intention of that instrument to give to each mass of persons, entitled to one elector, the power of giving an electoral vote to any candidate they preferred. The rights of minorities are violated, because a majority of *one* will carry the vote of the whole State. The principle is the same, whether the elector is chosen by general ticket, or by legislative ballot; a majority of *one*, in either case, carries the vote of the whole State. In New York, thirty-six electors are chosen; nineteen is a majority, and the candidate receiving this majority is fairly entitled to receive nineteen votes; but he counts in reality thirty-six: because the minority of seventeen are added to the majority. These seventeen votes belong to seventeen masses of people, of 40,000 souls each, in all 680,000 people, whose votes are seized upon, taken away, and presented to whom the majority pleases. Extend the calculation to the seventeen States now choosing electors by general ticket or legislative ballot, and it will show that three millions of souls, a population equal to that which carried us through the Revolution, may have their votes taken from them in the same way. To *lose* their votes is the fate of all minorities, and it is theirs only to submit; but this is not a case of votes *lost*, but of votes *taken away*, added to those of the majority, and given to a person to whom the minority was opposed.

He said, this objection (to the direct vote of the people) had a weight in the year 1787, to which it is not entitled in the year 1824. Our government was then young, schools and colleges were scarce, political science was then confined to few, and the means of diffusing intelligence were both inadequate and uncertain. The experiment of a popular government was just beginning; the people had been just released from subjection to an hereditary king, and were not yet practiced in the art of choosing a temporary chief for themselves. But thirty-six years have reversed this picture; thirty-six years, which have

produced so many wonderful changes in America, have accomplished the work of many centuries upon the intelligence of its inhabitants. Within that period, schools, colleges, and universities have multiplied to an amazing extent. The means of diffusing intelligence have been wonderfully augmented by the establishment of six hundred newspapers, and upwards of five thousand post-offices. The whole course of an American's life, civil, social, and religious, has become one continued scene of intellectual and of moral improvement. Once in every week, more than eleven thousand men, eminent for learning and for piety, perform the double duty of amending the hearts, and enlightening the understandings, of more than eleven thousand congregations of people. Under the benign influence of a free government, both our public institutions and private pursuits, our juries, elections, courts of justice, the liberal professions, and the mechanical arts, have each become a school of political science and of mental improvement. The federal legislature, in the annual message of the President, in reports of heads of departments, and committees of Congress, and speeches of members, pours forth a flood of intelligence which carries its waves to the remotest confines of the republic. In the different States, twenty-four State executives and State legislatures, are annually repeating the same process within a more limited sphere. The habit of universal travelling, and the practice of universal interchange of thought, are continually circulating the intelligence of the country, and augmenting its mass. The face of our country itself, its vast extent, its grand and varied features, contribute to expand the human intellect and magnify its power. Less than half a century of the enjoyment of liberty has given practical evidence of the great moral truth, that under a free government, the power of the intellect is the only power which rules the affairs of men; and virtue and intelligence the only durable passports to honor and preferment. The conviction of this great truth has created an universal taste for learning and for reading, and has convinced every parent that the endowments of the mind and the virtues of the heart, are the only imperishable, the only inestimable riches which he can leave to his posterity.

This objection (the danger of tumults and violence at the elections) is taken from the history of the ancient republics; and the tumultuary elections of Rome and Greece. But the justness of the example is denied. There is nothing in the laws of physiology which admits a parallel between the sanguinary Roman, the volatile Greek, and the phlegmatic American. There is nothing in the state of the respective coun-

tries, or in the manner of voting, which makes one an example for the other. The Romans voted in a mass, at a single voting place, even when the qualified voters amounted to millions of persons.

They came to the polls armed, and divided into classes, and voted, not by heads, but by centuries.

In the Grecian republics all the voters were brought together in a great city, and decided the contest in one great struggle.

In such assemblages, both the inducement to violence, and the means of committing it, were prepared by the government itself. In the United States all this is different. The voters are assembled in small bodies, at innumerable voting places, distributed over a vast extent of country. They come to the polls without arms, without odious instructions, without any temptation to violence, and with every inducement to harmony.

If heated during the day of election, they cool off upon returning to their homes, and resuming their ordinary occupations.

But let us admit the truth of the objection. Let us admit that the American people would be as tumultuary at this presidential election as were the citizens of the ancient republics at the election of their chief magistrates. What then? Are we thence to infer the inferiority of the officers thus elected, and the consequent degradation of the countries over which they presided? I answer no. So far from it, that I assert the superiority of these officers over all others ever obtained for the same countries, either by hereditary succession, or the most select mode of election. I affirm those periods of history to be the most glorious in arms, the most renowned in arts, the most celebrated in letters, the most useful in practice, and the most happy in the condition of the people, in which the whole body of the citizens voted direct for the chief officer of their country. Take the history of that commonwealth which yet shines as the leading star in the firmament of nations. Of the twenty-five centuries that the Roman state has existed, to what period do we look for the generals and statesmen, the poets and orators, the philosophers and historians, the sculptors, painters and architects, whose immortal works have fixed upon their country the admiring eyes of all succeeding ages? Is it to the reign of the seven first kings?—to the reigns of the emperors, proclaimed by the prætorian bands?—to the reigns of the Sovereign Pontiffs, chosen by a select body of electors in a conclave of most holy cardinals? No.—We look to none of these, but to that short interval of four centuries and a half which lies between the expulsion of the Tarquins, and the re-establishment of monarchy in the



person of Octavius Cæsar. It is to this short period, during which the consuls, tribunes, and prætors, were annually elected by a direct vote of the people, to which we look ourselves, and to which we direct the infant minds of our children, for all the works and monuments of Roman greatness; for roads, bridges, and aqueducts, constructed; for victories gained, nations vanquished, commerce extended, treasure imported, libraries founded, learning encouraged, the arts flourishing, the city embellished, and the kings of the earth humbly suing to be admitted into the friendship, and taken under the protection of the Roman people. It was of this magnificent period that Cicero spoke, when he proclaimed the people of Rome to be the masters of kings, and the conquerors and commanders of all the nations of the earth. And, what is wonderful, during this whole period, in a succession of four hundred and fifty annual elections, the people never once prepared a citizen to the consulship who did not carry the prosperity and glory of the Republic to a point beyond that at which he had found it.

It is the same with the Grecian Republics. Thirty centuries have elapsed since they were founded; yet it is to an ephemeral period of one hundred and fifty years only the period of popular elections which intervened between the dispersing of a cloud of petty tyrants, and the coming of a great one in the person of Philip, King of Macedon, that we are to look for that galaxy of names which shed so much lustre upon their country, and in which we are to find the first cause of that intense sympathy which now burns in our bosoms at the name of Greece.

These short and brilliant periods exhibit the great triumph of popular elections; often tumultuary, often stained with blood, but always ending gloriously for the country.

Then the right of suffrage was enjoyed; the sovereignty of the people was no fiction. Then a sublime spectacle was seen, when the Roman citizen advanced to the polls and proclaimed: "*I vote for Cato to be consul;*" the Athenian, "*I vote for Aristides to be Archon;*" the Hebran, "*I vote for Pelopidas to be Bæotrach;*" the Lacedæmonian, "*I vote for Leonidas to be first of the Ephori,*" and why not an American citizen the same? Why may he not go up to the poll and proclaim, "*I vote for Thomas Jefferson to be President of the United States?*" Why is he compelled to put his vote in the hands of another, and to incur all the hazards of an irresponsible agency, when he himself could immediately give his own vote for his own chosen candidate, without the slightest assistance from agents or managers?

But I have other objections to these in-

termediate electors. They are the peculiar and favorite institution of aristocratic republics, and elective monarchies. I refer the Senate to the late republics of Venice and Genoa; of France, and her litter; to the Kingdom of Poland; the empire of Germany, and the Pontificate of Rome. On the contrary, a direct vote by the people is the peculiar and favorite institution of democratic republics; as we have just seen in the governments of Rome, Athens, Thebes, and Sparta; to which may be added the principal cities of the Amphyc-tionian and Achaian leagues, and the renowned republic of Carthage when the rival of Rome.

I have now answered the objections which were brought forward in the year '78. I ask for no judgment upon their validity of that day, but I affirm them to be without force or reason in the year 1824.

TIME and EXPERIENCE have so decided. Yes, *time* and *experience*, the only infallible tests of good or bad institutions, have now shown that the continuance of the electoral system will be both useless and dangerous to the liberties of the people, and that the only effectual mode of preserving our government from the corruptions which have undermined the liberties of so many nations, is, to confide the election of our chief magistrates to those who are farthest removed from the influence of his patronage; that is to say, to the whole body of American citizens.

The electors are not independent; they have no superior intelligence; they are not left to their own judgment in the choice of a President; they are not above the control of the people; on the contrary, every elector is pledged, before he is chosen, to give his vote according to the will of those who choose him.

He is nothing but an agent, tied down to the execution of a precise trust. Every reason which induced the convention to institute electors has failed. They are no longer of any use, and may be dangerous to the liberties of the people. They are not useful, because they have no power over their own vote, and because the people can vote for a President as easily as they can vote for an elector. They are dangerous to the liberties of the people, because, in the *first* place, they introduce extraneous considerations into the election of President; and in the *second* place, they may sell the vote which is intrusted to their keeping. They introduce extraneous considerations, by bringing their own character and their own exertions into the presidential canvass. Every one sees this. Candidates for electors are now selected, not for the reasons mentioned in the Federalist, but for their devotion to a particular party, for their manners, and their talent at electioneering. The elector may

betray the liberties of the people, by selling his vote. The operation is easy, because he votes by ballot; detection is impossible, because he does not sign his vote; the restraint is nothing but his own conscience, for there is no legal punishment for this breach of trust. If a swindler defrauds you out of a few dollars of property or money, he is whipped and pilloried, and rendered infamous in the eye of the law; but, if an elector should defraud 40,000 people of their vote, there is no remedy but to abuse him in newspapers, where the best men in the country may be abused, as Benedict Arnold or Judas Iscariot.

Every reason for instituting electors has failed, and every consideration of prudence requires them to be discontinued. They are nothing but agents, in a case which requires no agent; and no prudent man would, or ought, to employ an agent to take care of his money, his property, or his liberty, when he is equally capable to take care of them himself.

But, if the plan of the constitution had not failed—if we were now deriving from electors all the advantages expected from their institution—I, for one, would still be in favor of getting rid of them.

I should esteem the incorruptibility of the people, their disinterested desire to get the best man for President, to be more than a counterpoise to all the advantages which might be derived from the superior intelligence of a more enlightened, but smaller, and therefore, more corruptible body. I should be opposed to the intervention of electors, because the double process of electing a man to elect a man, would paralyze the spirit of the people, and destroy the life of the election itself. Doubtless this machinery was introduced into our constitution for the purpose of softening the action of the democratic element; but it also softens the interest of the people in the result of the election itself. It places them at too great a distance from their first servant. It interposes a body of men between the people and the object of their choice, and gives a false direction to the gratitude of the President elected. He feels himself indebted to the electors who collected the votes of the people, and not to the people, who gave their votes to the electors.

It enables a few men to govern many, and, in time, it will transfer the whole power of the election into the hands of a few, leaving to the people the humble occupation of confirming what has been done by superior authority.

## IN MEMORIAM.

### Hon. James G. Blaine's Oration on President Garfield.

#### THE GRAND MORAL OF HIS CAREER.

*An Elaborate, Polished and Scholarly Tribute by an Accomplished Orator, in the Hall of the House of Representatives, on Monday, Feb 27, 1882.*

At ten o'clock the doors of the House of Representatives were opened to holders of tickets for the memorial services, and in less than half an hour the galleries were filled, a large majority of the spectators being ladies, mostly in black. There were no signs of mourning in the hall, even the full-length portrait of the late President, James Abram Garfield, painted by E. F. Andrews, of Washington, being undraped. The three front rows of desks had been replaced by chairs to accommodate the invited guests, and the Marine Band was stationed in the lobby, back of the Speaker's desk.

Among the distinguished guests first to arrive were George Bancroft, W. W. Corcoran, Cyrus Field and Admiral Worden, who took seats directly in front of the clerk's desk. Among the guests who occupied seats upon the floor were General Schenck, Governor Hoyt, of Pennsylvania; Foster, of Ohio; Porter, of Indiana; Hamilton, of Maryland, and Bigelow, of Connecticut, and Adjutant-General Harmine, of Connecticut.

At 11.30 Generals Sherman, Sheridan, Hancock, Howard and Meigs, and Admirals Ammen and Rodgers entered at the north door of the chamber and were assigned seats to the left of the Speaker's desk, and a few moments later the members of the Diplomatic Corps, in full regalia, were ushered in, headed by the Hawaiian Minister, as dean of the Corps. The Supreme Court of the District, headed by Marshal Henry, arrived next. Mrs. Blaine occupied a front seat in the gallery reserved for friends of the President. At twelve o'clock the House was called to order by Speaker Keifer, and prayer was offered by the Chaplain. The Speaker then announced that the House was assembled and ready to perform its part in the memorial services, and the resolutions to that effect were read by Clerk McPherson. At 12.10 the Senate was announced, and that body, headed by its officers, entered and took their assigned seats. The Chief Justice and Associate Justices of the Supreme Court, in their robes of office, came next, and were followed by President Arthur and his Cabinet. The President took the front seat on the right of the Presiding Officer's chair, next to that occupied by Cyrus W. Field.

Senator Sherman and Representative McKinley (Ohio) occupied seats at the desk on the right and left of the orator of the day. Mr. West, the British Minister,

was the only member of the Diplomatic Corps who did not wear the court uniform.

A delegation of gentlemen from the Society of the Army of the Cumberland acted as ushers at the main entrance to the Rotunda and in the various corridors leading to the galleries.

At 12.30 the orator of the day was announced, and after a short prayer by the Chaplain of the House, F. D. Power, president Davis said: "This day is dedicated by Congress for memorial services of the late President of the United States, James A. Garfield. I present to you the Hon. James G. Blaine, who has been fitly chosen as the orator for this historical occasion."

Mr. Blaine then rose, and standing at the clerk's desk, immediately in front of the two presiding officers, proceeded, with impressiveness of manner and clearness of tone, to deliver his eulogy from manuscript, as follows:

#### Mr. Blaine's Oration.

*Mr. President:* For the second time in this generation the great departments of the Government of the United States are assembled in the Hall of Representatives to do honor to the memory of a murdered President. Lincoln fell at the close of a mighty struggle in which the passions of men had been deeply stirred. The tragical termination of his great life added but another to the lengthened succession of horrors which had marked so many lintels with the blood of the first born. Garfield was slain in a day of peace, when brother had been reconciled to brother, and when anger and hate had been banished from the land. "Whoever shall hereafter draw the portrait of murder, if he will show it as it has been exhibited where such example was last to have been looked for, let him not give it the grim visage of Moloch, the brow knitted by revenge, the face black with settled hate. Let him draw, rather, a decorous smooth-faced, bloodless demon; not so much an example of human nature in its depravity and in its paroxysms of crime, as an infernal being, a fiend in the ordinary display and development of his character."

#### GARFIELD'S ANCESTORS.

From the landing of the Pilgrims at Plymouth till the uprising against Charles First, about twenty thousand emigrants came from old England to New England. As they came in pursuit of intellectual freedom and ecclesiastical independence rather than for worldly honor and profit, the emigration naturally ceased when the contest for religious liberty began in earnest at home. The man who struck his most effective blow for freedom of con-

science by sailing for the colonies in 1620 would have been accounted a deserter to leave after 1640. The opportunity had then come on the soil of England for that great contest which established the authority of Parliament, gave religious freedom to the people, sent Charles to the block, and committed to the hands of Oliver Cromwell the Supreme Executive authority of England. The English emigration was never renewed, and from these twenty thousand men with a small emigration from Scotland and from France are descended the vast numbers who have New England blood in their veins.

In 1685 the revocation of the edict of Nantes by Louis XIV. scattered to other countries four hundred thousand Protestants, who were among the most intelligent and enterprising of French subjects—merchants of capital, skilled manufacturers, and handicraftsmen superior at the time to all others in Europe. A considerable number of these Huguenot French came to America; a few landed in New England and became honorably prominent in its history. Their names have in large part become anglicised, or have disappeared, but their blood is traceable in many of the most reputable families, and their fame is perpetuated in honorable memorials and useful institutions.

From these two sources, the English-Puritan and the French-Huguenot, came the late President—his father, Abram Garfield, being descended from the one, and his mother, Eliza Ballou, from the other.

It was good stock on both sides—none better, none braver, none truer. There was in it an inheritance of courage, of manliness, of imperishable love of liberty, of undying adherence to principle. Garfield was proud of his blood; and, with as much satisfaction as if he were a British nobleman reading his stately ancestral record in Burke's Peerage, he spoke of himself as ninth in descent from those who would not endure the oppression of the Stuarts, and seventh in descent from the brave French Protestants who refused to submit to tyranny even from the Grand Monarque.

General Garfield delighted to dwell on these traits, and during his only visit to England, he busied himself in discovering every trace of his forefathers in parish registries and on ancient army rolls. Sitting with a friend in the gallery of the House of Commons one night after a long day's labor in this field of research, he said with evident elation that in every war in which for three centuries patriots of English blood had struck sturdy blows for constitutional government and human liberty, his family had been represented. They were at Marston Moor, at Naseby and at Preston; they were at Bunker Hill,

at Saratoga, and at Monmouth, and in his own person had battled for the same great cause in the war which preserved the Union of the States.

Losing his father before he was two years old, the early life of Garfield was one of privation, but its poverty has been made indelicately and unjustly prominent. Thousands of readers have imagined him as the ragged, starving child, whose reality too often greets the eye in the squalid sections of our large cities. General Garfield's infancy and youth had none of their destitution, none of their pitiful features appealing to the tender heart and to the open hand of charity. He was a poor boy in the same sense in which Henry Clay was a poor boy; in which Andrew Jackson was a poor boy; in which Daniel Webster was a poor boy; in the sense in which a large majority of the eminent men of America in all generations have been poor boys. Before a great multitude of men, in a public speech, Mr. Webster bore this testimony:

#### HIS EARLY DAYS.

"It did not happen to me to be born in a log cabin, but my elder brothers and sisters were born in a log cabin raised amid the snow drifts of New Hampshire, at a period so early that when the smoke rose first from its rude chimney and curled over the frozen hills there was no similar evidence of a white man's habitation between it and the settlements on the rivers of Canada. Its remains still exist. I make to it an annual visit. I carry my children to it to teach them the hardships endured by the generations which have gone before them. I love to dwell on the tender recollections, the kindred ties, the early affections and the touching narratives and incidents which mingle with all I know of this primitive family abode."

With the requisite change of scene the same words would aptly portray the early days of Garfield. The poverty of the frontier, where all are engaged in a common struggle and where a common sympathy and hearty co-operation lighten the burdens of each, is a very different poverty, different in kind, different in influence and effect from that conscious and humiliating indigence which is every day forced to contrast itself with neighboring wealth on which it feels a sense of grinding dependence. The poverty of the frontier is indeed no poverty. It is but the beginning of wealth, and has the boundless possibilities of the future always opening before it. No man ever grew up in the agricultural regions of the West, where a house-raising, or even a corn-husking, is a matter of common interest and helpfulness, with any other feeling than that of broad-minded, generous inde-

pendence. This honorable independence marked the youth of Garfield as it marks the youth of millions of the best blood and brain now training for the future citizenship and future government of the republic. Garfield was born heir to land, to the title of free-holder which has been the patent and passport of self-respect with the Anglo-Saxon race ever since Hengist and Horsa landed on the shores of England. His adventure on the canal—an alternative between that and the deck of a Lake Erie schooner—was a farmer boy's device for earning money, just as the New England lad begins a possibly great career by sailing before the mast on a coasting vessel or on a merchantman bound to the farther India or to the China Seas.

No manly man feels anything of shame in looking back to early struggles with adverse circumstances, and no man feels a worthier pride than when he has conquered the obstacles to his progress. But no one of noble mould desires to be looked upon as having occupied a menial position, as having been repressed by a feeling of inferiority, or as having suffered the evils of poverty until relief was found at the hand of charity. General Garfield's youth presented no hardships which family love and family energy did not overcome, subjected him to no privations which he did not cheerfully accept, and left no memories save those which were recalled with delight, and transmitted with profit and with pride.

Garfield's early opportunities for securing an education were extremely limited, and yet were sufficient to develop in him an intense desire to learn. He could read at three years of age, and each winter he had the advantage of the district school. He read all the books to be found within the circle of his acquaintance; some of them he got by heart. While yet in childhood he was a constant student of the Bible, and became familiar with its literature. The dignity and earnestness of his speech in his maturer life gave evidence of this early training. At eighteen years of age he was able to teach school, and thenceforward his ambition was to obtain a college education. To this end he bent all his efforts, working in the harvest field, at the carpenter's bench, and, in the winter season, teaching the common schools of the neighborhood. While thus laboriously occupied he found time to prosecute his studies and was so successful that at twenty-two years of age he was able to enter the junior class at Williams College, then under the presidency of the venerable and honored Mark Hopkins, who, in the fullness of his powers, survives the eminent pupil to whom he was of inestimable service.

The history of Garfield's life to this

period presents no novel features. He had undoubtedly shown perseverance, self-reliance, self-sacrifice, and ambition—qualities which, be it said for the honor of our country, are everywhere to be found among the young men of America. But from his graduation at Williams onward, to the hour of his tragical death, Garfield's career was eminent and exceptional. Slowly working through his educational period, receiving his diploma when twenty-four years of age, he seemed at one bound to spring into conspicuous and brilliant success. Within six years he was successively president of a college, State Senator of Ohio, Major General of the Army of the United States and Representative-elect to the National Congress. A combination of honors so varied, so elevated, within a period so brief and to a man so young, is without precedent or parallel in the history of the country.

#### IN THE ARMY.

Garfield's army life was begun with no other military knowledge than such as he had hastily gained from books in the few months preceding his march to the field. Stepping from civil life to the head of a regiment, the first order he received when ready to cross the Ohio was to assume command of a brigade, and to operate as an independent force in Eastern Kentucky. His immediate duty was to check the advance of Humphrey Marshall, who was marching down the Big Sandy with the intention of occupying in connection with other Confederate forces the entire territory of Kentucky, and of precipitating the State into secession. This was at the close of the year 1861. Seldom, if ever, has a young college professor been thrown into a more embarrassing and discouraging position. He knew just enough of military science, as he expressed it himself, to measure the extent of his ignorance, and with a handful of men he was marching, in rough winter weather, into a strange country, among a hostile population to confront a largely superior force under the command of a distinguished graduate of West Point, who had seen active and important service in two preceding wars.

The result of the campaign is matter of history. The skill, the endurance, the extraordinary energy shown by Garfield, the courage imparted to his men, raw and untried as himself, the measures he adopted to increase his force and to create in the enemy's mind exaggerated estimates of his numbers, bore perfect fruit in the routing of Marshall, the capture of his camp, the dispersion of his force, and the emancipation of an important territory from the control of the rebellion. Coming at the close of a long series of disasters to the Union arms, Garfield's victory had an un-

usual and extraneous importance, and in the popular judgment elevated the young commander to the rank of a military hero. With less than two thousand men in his entire command, with a mobilized force of only eleven hundred, without cannon, he had met an army of five thousand and defeated them—driving Marshall's forces successively from two strongholds of their own selection, fortified with abundant artillery. Major-General Buell, commanding the Department of the Ohio, an experienced and able soldier of the regular army, published an order of thanks and congratulation on the brilliant result of the Big Sandy campaign which would have turned the head of a less cool and sensible man than Garfield. Buell declared that his services had called into action the highest qualities of a soldier, and President Lincoln supplemented these words of praise by the more substantial reward of a brigadier-general's commission, to bear date from the day of his decisive victory over Marshall.

The subsequent military career of Garfield fully sustained its brilliant beginning. With his new commission he was assigned to the command of a brigade in the Army of the Ohio, and took part in the second and decisive day's fight in the great battle of Shiloh. The remainder of the year 1862 was not especially eventful to Garfield, as it was not to the armies with which he was serving. His practical sense was called into exercise in completing the task, assigned him by General Buell, of reconstructing bridges and re-establishing lines of railway communication for the army. His occupation in this useful but not brilliant field was varied by service on courts-martial of importance, in which department of duty he won a valuable reputation, attracting the notice and securing the approval of the able and eminent Judge-Advocate-General of the Army. That of itself was a warrant to honorable fame; for among the great men who in those trying days gave themselves, with entire devotion, to the service of their country, one who brought to that service the ripest learning, the most fervid eloquence, the most varied attainments, who labored with modesty and shunned applause, who in the day of triumph sat reserved and silent and grateful—as Francis Deak in the hour of Hungary's deliverance—was Joseph Holt, of Kentucky, who in his honorable retirement enjoys the respect and veneration of all who love the Union of the States.

Early in 1863 Garfield was assigned to the highly important and responsible post of chief of staff to General Rosecrans, then at the head of the Army of the Cumberland. Perhaps in a great military campaign no subordinate officer requires

sounder judgment and quicker knowledge of men than the chief of staff to the commanding general. An indiscreet man in such a position can sow more discord, breed more jealousy and disseminate more strife than any other officer in the entire organization. When General Garfield assumed his new duties he found various troubles already well developed and seriously affecting the value and efficiency of the Army of Cumberland. The energy, the impartiality and the tact with which he sought to allay these dissensions, and to discharge the duties of his new and trying position, will always remain one of the most striking proofs of his great versatility. His military duties closed on the memorable field of Chickamauga, a field which however disastrous to the Union arms gave to him the occasion of winning imperishable laurels. The very rare distinction was accorded him of great promotion for his bravery on a field that was lost. President Lincoln appointed him a Major-General in the Army of the United States for gallant and meritorious conduct in the battle of Chickamauga.

The Army of the Cumberland was reorganized under the command of General Thomas, who promptly offered Garfield one of its divisions. He was extremely desirous to accept the position, but was embarrassed by the fact that he had, a year before, been elected to Congress, and the time when he must take his seat was drawing near. He preferred to remain in the military service, and had within his own breast the largest confidence of success in the wider field which his new rank opened to him. Balancing the arguments on the one side and the other, anxious to determine what was for the best, desirous above all things to do his patriotic duty, he was decisively influenced by the advice of President Lincoln and Secretary Stanton, both of whom assured him that he could at that time, be of especial value in the House of Representatives. He resigned his commission of Major-General on the 5th day of December, 1863, and took his seat in the House of Representatives on the 7th. He had served two years and four months in the army, and had just completed his thirty-second year.

#### IN CONGRESS.

The Thirty-eighth Congress is pre-eminently entitled in history to the designation of the War Congress. It was elected while the war was flagrant, and every member was chosen upon the issues involved in the continuance of the struggle. The Thirty-seventh Congress had, indeed, legislated to a large extent on war measures but it was chosen before any one believed that secession of the States would be actually attempted. The magnitude of the

work which fell upon its successor was unprecedented, both in respect to the vast sums of money raised for the support of the Army and Navy, and of the new and extraordinary powers of legislation which it was forced to exercise. Only twenty-four States were represented, and one hundred and eighty-two members were upon its roll. Among these were many distinguished party leaders on both sides, veterans in the public service, with established reputations for ability, and with that skill which comes only from parliamentary experience. Into this assemblage of men Garfield entered without special preparation, and it might almost be said unexpectedly. The question of taking command of a division of troops under General Thomas, or taking his seat in Congress was kept open till the last moment so late, indeed, that the resignation of his military commission and his appearance in the House were almost contemporaneous. He wore the uniform of a Major-General of the United States Army on Saturday, and on Monday in civilian's dress, he answered to the roll-call as a Representative in Congress from the State of Ohio.

He was especially fortunate in the constituency which elected him. Descended almost entirely from New England stock, the men of the Ashtabula district were intensely radical on all questions relating to human rights. Well educated, thrifty, thoroughly intelligent in affairs, acutely discerning of character, not quick to bestow confidence, and slow to withdraw it, they were at once the most helpful and most exacting of supporters. Their tenacious trust in men in whom they have once confided is illustrated by the unparalleled fact that Elisha Whittlesey, Joshua R. Giddings, and James A. Garfield represented the district for fifty-four years.

There is no test of a man's ability in any department of public life more severe than service in the House of Representatives; there is no place where so little deference is paid to reputation previously acquired or to eminence won outside; no place where so little consideration is shown for the feelings or failures of beginners. What a man gains in the House he gains by sheer force of his own character, and if he loses and falls back he must expect no mercy and will receive no sympathy. It is a field in which the survival of the strongest is the recognized rule and where no pretense can deceive and no glamour can mislead. The real man is discovered, his worth is impartially weighed, his rank is irreversibly decreed.

With possibly a single exception Garfield was the youngest member in the House when he entered, and was but seven years from his college graduation. But he had

not been in his seat sixty days before his ability was recognized and his place conceded. He stepped to the front with the confidence of one who belonged there. The House was crowded with strong men of both parties; nineteen of them have since been transferred to the Senate, and many of them have served with distinction in the gubernatorial chairs of their respective States, and on foreign missions of great consequence; but among them all none grew so rapidly none so firmly as Garfield. As is said by Trevelyan of his parliamentary hero, Garfield succeeded "because all the world in concert could not have kept him in the background, and because when once in the front he played his part with a prompt intrepidity and a commanding ease that were but the outward symptoms of the immense reserves of energy, on which it was in his power to draw." Indeed the apparently reserved force which Garfield possessed was one of his great characteristics. He never did so well but that it seemed he could easily have done better. He never expended so much strength but that he seemed to be holding additional power at call. This is one of the happiest and rarest distinctions of an effective debater, and often counts for as much in persuading an assembly as the eloquent and elaborate argument.

The great measure of Garfield's fame was filled by his service in the House of Representatives. His military life, illustrated by honorable performance, and rich in promise, was, as he himself felt, prematurely terminated, and necessarily incomplete. Speculation as to what he might have done in a field, where the great prizes are so few, cannot be profitable. It is sufficient to say that as a soldier he did his duty bravely; he did it intelligently; he won an enviable fame, and he retired from the service without blot or breath against him. As a lawyer, though admirably equipped for the profession, he can scarcely be said to have entered on its practice. The few efforts he made at the bar were distinguished by the same high order of talent which he exhibited on every field where he was put to the test, and if a man may be accepted as a competent judge of his own capacities and adaptations, the law was the profession to which Garfield should have devoted himself. But fate ordained otherwise, and his reputation in history will rest largely upon his service in the House of Representatives. That service was exceptionally long. He was nine times consecutively chosen to the House, an honor enjoyed by not more than six other Representatives of the more than five thousand who have been elected from the organization of the government to this hour.

## ORATOR AND DEBATER.

As a parliamentary orator, as a debater on an issue squarely joined, where the position had been chosen and the ground laid out, Garfield must be assigned a very high rank. More, perhaps, than any man with whom he was associated in public life, he gave careful and systematic study to public questions, and he came to every discussion in which he took part with elaborate and complete preparation. He was a steady and indefatigable worker. Those that imagine that talent or genius can supply the place or achieve the results of labor will find no encouragement in Garfield's life. In preliminary work he was apt, rapid and skillful. He possessed in a high degree the power of readily absorbing ideas and facts, and, like Dr. Johnson, had the art of getting from a book all that was of value in it by a reading apparently so quick and cursory that it seemed like a mere glance at the table of contents. He was a pre-eminently fair and candid man in debate, took no petty advantage, stooped to no unworthy methods, avoided personal allusions, rarely appealed to prejudice, did not seek to inflame passion. He had a quicker eye for the strong point of his adversary than for his weak point, and on his own side he so marshaled his weighty arguments as to make his hearers forget any possible lack in the complete strength of his position. He had a habit of stating his opponent's side with such amplitude of fairness and such liberality of concession that his followers often complained that he was giving his cases away. But never in his prolonged participation in the proceedings of the House did he give his case away, or fail in the judgment of competent and impartial listeners to gain the mastery.

These characteristics, which marked Garfield as a great debater, did not, however, make him a great parliamentary leader. A parliamentary leader, as that term is understood wherever free representative government exists, is necessarily and very strictly the organ of his party. An ardent American defined the instinctive warmth of patriotism when he offered the toast, "Our country always right, but right or wrong, our country." The parliamentary leader who has a body of followers that will do and dare and die for the cause, is one who believes his party always right, but right or wrong, is for his party. No more important or exacting duty devolves upon him than the selection of the field and the time for contest. He must know not merely how to strike, but where to strike and when to strike. He often skillfully avoids the strength of his opponent's position and scatters confusion in his ranks by attacking an exposed point when really the righteousness of the cause

and the strength of logical intrenchment are against him. He conquers often both against the right and the heavy battalions; as when young Chas. Fox, in the days of his Toryism, carried the House of Commons against justice, against its immemorial rights, against his own convictions, if, indeed, at that period Fox had convictions, and, in the interest of a corrupt administration, in obedience to a tyrannical sovereign, drove Wilkes from the seat to which the electors of Middlesex had chosen him and installed Luttrell in defiance, not merely of law, but of public decency. For an achievement of that kind Garfield was disqualified—disqualified by the texture of his mind, by the honesty of his heart, by his conscience, and by every instinct and aspiration of his nature.

The three most distinguished parliamentary leaders hitherto developed in this country are Mr. Clay, Mr. Douglas and Mr. Thaddeus Stevens. Each was a man of consummate ability, of great earnestness, of intense personality, differing widely each from the others, and yet with a signal trait in common—the power to command. In the give and take of daily discussion, in the art of controlling and consolidating reluctant and refractory followers; in the skill to overcome all forms of opposition, and to meet with competency and courage the varying phases of unlooked-for assault or unsuspected defection, it would be difficult to rank with these a fourth name in all our Congressional history. But of these Mr. Clay was the greatest. It would, perhaps, be impossible to find in the parliamentary annals of the world a parallel to Mr. Clay, in 1841, when at sixty-four years of age he took the control of the Whig party from the President who had received their suffrages, against the power of Webster in the Cabinet, against the eloquence of Choate in the Senate, against the Herculean efforts of Caleb Cushing and Henry A. Wise in the House. In unshared leadership, in the pride and plenitude of power he hurled against John Tyler with deepest scorn the mass of that conquering column which had swept over the land in 1840, and drove his administration to seek shelter behind the lines of his political foes. Mr. Douglas achieved a victory scarcely less wonderful when, in 1854, against the secret desires of a strong administration, against the wise counsel of the older chiefs, against the conservative instincts and even the moral sense of the country, he forced a reluctant Congress into a repeal of the Missouri compromise. Mr. Thaddeus Stevens, in his contests from 1865 to 1868, actually advanced his parliamentary leadership until Congress tied the hands of the President and governed the country by its own will, leaving

only perfunctory duties to be discharged by the Executive. With two hundred millions of patronage in his hands at the opening of the contest, aided by the active force of Steward in the Cabinet and the moral power of Chase on the Bench, Andrew Johnson could not command the support of one-third in either House against the parliamentary uprising of which Thaddeus Stevens was the animating spirit and the unquestioned leader.

From these three great men Garfield differed radically, differed in the quality of his mind, in temperament, in the form and phase of ambition. He could not do what they did, but he could do what they could not, and in the breadth of his Congressional work he left that which will longer exert a potential influence among men, and which, measured by the severe test of posthumous criticism, will secure a more enduring and more enviable fame.

#### GARFIELD'S INDUSTRY.

Those unfamiliar with Garfield's industry and ignorant of the details of his work may, in some degree, measure them by the annals of Congress. No one of the generation of public men to which he belonged has contributed so much that will be valuable for future reference. His speeches are numerous, many of them brilliant, all of them well studied, carefully phrased and exhaustive of the subject under consideration. Collected from the scattered pages of ninety royal octavo volumes of Congressional Record they would present an invaluable compendium of the political history of the most important era through which the national government has ever passed. When the history of this period shall be impartially written, when war legislation, measures of reconstruction, protection of human rights, amendments to the constitution, maintenance of public credit, steps toward specie resumption, true theories of revenue may be reviewed, unsurrounded by prejudice and disconnected from partisanism, the speeches of Garfield will be estimated at their true value, and will be found to comprise a vast magazine of fact and argument, of clear analysis and sound conclusion. Indeed, if no other authority were accessible, his speeches in the House of Representatives from December 1863, to June, 1880, would give a well connected history and complete defence of the important legislation of the seventeen eventful years that constitute his Parliamentary life. Far beyond that, his speeches would be found to forecast many great measures, yet to be completed—measures which he knew were beyond the public opinion of the hour, but which he confidently believed would secure popular approval



within the period of his own lifetime, and by the aid of his own efforts.

Differing, as Garfield does, from the brilliant parliamentary leaders, it is not easy to find his counterpart anywhere in the record of American public life. He perhaps more nearly resembles Mr. Seward in his supreme faith in the all-conquering power of a principle. He had the love of learning, and the patient industry of investigation, to which John Quincy Adams owes his prominence and his Presidency. He had some of those ponderous elements of mind which distinguished Mr. Webster, and which indeed, in all our public life, have left the great Massachusetts Senator without an intellectual peer.

In English parliamentary history, as in our own, the leaders in the House of Commons present points of essential difference from Garfield. But some of his methods recall the best features in the strong, independent course of Sir Robert Peel, and striking resemblances are discernible in that most promising of modern conservatives, who died too early for his country and his fame, the Lord George Bentinck. He had all of Burke's love for the sublime and the beautiful, with, possibly, something of his superabundance, and in his faith and his magnanimity, in his power of statement, in his subtle analysis, in his faultless logic, in his love of literature, in his wealth and world of illustration, one is reminded of that great English statesman of to-day, who, confronted with obstacles that would daunt any but the dauntless, reviled by those whom he would relieve as bitterly as by those whose supposed rights he is forced to invade, still labors with serene courage for the amelioration of Ireland, and for the honor of the English name.

#### NOMINATION TO THE PRESIDENCY.

Garfield's nomination to the Presidency, while not predicted or anticipated, was not a surprise to the country. His prominence in Congress, his solid qualities, his wide reputation, strengthened by his then recent election as Senator from Ohio, kept him in the public eye as a man occupying the very highest rank among those entitled to be called statesmen. It was not mere chance that brought him this high honor. "We must," says Mr. Emerson, "reckon success a constitutional trait. If Eric is in robust health, and has slept well and is at the top of his condition, and thirty years old at his departure from Greenland, he will steer west and his ships will reach New Foundland. But take Eric out and put in a stronger and bolder man and the ships will sail six hundred, one thousand, fifteen hundred miles farther and reach Labrador and New England. There is no chance in results."

As a candidate, Garfield steadily grew in popular favor. He was met with a storm of detraction at the very hour of his nomination, and it continued with increasing volume and momentum until the close of his victorious campaign:

No might nor greatness in mortality  
Can censure 'scape; backwounding calumny  
The whitest virtue strikes. What king so strong  
Can tie the gall up in the slanderous tongue?

Under it all he was calm, and strong, and confident; never lost his self-possession, did no unwise act, spoke no hasty or ill-considered word. Indeed nothing in his whole life is more remarkable or more creditable than his bearing through those five full months of vituperation—a prolonged agony of trial to a sensitive man, a constant and cruel draft upon the powers of moral endurance. The great mass of these unjust imputations passed unnoticed, and, with the general *debris* of the campaign, fell into oblivion. But in a few instances the iron entered his soul and he died with the injury unforgotten if not unforgiven.

One aspect of Garfield's candidacy was unprecedented. Never before in the history of partisan contests in this country had a successful Presidential candidate spoken freely on passing events and current issues. To attempt anything of the kind seemed novel, rash, and even desperate. The older class of voters recalled the unfortunate Alabama letter, in which Mr. Clay was supposed to have signed his political death-warrant. They remembered also the hot-tempered effusion by which General Scott lost a large share of his popularity before his nomination, and the unfortunate speeches which rapidly consumed the remainder. The younger voters had seen Mr. Greeley in a series of vigorous and original addresses, preparing the pathway for his own defeat. Unmindful of these warnings, unheeding the advice of friends, Garfield spoke to large crowds as he journeyed to and from New York in August, to a great multitude in that city, to delegations and deputations of every kind that called at Mentor during the summer and autumn. With innumerable critics, watchful and eager to catch a phrase that might be turned into odium or ridicule, or a sentence that might be distorted to his own or his party's injury, Garfield did not trip or halt in any one of his seventy speeches. This seems all the more remarkable when it is remembered that he did not write what he said, and yet spoke with such logical consecutiveness of thought and such admirable precision of phrase as to defy the accident of misreport and the malignity of misrepresentation.

## AS PRESIDENT.

In the beginning of his Presidential life Garfield's experience did not yield him pleasure or satisfaction. The duties that engross so large a portion of the President's time were distasteful to him, and were unfavorably contrasted with his legislative work. "I have been dealing all these years with ideas," he impatiently exclaimed one day, "and here I am dealing only with persons. I have been heretofore treating of the fundamental principles of government, and here I am considering all day whether A or B shall be appointed to this or that office." He was earnestly seeking some practical way of correcting the evils arising from the distribution of overgrown and unwieldy patronage—evils always appreciated and often discussed by him, but whose magnitude had been more deeply impressed upon his mind since his accession to the Presidency. Had he lived, a comprehensive improvement in the mode of appointment and in the tenure of office would have been proposed by him, and with the aid of Congress no doubt perfected.

But, while many of the Executive duties were not grateful to him, he was assiduous and conscientious in their discharge. From the very outset he exhibited administrative talent of a high order. He grasped the helm of office with the hand of a master. In this respect, indeed, he constantly surprised many who were most intimately associated with him in the government, and especially those who had feared that he might be lacking in the executive faculty. His disposition of business was orderly and rapid. His power of analysis, and his skill in classification, enabled him to despatch a vast mass of detail with singular promptness and ease. His Cabinet meetings were admirably conducted. His clear presentation of official subjects, his well-considered suggestion of topics on which discussion was invited, his quick decision when all had been heard, combined to show a thoroughness of mental training as rare as his natural ability and his facile adaptation to a new and enlarged field of labor.

With perfect comprehension of all the inheritances of the war, with a cool calculation of the obstacles in his way, impelled always by a generous enthusiasm, Garfield conceived that much might be done by his administration towards restoring harmony between the different sections of the Union. He was anxious to go South and speak to the people. As early as April he had ineffectually endeavored to arrange for a trip to Nashville, whither he had been cordially invited, and he was again disappointed a few weeks later to find that he could not go to South Carolina to attend the centennial celebration of the vic-

tory of the Cowpens. But for the autumn he definitely counted on being present at three memorable assemblies in the South, the celebration at Yorktown, the opening of the Cotton Exposition at Atlanta, and the meeting of the Army of the Cumberland at Chattanooga. He was already turning over in his mind his address for each occasion, and the three taken together, he said to a friend, gave him the exact scope and verge which he needed. At Yorktown he would have before him the associations of a hundred years that bound the South and the North in the sacred memory of a common danger and a common victory. At Atlanta he would present the material interests and the industrial development which appealed to the thrift and independence of every household, and which should unite the two sections by the instinct of self-interest and self-defence. At Chattanooga he would revive memories of the war only to show that after all its disaster and all its suffering, the country was stronger and greater, the Union rendered indissoluble, and the future, through the agony and blood of one generation, made brighter and better for all.

Garfield's ambition for the success of his administration was high. With strong caution and conservatism in his nature, he was in no danger of attempting rash experiments or of resorting to the empiricism of statesmanship. But he believed that renewed and closer attention should be given to questions affecting the material interests and commercial prospects of fifty millions of people. He believed that our continental relations, extensive and undeveloped as they are, involved responsibility, and could be cultivated into profitable friendship or be abandoned to harmful indifference or lasting enmity. He believed with equal confidence that an essential forerunner to a new era of national progress must be a feeling of contentment in every section of the Union, and a generous belief that the benefits and burdens of government would be common to all. Himself a conspicuous illustration of what ability and ambition may do under republican institutions, he loved his country with a passion of patriotic devotion, and every waking thought was given to her advancement. He was an American in all his aspirations, and he looked to the destiny and influence of the United States with the philosophic composure of Jefferson and the demonstrative confidence of John Adams.

## THE POLITICAL CONTROVERSY.

The political events which disturbed the President's serenity for many weeks before that fatal day in July form an important chapter in his career, and, in his own judg-

ment, involved questions of principle and of right which are vitally essential to the constitutional administration of the Federal Government. It would be out of place here and now to speak the language of controversy, but the events referred to, however they may continue to be source of contention with others, have become, so far as Garfield is concerned, as much a matter of history as his heroism at Chickamauga or his illustrious service in the House. Detail is not needful, and personal antagonism shall not be rekindled by any word uttered to-day. The motives of those opposing him are not to be here adversely interpreted nor their course harshly characterized. But of the dead President this is to be said, and said because his own speech is forever silenced and he can be no more heard except through the fidelity and the love of surviving friends. From the beginning to the end of the controversy he so much deplored, the President was never for one moment actuated by any motive of gain to himself or of loss to others. Least of all men did he harbor revenge, rarely did he even show resentment, and malice was not in his nature. He was congenially employed only in the exchange of good offices and the doing of kindly deeds.

There was not an hour, from the beginning of the trouble till the fatal shot entered his body, when the President would not gladly, for the sake of restoring harmony, have retraced any step he had taken if such retracing had merely involved consequences personal to himself. The pride of consistency, or any supposed sense of humiliation that might result from surrendering his position, had not a feather's weight with him. No man was ever less subject to such influences from within or from without. But after the most anxious deliberation and the coolest survey of all the circumstances, he solemnly believed that the true prerogatives of the Executive were involved in the issue which had been raised, and that he would be unfaithful to his supreme obligation if he failed to maintain, in all their vigor, the constitutional rights and dignities of his great office. He believed this in all the convictions of conscience when in sound and vigorous health, and he believed it in his suffering and prostration in the last conscious thought which his wearied mind bestowed on the transitory struggles of life.

More than this need not be said. Less than this could not be said. Justice to the dead, the highest obligation that devolves upon the living, demands the declaration that in all the bearings of the subject, actual or possible, the President was content in his mind, justified in his conscience, immovable in his conclusions.

#### GARFIELD'S RELIGION.

The religious element in Garfield's character was deep and earnest. In his early youth he espoused the faith of the Disciples, a sect of that great Baptist Communion which in different ecclesiastical establishments is so numerous and so influential throughout all parts of the United States. But the broadening tendency of his mind and his active spirit of inquiry were early apparent and carried him beyond the dogmas of sect and the restraints of association. In selecting a college in which to continue his education he rejected Bethany, though presided over by Alexander Campbell, the greatest preacher of his church. His reasons were characteristic: first, that Bethany leaned too heavily toward slavery; and, second, that being himself a Disciple and the son of Disciple parents, he had little acquaintance with people of other beliefs, and he thought it would make him more liberal, quoting his own words, both in his religious and general views, to go into a new circle and be under new influences.

The liberal tendency which he had anticipated as the result of wider culture was fully realized. He was emancipated from mere sectarian belief, and with eager interest pushed his investigations in the direction of modern progressive thought. He followed with quickening step in the paths of exploration and speculation so fearlessly trodden by Darwin, by Huxley, by Tyndall, and by other living scientists of the radical and advanced type. His own church, binding its disciples by no formulated creed, but accepting the Old and New Testaments as the word of God, with unbiased liberality of private interpretation, favored, if it did not stimulate, the spirit of investigation. Its members profess with sincerity, and profess only, to be of one mind and one faith with those who immediately followed the Master, and who were first called Christians at Antioch..

But however high Garfield reasoned of "fixed fate, free-will, foreknowledge absolute," he was never separated from the Church of the Disciples in his affections and in his associations. For him it held the ark of the covenant. To him it was the gate of Heaven. The world of religious belief is full of solecisms and contradictions. A philosophic observer declares that men by the thousand will die in defence of a creed whose doctrines they do not comprehend and whose tenets they habitually violate. It is equally true that men by the thousand will cling to church organizations with instinctive and undeny- ing fidelity when their belief in maturer years is radically different from that which inspired them as neophytes.

But after this range of speculation, and this latitude of doubt, Garfield came back

always with freshness and delight to the simpler instincts of religious faith, which, earliest implanted, longest survive. Not many weeks before his assassination, walking on the banks of the Potomac with a friend, and conversing on these topics of personal religion, concerning which noble natures have an unconquerable reserve, he said that he found the Lord's Prayer and the simple petitions learned in infancy infinitely restful to him, not merely in their stated repetition, but in their casual and frequent recall as he went about the daily duties of life. Certain texts of scripture had a very strong hold on his memory and his heart. He heard, while in Edinburgh some years ago, an eminent Scotch preacher who prefaced his sermon with reading the eighth chapter of the Epistle to the Romans, which book had been the subject of careful study with Garfield during his religious life. He was greatly impressed by the elocution of the preacher and declared that it had imparted a new and deeper meaning to the majestic utterances of Saint Paul. He referred often in after years to that memorable service, and dwelt with exaltation of feeling upon the radiant promise and the assured hope with which the great apostle of the Gentiles was "persuaded that neither death, nor life, nor principalities, nor powers nor things present, nor things to come, nor height, nor depth, nor any other creature, shall be able to separate us from the love of God, which is in Christ Jesus our Lord."

The crowning characteristic of General Garfield's religious opinions, as, indeed, of all his opinions, was his liberality. In all things he had charity. Tolerance was of his nature. He respected in others the qualities which he possessed himself—sincerity of conviction and frankness of expression. With him the inquiry was not so much what a man believes, but does he believe it? The lines of his friendship and his confidence encircled men of every creed, and men of no creed, and to the end of his life, on his ever lengthening list of friends, were to be found the names of a pious Catholic priest and of an honest-minded and generous-hearted free-thinker.

#### THE ASSASSIN'S BULLET.

On the morning of Saturday, July 2d, the President was a contented and happy man—not in an ordinary degree, but joyfully, almost boyishly happy. On his way to the railroad station to which he drove slowly, in conscious enjoyment of the beautiful morning, with an unwonted sense of leisure, and a keen anticipation of pleasure, his talk was all in the grateful and gratulatory vein. He felt that after four months of trial his administration was strong in its grasp of affairs, strong in popular favor and destined to grow stronger; that grave

difficulties confronting him at his inauguration had been safely passed; that troubles lay behind him and not before him; that he was soon to meet the wife whom he loved, now recovering from an illness which had but lately disquieted and at times almost unnerved him; that he was going to his Alma Mater to renew the most cherished associations of his young manhood, and to exchange greetings with those whose deepening interest had followed every step of his upward progress from the day he entered upon his college course until he had attained the loftiest elevation in the gift of his countrymen.

Surely, if happiness can ever come from the honors or triumphs of this world, on that quiet July morning James A. Garfield may well have been a happy man. No foreboding of evil haunted him; no slightest premonition of danger clouded his sky. His terrible fate was upon him in an instant. One moment he stood erect, strong, confident, in the years stretching peacefully out before him. The next he lay wounded, bleeding, helpless, doomed to weary weeks of torture, to silence and the grave.

Great in life, he was surpassingly great in death. For no cause, in the very frenzy of wantonness and wickedness by the red hand of murder, he was thrust from the full tide of this world's interest, from its hopes, its aspirations, its victories, into the visible presence of death—and he did not quail. Not alone for one short moment in which, stunned and dazed, he could give up life, hardly aware of its relinquishment, but through days of deadly languor, through weeks of agony, that was not less agony because silently borne, with clear sight and calm courage, he looked into his open grave. What blight and ruin met his anguished eyes, whose lips may tell—what brilliant, broken plans, what baffled, high ambitions, what sundering of strong, warm, manhood's friendship, what bitter rending of sweet household ties! Behind him a proud, expectant nation, a great host of sustaining friends, a cherished and happy mother, wearing the full, rich honors of her early toil and tears; the wife of his youth, whose whole life lay in his; the little boys not yet emerged from childhood's day of frolic; the fair, young daughter; the sturdy sons just springing into closest companionship, claiming every day and every day rewarding a father's love and care; and in his heart the eager, rejoicing power to meet all demand. Before him, desolation and great darkness! And his soul was not shaken. His countrymen were thrilled with instant, profound, and universal sympathy. Masterful in his mortal weakness, he became the centre of a nation's love, enshrined in the prayers of a world. But all the love and all the sympathy could not share with him his

suffering. He trod the wine-press alone. With unfaltering front he faced death. With unfailing tenderness he took leave of life. Above the demoniac hiss of the assassin's bullet he heard the voice of God. With simple resignation he bowed to the Divine decree.

As the end drew near, his early craving for the sea returned. The stately mansion of power had been to him the wearisome hospital of pain, and he begged to be taken from his prison walls, from its oppressive, stifling air, from its homelessness and its hopelessness. Gently, silently, the love of a great people bore the pale sufferer to the longed-for healing of the sea, to live or to die, as God should will, within sight of its heaving billows, within sound of its manifold voices. With wan, fevered face tenderly lifted to the cooling breeze, he looked out wistfully upon the ocean's changing wonders; on its far sails, whitening in the morning light; on its restless waves, rolling shoreward to break and die beneath the noonday sun; on the red clouds of evening, arching low to the horizon; on the serene and shining pathway of the stars. Let us think that his dying eyes read a mystic meaning which only the rapt and parting soul may know. Let us believe that in the silence of the receding world he heard the great waves breaking on a further shore and felt already upon his wasted brow the breath of the eternal morning.

#### AFTER THE ORATION.

The eulogy was concluded at 1.50, having taken just an hour and a half in its delivery. As Mr. Blaine gave utterance to the last solemn words the spectators broke into a storm of applause, which was not hushed for some moments. The address was listened to with an intense interest and in solemn silence, unbroken by any sound except by a sigh of relief (such

as arises from a large audience when a strong tension is removed from their minds) when the orator passed from his allusion to differences existing in the Republican party last spring. Benediction was then offered by the Rev. Dr. Bullock, Chaplain of the Senate. The Marine Band played the "Garfield Dead March" as the invited guests filed out of the Chamber in the same order in which they had entered it. The Senate was the last to leave, and then the House was called to order by the Speaker.

Mr. McKinley, of Ohio, offered the following resolution:

*Resolved*, The Senate concurring, that the thanks of Congress are hereby presented to the Hon. James G. Blaine for the appropriate memorial address delivered by him on the life and services of James A. Garfield, late President of the United States, in the Representative Hall, before both houses of Congress and their invited guests, on the 27th of February, 1882, and that he be requested to furnish a copy for publication.

*Resolved*, That the Chairman of the Joint Committee appointed to make the necessary arrangements to carry into effect the resolution of Congress in relation to the memorial exercises in honor of James A. Garfield be requested to communicate to Mr. Blaine the foregoing resolution, receive his answer thereto and present the same to both Houses of Congress. The resolution was adopted unanimously.

Mr. McKinley then offered the following:

*Resolved*, That as a further mark of respect to the memory of the deceased President of the United States the House do now adjourn.

The resolution was unanimously adopted, and in accordance therewith the Speaker at 1.55 declared the House adjourned until to-morrow.

## CIVIL SERVICE.

### Improvement of the Subordinate Civil Service.

*Speech of Hon. George H. Pendleton, of Ohio, in the Senate of the United States, Tuesday, December 12, 1882.*

On the bill (S. 133) to regulate and improve the civil service of the United States.

MR. PENDLETON said:

MR. PRESIDENT: When I assented yesterday that this bill should be informally laid aside without losing its place, I had no set speech to deliver, nor had I the intention of preparing a speech for to-day.

I did not intend to hold up the bill here as an obstruction to any business before the Senate, or as an aid in passing any measure that might receive my approbation, as my good Friend, the Senator from Kansas [Mr. PLUMB], so politely intimated. The bill providing for a bankrupt law was very speedily, and to me unexpectedly, disposed of yesterday, and this bill was called up several hours earlier than I supposed it would be, and I thought the convenience of the Senate as well as of myself would be subserved if I

had an opportunity to condense what I had to say on the subject.

The necessity of a change in the civil administration of this government has been so fully discussed in the periodicals and pamphlets and newspapers, and before the people, that I feel indisposed to make any further argument. This subject, in all its ramifications, was submitted to the people of the United States at the fall elections, and they have spoken in no low or uncertain tone.

I do not doubt that the local questions exerted great influence in many States upon the result; but it is my conviction, founded on the observation of an active participation in the canvass in Ohio, that dissatisfaction with the methods of administration adopted by the Republican party in the past few years was the most important single factor in reaching the conclusion that was attained. I do not say that the civil service of the Government is wholly bad. I can not honestly do so. I do not say that the men who are employed in it are all corrupt or inefficient or unworthy. That would do a very great injustice to a great number of faithful, honest, and intelligent public servants. But I do say that the civil service is inefficient; that it is expensive; that it is extravagant; that it is in many cases and in some senses corrupt; that it has welded the whole body of its employès into a great political machine; that it has converted them into an army of officers and men, veterans in political warfare, disciplined and trained, whose salaries, whose time, whose exertions at least twice within a very short period in the history of our country have robbed the people of the fair results of Presidential elections.

I repeat, Mr. President, that the civil service is inefficient, expensive, and extravagant and that it is in many instances corrupt. Is it necessary for me to prove facts which are so patent that even the blind must see and the deaf must hear?

At the last session of Congress, in open Senate, it was stated and proven that in the Treasury Department at Washington there were 3,400 employès, and that of this number the employment of less than 1,600 was authorized by law and appropriations made for their payment, and that more than 1,700 were put on or off the rolls of the Department at the will and pleasure of the Secretary of the Treasury, and paid not out of appropriations made for that purpose but out of various funds and balances of appropriation lapsed in the Treasury in one shape or another, which are not by law appropriated to the payment of these employès. I was amazed. I had never before heard that such a state of affairs existed. I did

not believe that it was possible until my honorable colleague rose in his place and admitted the general truth of the statement and defended the system as being necessary for the proper administration of the Treasury Department.

Mr. President, we see in this statement whence comes that immense body of public officials, inspectors, detectives, deputies, examiners, from the Treasury Department who have for years past been sent over the States for the purpose of managing Presidential conventions and securing Presidential elections at the public expense.

I hold in my hand a statement made before the committee which reported this bill, showing that in one of the divisions of the Treasury Department at Washington where more than nine hundred persons were employed, men and women, five hundred and more of them were entirely useless, and were discharged without in any degree affecting the efficiency of the bureau. I read from the testimony taken before the committee. Every gentleman can find it if he has not it already on his table. The statement to which I refer I read from page 121 of report of committee No. 576:

The extravagance of the present system was well shown in the examination of the Bureau of Engraving and Printing by a committee of which I was chairman. Of a force of nine hundred and fifty-eight persons five hundred and thirty nine, with annual salaries amounting to \$390,000, were found to be superfluous and were discharged. The committee reported that for years the force in some branches had been twice and even three times as great as the work required. In one division—

I beg Senators to listen to this—

In one division a sort of platform had been built underneath the iron roof, about seven feet above the floor, to accommodate the surplus counters. It appeared that the room was of ample size without this contrivance for all persons really needed. In another division were found twenty messengers doing work which it was found could be done by one. The committee reported that the system of patronage was chiefly responsible for the extravagance and irregularities which had marked the administration of the bureau, and declared that it had cost the people millions of dollars in that branch of the service alone. Under this system the office had been made to subserve the purpose of an almshouse or asylum.

In consequence of this report the annual appropriation for the Printing Bureau was reduced from \$800,000 to \$200,000, and out of the first year's savings was built the fine building now occupied by that bureau.

And again, on page 126, this same gentleman says:

My observation teaches me there is more pressure and importunity for these places—

That is, the \$900 clerkship—

and that more time is consumed by heads of Departments, and those having the appointing power, in listening to applications for that grade than for all the other places in the Departments combined; and that when it is discretionary with a Department to appoint a man or a woman the choice is usually exercised in favor of the woman. I know a recent case in the Treasury Department where a vacancy occurred which the head of the bureau deemed it important to fill with a man. It was a position where a man's services were almost indispensable; but the importunity was so great that he was compelled to accept a woman, although her services were not required. In consequence of this importunity for places for women a practice has grown up in the Treasury Department of allowing the salaries of the higher grades of clerkships to lapse when vacancies occur, and of dividing up the amount among clerks, usually women, at lower salaries. In the place of a male clerk at \$1,800 a year, for instance, three women may be employed at \$600. Often the services of a man are required in its higher grade, while the women are not needed at all; but as the man can not be employed without discharging the women he can not be had. The persons employed in this way are said to be "on the lapse." Out of this grew the practice known in Departmental language as "anticipating the lapse."

In the endeavor to satisfy the pressure for place more people are appointed on this roll than the salaries then lapsing will warrant, in the hope that enough more will lapse before the end of the fiscal year to provide funds for their payment. But the funds almost always run short before the end of the year, and then either the "lapse" appointees must be dropped or clerks discharged from the regular roll to make place for them. In some instances, in former administrations, the employes on the regular roll were compelled, under terror of dismissal, to ask for leaves of absence, without pay, for a sufficient time to make up the deficiency caused by the appointment of unnecessary employes "on the lapse." Another bad feature is that these "lapse" employes being appointed without regard to the necessities of the work, for short periods and usually without regard to their qualifications, are of little service, while their employment prevents the filling of vacancies on the regular roll and demoralizes the service.

In one case thirty-five persons were put on the "lapse fund" of the Treasurer's office for eight days at the end of the fiscal year, to sop up some money which was in danger of being saved and returned to the Treasury.

**MR. MAXEY.** Do I understand the Senator to say that that testimony was taken by the Senate Committee on Civil Service and Retrenchment?

**MR. PENDLETON,** Yes sir. This testimony was taken in the month of March, I think, of the present year.

Says this gentleman further—

I have no doubt that under a rigid application of this proposed system the work of the Treasury Department could be performed with two-thirds the number of clerks now employed, and that is a moderate estimate of the saving.

Mr. President, a Senator who is now present in the Chamber and who will recognize the statement when I make it, though I shall not indicate his name, told me that the Secretary of one of the Departments of the Government said to him, perhaps to the Committee on Appropriations, at the last session, that there were seventeen clerks in his Department for whom he could find no employment; that he did need one competent clerk of a higher grade, and if the appropriation were made for that one clerk, at the proper amount according to the gradations of the service and the appropriation for the seventeen were left out, he could, without impairing the efficiency of his Department, leave those seventeen clerks off the roll; but if the appropriation should be made the personal, social, and political pressure was so great that he would be obliged to employ and pay them, though he could find no employment for them.

Need I prove, Mr. President, that which is known to all men, that a systematic pressure has been brought upon the clerks in the Departments of the Government this year to extort from them a portion of their salary under a system which the President himself scorns as being voluntary, and that they are led to believe and fairly led to believe that they have bought and paid for the offices which they hold and that the good faith of those who take from them a portion of the salary is pledged to their retention in their positions?

I have said before upon the floor of the Senate that this whole system demoralizes everybody who is engaged in it. It demoralizes the clerks who are appointed. That is inevitable. It demoralizes those who make the appointment. That also is inevitable. And it demoralizes Senators and Representatives who by the exercise of their power as Senators and Representatives exert pressure upon the appointing power.

I repeat that this system, permeating the whole civil service of the country, demoralizes everybody connected with it, the clerks, the appointing power, and those who by their official position and their relations to the executive administration of the Government have the influence necessary to put these clerks in office.

Mr. President, how can you expect purity, economy, efficiency to be found anywhere in the service of the Government if the report made by this committee to the Senate has even the semblance of truth? If the civil service of the country is to be filled up with superfluous persons, if salaries are to be increased in order that assessments may be paid, if members of Congress having friends or partisan supporters are to be able to make places for them in

public employment, how can you expect Senators and Representatives to be economical and careful in the administration of the public money?

I am sure there is no Senator here who will forget a scene which we had upon the last night session of the last session, when the Senator from Iowa [Mr. Allison], the chairman of the Committee on Appropriations, the official leader of the Senate, rising in his place with the last appropriation bill in his hand, and the report of the committee of conference, made a statement to the Senate of the result of the appropriations. He stated that the appropriations that were made during that session amounted to \$292,000,000—I throw off the fractions—and he felicitated the Senate and himself as the organ and mouthpiece of his party, that this was an excess of only \$77,000,000 over and above the expenditures of the year before. Instantly the Senator from Connecticut [Mr. Platt] rose in his place and reminded the Senator that there would be a deficiency in the Pension Bureau alone of \$20,000,000 or \$25,000,000. The honorable Senator from Georgia, who now occupies the chair [Mr. Brown], inquired of the chairman of the Committee on Appropriations whether there would be any deficiencies in the expenses of the current year, or whether the statement was supposed to cover probable deficiencies in addition to the appropriations, and the honorable Senator from Kentucky [Mr. BECK], certainly as familiar with all these subjects as any member of this body, rose in his place and said that notwithstanding the utmost scrutiny of the Committee on Appropriations, undoubtedly at the end of the fiscal year the ordinary deficiencies would be found.

Two hundred and ninety-two millions of dollars of regular appropriations; \$20,000,000 of deficiency in one bureau alone, the usual deficiencies occurring during the course of the year of \$20,000,000 more! As if this were not enough, my honorable colleague arose in his place and took up the tale and called attention to the fact that the permanent appropriations amounted annually to one hundred and thirty-seven or more millions of dollars. According to his statement made in that speech, which I am sure nobody will forget, the expenditures of the Government during this present fiscal year would amount to \$402,000,000 or \$403,000,000—nearly \$9 a head for every man, woman, and child in the United States—more money than was appropriated for all the expenses of the Government during the first forty years of its existence, I will venture to say, though I do not speak by the book.

Harbor and river appropriation bills of \$18,000,000! Thirty-two new buildings

commenced in the States, almost every one of which has had buildings before! Two million five hundred thousand dollars appropriated for the commencement of those buildings, for laying the foundation! Before they are finished \$25,000,000 more will be needed to complete them! While these enormous appropriations were being made there came up from the country a demand for a revision of the tariff, which was confessedly greatly needed; for a revision of the internal-revenue laws, which was equally necessary; for a reduction of taxation pressing so heavily upon all the interests of the country. Our honorable friends upon the other side of the Chamber chose to answer that demand by a bill repealing the taxes upon perfumery and cosmetics and bank checks, and met with a sneer of derision and ridicule every effort that was made on this side of the Chamber for a reduction of taxation.

Mr. President, it was these methods of administration, it was these acts of the Republican party, which made it possible for the Democratic party, and other men who prized their country higher than they did their party, to elect in Ohio a Democratic ticket by eighteen or twenty thousand majority, and elect sixteen out of the twenty-one members of Congress assigned to that State. I say elected sixteen, perfectly conscious of the fact that thirteen of them only have received their certificates at present. If three of them, against whom the aggregate majority is only sixty votes, do not receive certificates under the action of the returning board or under the powers of our judiciary which have been invoked, they will be seated, as they ought to be, at the beginning of the next session of Congress in the other house.

Under the impulse of this election in Ohio, upon these facts and influences which I have stated as being of great importance there, it became possible for the Democratic party and its allies, whom I have described, to elect a Democratic governor in New York, in Massachusetts, in Kansas, in Michigan, and various other States in which there has been none but a Republican governor for many years past. The same influences enable us, having accessions to our ranks from Iowa and Wisconsin and Michigan and Pennsylvania, to have at the beginning of the next session of Congress an aggregate of perhaps sixty or more Democratic majority in the House of Representatives.

MR. HALE. Will the Senator from Ohio let me ask him a question right here? As he is confining himself very closely to the civil service of the Government, I should like to ask him one question here relating to that. He has appealed directly



to the Chairman of the Committee on Appropriations, who was not present at the time, although he has just come in. The Senator from Ohio has alluded to the remarkable speech made by the chairman of the Committee on Appropriations upon the expenditures of the Government at the last session, and the wonderful scene that was exhibited there at that time. In that speech on the expenditures of the Government, by the chairman of the Committee on Appropriations, was the admission that the aggregate expenditures were seventy-odd millions of dollars more than the year before—remarkable when in that speech of the Senator from Iowa, the chairman of the Committee on Appropriations, he showed that every dollar was accounted for by deficiencies on the part of the previous Democratic Congress and by the increase of pensions and some other matters.

MR. PENDLETON. I remember the speech of the Senator from Iowa very well; I have quoted it repeatedly from the RECORD, in which I found it. I did him no injustice; I know he will not believe I would intentionally do him injustice at any time. I stated then, I stated a moment ago, I have stated it on the stump, I repeat it now, that the Senator from Iowa in that speech said that the appropriations for the current year were \$292,000,000, and that they were \$77,000,000 in excess of those made for the last year: and I might have added if I chose to make it a partisan affair, that the last Congress was under Democratic control.

MR. HALE. And did he not account for every dollar of that \$77,000,000 increase? But I think I will leave it to him, as he is present now.

MR. PENDLETON. Undoubtedly he accounted for it, for he gave all the items that went to make up the \$77,000,000.

I am confining myself more closely, Mr. President, to the discussion of the reform of the civil service of the Government than the Senator seems to apprehend. I was showing to him the causes of this very remarkable revolution in public sentiment which we have seen as exhibited by the last election. I attributed that result in great measure to the defects in our civil-service system and to the demoralization which, arising there and in its practices, has reached the other departments of the Government.

Mr. President, I was about to say when the Senator from Maine interrupted me that I begged gentlemen on this side of the Chamber and I beg the Democratic party throughout the country not to mistake this result of last fall as a purely Democratic triumph. It was achieved by the Democratic party with the assistance of men of all parties upon whom their love

of country sat heavier than their love of party. It was a protest made by an awakened people who were indignant at the wrongs which had been practiced upon them. It was a tentative stretching out of that same people to find instrumentalities by which those wrongs could be righted.

The people demanded economy and the Republican party gave them extravagance. The people demanded a reduction of taxation and the Republican party gave them an increase of expenditure. The people demanded purity of administration and the Republican party revelled in profligacy; and when the Republican party came to put themselves on trial before that same people the people gave them a day of calamity.

I beg that my colleagues on this side of the Chamber may remember, I desire that our party associates throughout the country shall remember, that the people will continue to us their confidence and increase it, that they will continue to us power and increase it, just in the proportion that we honestly and fairly and promptly answer to the demands which the people have made, and which were thus responded to by the Republican party. They asked revenue reform and they received none. They asked civil-service reform and they obtained none. They asked that the civil service of this Government should not either as to its men or its expenditures be made the basis upon which political contests were to be carried on, and they received for answer that that was an old fashion and a good method of political warfare.

I beg gentlemen upon this side of the Chamber to remember that if they desire to escape the fate which now seems to be impending over their adversaries they must avoid the example which those adversaries have set them.

Mr. President the bill which I have the honor to advocate to-day, and which is reported by a committee of the Senate, is the commencement, in my humble judgment, of an attempt to answer one of the demands which the people have authoritatively made. I speak advisedly. It is the commencement of an attempt to organize a system which shall respond to one of the demands which the people have made.

I suppose the most enthusiastic supporter of this bill will not pretend that it is perfect. I suppose he will not pretend that upon the adoption of this bill a system will immediately spring into life which will perfect and purify the civil service of the Government. But it is the commencement of an attempt to lay the foundations of a system which, if it shall answer in any reasonable degree the ex-

pectation of those who by experience and faithful study have framed it, it will in the end correct the abuses to which I have alluded, and which have been delineated by no enemy of the Republican party or of the Administration in the report which I have read to the Senate.

The bill has for its foundation the simple and single idea that the offices of the Government are trusts for the people; that the performance of the duties of those offices is to be in the interests of the people; that there is no excuse for the being of one office or the paying of one salary except that it is in the highest practicable degree necessary for the welfare of the people; that every superfluous office-holder should be cut off; that every incompetent office-holder should be dismissed; that the employment of two where one will suffice is robbery; that salaries so large that they can submit to the extortion, the forced payment of 2 or 10 per cent. are excessive and ought to be diminished. I am not speaking of purely voluntary contributions.

If it be true that offices are trusts for the people, then it is also true that the offices should be filled by those who can perform and discharge the duties in the best possible way. Fidelity, capacity, honesty, were the tests established by Mr. Jefferson when he assumed the reins of government in 1801. He said then, and said truly, that these elements in the public offices of the Government were necessary to an honest civil service, and that an honest civil service was essential to the purity and efficiency of administration, necessary to the preservation of republican institutions.

Mr. Jefferson was right. The experience of eighty years has shown it. The man best fitted should be the man placed in office, especially if the appointment is made by the servants of the people. It is as true as truth can be that fidelity, capacity, honesty, are essential elements of fitness, and that the man who is most capable and most faithful and most honest is the man who is the most fit, and he should be appointed to office.

These are truths that in their statement will be denied by none, and yet the best means of ascertaining that fitness has been a vexed question with every Administration of this Government and with every man who has been charged with the responsibility of its execution. We know what is the result. Pass examinations have been tried; professions have been tried; honest endeavors have been tried; a disposition to live faithfully up to these requirements has been tried; and yet we know and the experience of to-day shows it, that they have all made a most lamentable failure. We do now know that so

great has been the increase of the powers of this Government and the number of officers under it that no President, no Cabinet, no heads of bureaus, can by possibility know the fitness of all applicants for the subordinate offices of the Government. The result has been, and under the existing system it must always be, that the President and his Cabinet and those who are charged with the responsibility have remitted the question of fitness to their own partisan friends, and those partisan friends have in their turn decided the question of fitness in favor of their partisan friends. The Administration has need of the support of members of Congress in carrying on its work. It therefore remits to members of Congress of its own party the questions of appointment to office in the various districts. These gentlemen, in the course of their political life, naturally (I do not find fault with them for it) find themselves under strain and pressure to secure a nomination or a renomination or election, and they use the places to reward those whose friends and families and connections and aids and deputies will serve their purpose.

I put it to gentlemen, particularly to my friends on this side of the Chamber, because you have not the opportunity to exercise this patronage as much as our friends on the other side, whether or not the element of fitness enters largely into the questions of appointment in your respective districts and States. It can not be. The necessities of the case prevent it. The pressure upon men who want to be elected prevents it. The demands that are made by partisan friends and those who have been influential and potent in securing personal triumph to gentlemen who may happen to be in such relation to the appointing power that they have the influence to secure appointment prevent it. The result is as I have stated, that instead of making fitness, capacity, honesty, fidelity the only or the essential qualifications for office, personal fidelity and partisan activity alone control.

When I came to the Senate I had occasion more than ever before to make some investigation upon the subject, and found to my surprise the extent to which the demoralization of the service had gone. I saw the civil service debauched and demoralized. I saw offices distributed to incompetent and unworthy men as a reward for the lowest of dirty partisan work. I saw many men employed to do the work of one man. I saw the money of the people shamefully wasted to keep up electioneering funds by political assessments on salaries. I saw the whole body of the public officers paid by the people organized into a compact, disciplined corps of election-

ceers obeying a master as if they were eating the bread of his dependence and rendering him personal service. I saw these evils were fostered, encouraged, stimulated very largely by Senators and Representatives. They had their friends who lent them a helping hand; and regardless of the fitness of these friends, of the necessity of their employment, they insisted on the appointment and had the power, which on consideration, was found sufficient to secure it.

I believed then, and I believe now, that the existing system which, for want of a better name, I call the "spoils system," must be killed or it will kill the Republic. I believe that it is impossible to maintain free institutions in the country upon any basis of that sort. I am no prophet of evil, I am not a pessimist in any sense of the word, but I do believe that if the present system goes on until 50,000,000 people shall have grown into 100,000,000, and 140,000 officers shall have grown into 300,000, with their compensation in proportion, and all shall depend upon the accession of one party or the other to the Presidency and to the executive functions, the Presidency of the country, if it shall last in name so long, will be put up for sale to the highest bidder, even as in Rome the imperial crown was put to those who could raise the largest fund.

I beg gentlemen to believe that whatever I may have said as to the relations of parties I do not approach the question of the reform of the civil service in any mere partisan spirit. It was because I thought I saw this danger, because I believed that it was imminent, because I believed then as I do now that it is destructive of republicanism and will end in the downfall of republican government, that I felt it my duty to devote whatever ability I had to the consideration of this subject. It was that which induced me a year or two ago to introduce a bill which after the best reflection, the best study, the best assistance that I could get I did introduce in the Senate, and which in some degree modified, has come back from the Committee on Civil Service Reform, and is now pending before this body.

The purpose of this bill is merely to secure the application of the Jeffersonian tests, fidelity, honesty, capacity. The methods are those which are known and familiar to us all in the various avocations of life—competition, comparison. Perhaps the bill is imperfect. If so, I am sure I express the wish of every member of the committee that it may be improved. There is no pride of opinion, there is no determination, if suggestions of value are made not promptly to adopt them. There is no disposition to do aught except to

perfect, and in the best possible way, this bill, the sole object of which is to improve this great department of our Government.

Mr. President, it is because I believe the "spoils system" to be a great crime, because I believe it to be fraught with danger, because I believe that the highest duty of patriotism is to prevent the crime and to avoid the danger, that I advocate this or a better bill if it can be found for the improvement of the civil service.

I shall say in passing that I find it no objection to this bill at all that while I believe it is of great value to the country in all its aspects, I do not believe it will bring disaster to the Democratic party. There has been great misapprehension as to the methods and the scope of the bill. I desire the attention of the Senators while I briefly state them, I see I have spoken a good deal longer than I intended. The bill simply applies to the Executive Departments of the Government here in Washington and to those offices throughout the country, post-offices and custom-houses, which employ more than fifty persons. I am told, and I am sure that I am not far out of the way, if I am not exactly accurate, that the number of such offices does not exceed thirty or perhaps thirty-five, and that the number of persons who are employed in them, together with those in the Departments here, will not exceed 10,000.

I said that this was a tentative effort; that it was intended to be an experiment, and it is because it is tentative, because it is intended to be an experiment, that the committee thought it advisable in its initial stages to limit it, as they have limited it, in the bill. The bill does not apply to elective officers, of course, nor to officers appointed by the President, by and with the advice and consent of the Senate, nor to the military, nor to the naval, nor to the judicial establishment. It applies simply now to those officials who are employed in the Departments here and in the large offices of the Government elsewhere, first, because as an experiment it was thought that it gave scope enough to test its value and labor enough to employ all those who are engaged in putting it in operation until its merits shall be fairly tried and it shall commend itself either to the approval or condemnation of the American people.

There was another reason. The heads of offices and bureaus, where the number of employes is small, can themselves personally judge of the fitness of persons who are applicants for appointment, knowing as they do more or less in their narrow communities their antecedents, their habits, and their modes of life.

The bill does not touch the question of tenure of office or of removal from office.

I see it stated by those who do not know that it provides for a seven years' tenure of office. There is nothing like it in the bill. I see it stated that it provides against removals from office. There is nothing like it in the bill. Whether or not it would be advisable to fix the tenure of office, whether or not it would be advisable to limit removals are questions about which men will differ; but the bill as it is and as we invoke the judgment of the Senate upon it contains no provisions either as to tenure of office or removals from office. It leaves those questions exactly where the law now finds them. It concerns itself only with admission to the public service; it concerns itself only with discovering in certain proper ways or in certain ways—gentlemen may differ as to whether they are proper or not—the fitness of the persons who shall be appointed. It takes cognizance of the fact that it is impossible for the head of a Department or a large office personally to know all the applicants, and therefore it provides a method by which, when a vacancy occurs by death, by resignation, by the unlimited power of removal, a suitable person may be designated to fill the vacancy. It says in effect that when a vacancy occurs in the civil service everybody who desires entrance shall have the right to apply, Everybody, humble, poor, without patronage, without influence, whatever may be his condition in life, shall have the right to go before the parties charged with an examination of his fitness and there be subjected to the test of open, regulated, fair, impartial examination.

MR. MAXEY. If it is agreeable I should like to interrupt the Senator to ask a question upon that point. In the plan suggested for examination as to fitness is it to be a competitive examination by the bill? I ask the Senator if the committee has fallen upon any plan as to the line of inquiry that should be instituted in that examination, and if so will he indicate it? That I think is an important consideration.

MR. PENDLETON. I am glad that the Senator has asked that question, for it gives me an opportunity of saying to him and to the Senate that if they will examine the report made by the committee, they will find that this system is not entirely new, but that to a very large extent in certain offices in New York, in Philadelphia, and in Boston it has been put into practical operation under the heads of the offices there, and that they have devised, with the assistance of the commission originally appointed by General Grant, but largely upon their own motion, a system which I suppose would, to some extent, be followed under this bill.

MR. MAXEY. What I desire to know

is whether the committee, after examining the various lines of questions asked in the competitive examinations, have themselves fallen upon any plan which they could recommend to the Senate as a proper plan for examination?

MR. PENDLETON. No; the committee have not carried their investigations to that point for the simple reason that it would be impracticable for a committee of the Senate charged with the examination of the general subject to look into the proper examinations as to every Department of the Government and every department in that Department. For instance, for a letter-carrier one series of examinations might be very proper, for an assayer another system of examination, for an accountant still other examinations, for a weigher and gauger still another. The examinations must be adapted to the particular offices which it is sought to fill, and that can only be by the leisurely and competent investigation of gentlemen who are charged as an official duty with the determination of what the needs of all the Departments and offices require.

MR. MAXEY. That may be quite a reasonable view of the case; but some of the questions which I have seen submitted I am of the opinion have nothing whatever to do with the examination for a mere clerkship, but would have something to do perhaps with an examination in a college or something of that sort.

MR. PENDLETON. The examinations are to be regulated in relation to the particular offices to be filled. I am not the advocate of any special system of questions which has been devised. I am not the apologist for any error which may have been committed. I am not prepared to say that I have seen any of these series of questions which might not admit of improvement.

MR. MAXEY. I will state to the Senator that the suggestion he has himself made is about the best that I have heard. A great many of the questions which have been submitted I think are nonsensical to be put to an applicant for a minor clerkship.

MR. PENDLETON. I shall offer some amendments in behalf of the committee and in behalf of myself before we reach a vote. The details of the bill are these: The preamble expresses fully the philosophy of the bill. Read it carefully. It sets forth what common justice demands for the citizen and for the Government. It sets forth what the economy, efficiency, and integrity of the public service demand.

WHEREAS COMMON JUSTICE REQUIRES THAT, SO FAR AS PRACTICABLE, ALL CITIZENS DULY QUALIFIED SHALL BE ALLOWED EQUAL OPPORTUNITIES, ON GROUNDS

OF PERSONAL FITNESS, FOR SECURING APPOINTMENTS, EMPLOYMENT, AND PROMOTION IN THE SUBORDINATE CIVIL SERVICE OF THE UNITED STATES; AND

WHEREAS JUSTICE TO THE PUBLIC LIKewise REQUIRES THAT THE GOVERNMENT SHALL HAVE THE LARGEST CHOICE AMONG THOSE LIKELY TO ANSWER THE REQUIREMENTS OF THE PUBLIC SERVICE: AND

WHEREAS JUSTICE, AS WELL AS ECONOMY, EFFICIENCY, AND INTEGRITY IN THE PUBLIC SERVICE WILL BE PROMOTED BY SUBSTITUTING OPEN AND UNIFORM COMPETITIVE EXAMINATIONS FOR THE EXAMINATIONS HERETOFORE HELD IN PURSUANCE OF THE STATUTES OF 1853 AND 1855.

Section 1 provides for the appointment by the President of a commission of five persons, of different political parties, of whom three shall hold no official place, and two shall be experienced in the public service.

The second section is in the following words:

SEC. 2. That it shall be the duty of said commission.

First, To devise and submit to the President for his approval and promulgation, from time to time, suitable rules, and to suggest appropriate action for making this act effective: and when so approved and promulgated it shall be the duty of all officers of the United States in the Departments and offices to which any such rules may relate to aid, in all proper ways, in carrying said rules, and any modifications thereof, into effect.

Second, And, among other things, said rules shall provide and declare, as nearly as the conditions of good administration will warrant, as follows:

First, for open, competitive examinations for testing the capacity of applicants for the public service now classified or to be classified hereunder.

Second, that all the offices, places, and employments so arranged or to be arranged in classes shall be filled by selections from among those graded highest as the results of such competitive examinations.

Third, that original entrance to the public service aforesaid shall be at the lowest grade.

Fourth, that there shall be a period of probation before any absolute appointment or employment aforesaid.

Fifth, that promotions shall be from the lower grades to the higher on the basis of merit and competition.

Sixth, that no person in the public service is for that reason under any obligations to contribute to any political fund, or to render any political service, and that he will not be removed or otherwise prejudiced for refusing to do so.

Seventh, that no person in said service has any right to use his official authority or influence to coerce the political action of any person or body.

Eighth, there shall be non-competitive examinations in all proper cases before the commis-

sion, when competition may not be found practicable.

Ninth, that notice shall be given in writing to said commission of the persons selected for appointment or employment from among those who have been examined, of the rejection of any such persons after probation, and of the date thereof, and a record of the same shall be kept by said commission.

And any necessary exceptions from said nine fundamental provisions of the rules shall be set forth in connection with such rules, and the reasons therefor shall be stated in the annual reports of the commission.

Third. Said commission shall make regulations for, and have control of, such examinations, and, through its members or the examiners, it shall supervise and preserve the records of the same, and said commission shall keep minutes of its own proceedings.

Fourth. Said commission may make investigations concerning the facts, and may report upon all matters touching the enforcement and effects of said rules and regulations, and concerning the action of any examiner or board of examiners, and its own subordinates, and those in the public service, in respect to the execution of this act.

Fifth. Said commission shall make an annual report to the President, for transmission to Congress, showing its own action, the rules and regulations and the exceptions thereto in force, the practical effects thereof, and any suggestions it may approve for the more effectual accomplishment of the purposes of this act.

The third and fourth sections authorize the commission to employ a chief examiner, a secretary, and the necessary clerical force; to designate boards of examiners, to direct where examinations shall be held; and requires that suitable rooms shall be furnished for its accommodation in the public buildings in Washington and elsewhere. They require also the chief examiner to act, as far as practicable, with the examining boards, and to secure accuracy, uniformity, and justice in all their proceedings.

The fifth section defines the offenses which are calculated to defeat the just enforcement of the act, and declares the penalties.

The sixth section requires the heads of the different Departments to make a more perfect classification of clerks and employes, both in the Departments in the various offices under their charge, in conformity with the one hundred and sixty-third section of the Revised Statutes, and to extend and revise such classification at the request of the President.

The seventh section is in these words:

SEC. 7. After the expiration of four months from the passage of this act no officer or clerk shall be appointed, and no person shall be employed to enter or be promoted in either of the said classes now existing, or that may be arranged hereunder, pursuant to said rules, until he has passed an examination, or is shown to be specially exempted from such examination in conformity herewith.

But nothing herein contained shall be construed to take from those honorably discharged from the military or naval service any preference conferred by the seventeen hundred and fifty-fourth section of the Revised Statutes, nor to take from the President any authority not inconsistent with this act conferred by the seventeen hundred and fifty-third section of said

statutes: nor shall any officer not in the executive branch of the Government, or any person merely employed as a laborer or workman, be required to be classified hereunder; nor, unless by direction of the Senate, shall any person who has been nominated for confirmation by the Senate be required to be classified or pass an examination.

Now, Mr. President, recurring to what I have said as to scope of this bill, to the officers who are embraced in it, to the avoidance of the question of removal and tenure, I have only to say that the machinery of the bill is that the President shall call to his aid the very best assistance, with or without the concurrence of the Senate—for that is a matter about which gentlemen would differ and upon it I have no very fixed opinion—that the President shall with the concurrence of the best advice which he can obtain, form a plan, a scheme of examination free for all, open to all, which shall secure the very best talent and the very best capacity attainable for the civil offices of the Government. The method adopted in the bill is by competitive examination. That method has been imperfectly tried throughout the country. I have here the statement of the postmaster of New York who has given much attention and has had great experience in this matter. I have here his statement that the business of his office increased 150 per cent. within a certain number of years, and the expenses increased only 2 per cent.

To be specific—

Says Mr. Pearson—

while the increase in the volume of matter has been from 150 to 300 per cent. the increase in cost has only been about 2 per cent.

Mr. Graves, whose testimony I read before, has stated as the result of the efforts which were made by General Grant during the period that he was allowed any funds for the purpose of putting this scheme into operation, that the expenses of the Departments here can be reduced at least one-third.

I have heard it said that this system of examination proposes to present only a scholastic test; that it proposes only to give advantage to those who are college-bred, and have had the advantage in early life of superior education. The committee investigated that subject to some extent, and I have here the result in the city of New York. Says Mr. Burt:

Taking seven hundred and thirty-one persons examined, 60 per cent. of the appointees selected from them had been educated simply in the common schools of the country; 33½ per cent. had received what they call academie or high-school education; and 6½ per cent. a collegiate education. In all the statistics in regard to common school education there is one little weakness resulting from the fact that we have to

throw in that class men who have had hardly any education, men who will say, "I went to school until I was 11 years old," or "I went to school in the winter," or something of that kind. We have to throw them in that class—

That is the class who have received a common-school education—

and it rather reduces the average standing in that category. As to the matter of age we have very thoroughly exploded that objection. There have been some young men of 21 and 22 who have come in, but the average has been above 30, and it is astonishing that it is the men above 30 who make the best time on examination, who show a facility to get through work quickly.

He goes on to say:

Yet about two-thirds of the appointees had a common-school education; had not even an academic education.

Thereupon the chairman of the committee asked:

Is it from that you get the value of the element of experience and natural force that I spoke of?

Mr. BURT. Yes, sir; it shows itself there apart from the question of elaborate education.

Of course these examinations must be proper; of course they must be regulated upon common-sense principles; of course they must be conducted to test the fitness of the men who are to be appointed to particular offices. You have tests everywhere. To-day the law requires that there shall be a test of examination in the various Departments here in Washington. They are pass examinations; they are imperfect; they are insufficient; they are not thorough. Mr. Graves himself says that the only examination in his case was that the superior in the Department looked over his shoulder while he was writing and said, "I think you will pass." That was when he entered the service twenty-odd years ago.

If you have examinations why not have competitive examinations? If you have private pass examinations, why not have open examinations? If examinations are made in the Departments by subordinates of the Departments, why not have them made by responsible examiners amenable to the authority of the President under a system devised by the best intelligence that can be supplied?

I hear the system of competitive examination spoken of as if it were something extraordinary. Within the last fifteen years it has gotten to be a custom that I might almost say is universal that when a member of Congress has the right to appoint a cadet to West Point or to the Naval Academy he asks his constituents to compete for it. Formerly it was never done; it was looked on as the mere perquisite of a member of Congress. I

appointed a gentleman to West Point who graduated at the head of his class, and now is the active and vigorous spirit of the Military Academy. I appointed him simply upon my own personal examination and knowledge. It would not be done now; it could not be done now; the public sentiment is against it. The public sentiment of the district that I then represented would not permit it; but open competitive examinations are demanded, and everybody having the requisite qualifications of age and health and vigor can compete for the appointment.

Why not apply that system to the Executive Departments of this Government? What earthly reason can there be why when you desire to appoint the best and fittest man for the place that is vacant he should not subject himself to the competition of other people who desire to have that place? Of course, as I said before, this all goes upon the basis that there shall be reasonable examinations and reasonable competition.

Nor are there any aristocratical tendencies about this system, as I have heard suggested; for while it does not in any wise create an official caste it does in words and in effect, open up the possibility of the public service to the poorest and the humblest and least influential in the land.

Mr. President, I desire to say only one word further. I have spoken to-day under great disadvantage, and perhaps I may have omitted things that I shall desire in the course of this discussion to lay before the Senate.

But I desire, Mr. President, to follow out for one moment the line of thought which I indicated when I said that I believed this system would be of great advantage to the country, and that to me it was no objection, that I believed it would be of great advantage to the Democratic party. The suggestion has been made here that it might be better to lay this matter over until after another election, and that the mutations of parties might fill, under the old system, the various Departments with members of the faith to which I belong. Aye, Mr. President, but the next Presidential election may not have that result, and it will not have the result, in my honest conviction, unless we do two things: First, respond to the demands which the people make upon the Democratic party now in its condition of probation; and, second, disarm that great body of officials who as disciplined armies go forth to control the Presidential elections.

I believe, and I am only excused from making this remark because of what I have heard publicly and in private con-

versation upon the floor of the Senate—I believe if we argue this question upon the lower plane of mere partisan advantage we Democrats ought to support the measure. It has been said that this abandonment of the spoils system will retain in office the appointees of the Republican party. I conceal nothing; I state it in my place in Senate, and before my fellow-Senators who are of the other persuasion, I do not think it. There is no proposition to extend the term of office where it is now fixed, nor in any wise limit the constitutional power of removal from office. The proposition is simply and only that where a new appointment shall be made the element of fitness shall be decisive. Can any Democrat object to that?

How many Democrats are there in office now? How many will there ever be under the spoils system? The Republicans have possession of the Government for two years and more. How many Democrats will be put in office during that time, except on the merit system? Not one. But if this system be fairly inaugurated and administered within one year there will be fifty where now there is one.

It has been said that the abandonment of the spoils system will exclude Democrats from office when the day of our victory shall come. I do not think it. On the contrary, I believe that the adoption of this policy as our party creed will hasten the day of the victory of our party and its adoption as a law will under any administration fill many offices with Democrats. I think it will bring to our aid very many men not hitherto of our political faith who believe this reform a vital question in our politics. I think it will disarm and disorganize and neutralize the trained bands of office-holders who have wrested from us, as I have said, at least two Presidential elections. And finally, repudiating utterly, as I do, that the animating spirit of the Democratic party is the love of spoils, and that its cohesive principle is that of public plunder—repudiating, I say, that doctrine, I think the Democrats throughout this land—I know that in my own State they can—will stand the test of any examination, and in a fair field will not come out second best.

Who shall do them the discredit, who shall do this party, now numbering at least half the people of this country, the discredit to say that they can not stand the test of merit for official position and promotion with any equal number of men in any party of the country.

I have detained the Senate much too long, and yet I must add that the very best aid to any system of reforming the service is in the most rigid application of the democratic theory of the Federal Consti-

tution and Government; that its powers are all granted; that the subjects on which it can act are very limited; that it should refrain from enlarging its jurisdiction, or even exercising admitted but unnecessary powers; that it should scrupulously avoid "undue administration." Add to this the election by the people to local Federal offices, and there will be little necessity and little room for other methods.

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The PRESIDING OFFICER. The pending question is on the amendment of the Senator from Massachusetts [Mr. HOAR] to the amendment of the Senator from Iowa [Mr. ALLISON].

MR. PENDLETON. The Senator from Iowa is not in his place at this moment, but gave me authority to withdraw his amendment.

The PRESIDING OFFICER. If there be no objection, it will be considered as withdrawn for the time being.

MR. PENDLETON. I now move to strike out lines 22 and 23 of section 2, as follows:

Third. That original entrance to the public service aforesaid shall be at the grade, and appointments thereto.

And to insert in lieu thereof "appointments to the public service aforesaid;" so as to read:

Appointments to the public service aforesaid in the Departments at Washington, shall be apportioned, as nearly as practicable, among the several States and Territories and the District of Columbia, upon the basis of population as ascertained at the last preceding census.

This amendment has been discussed, and I do not care to detain the Senate in the further discussion of it. It opens up the public service in all its grades to competition, not only from those within but those outside of the Departments. The objections to the provision that entrance shall be at the lowest grade, and higher places shall be filled by promotions only, are so strong that I desire to perfect the bill by striking out this clause at this time. At the proper time I shall move to strike out the clause in relation to promotion, if it shall seem necessary to accomplish my purpose. I wish entrance to the public service to be open at all grades to every one whether he may be now in office or not.

The amendment was adopted.



AMERICAN POLITICS.

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BOOK IV.

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PARLIAMENTARY PRACTICE.



# AMERICAN POLITICS.

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## BOOK IV.

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### PARLIAMENTARY PRACTICE.

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#### **Declaration of Independence.**

*A Declaration by the Representatives of the United States of America in Congress assembled. July 4, 1776.*

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

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable Rights; that among these are Life, Liberty, and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed; That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object, evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. Such has been the patient sufferance of these Colonies; and such is now the

necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

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

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

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

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

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the meantime exposed to all the dangers of invasion from without, and convulsions within.

He has endeavored to prevent the Population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and rais-

ing the conditions of new Appropriations of Lands.

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

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our People, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our Legislatures.

He has affected to render the Military independent of and superior to the Civil Power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation :

For quartering large bodies of armed troops among us :

For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States :

For cutting off our Trade with all parts of the world :

For Imposing Taxes on us without our Consent :

For depriving us, in many cases, of the benefits of Trial by Jury :

For transporting us beyond Seas to be tried for pretended offenses :

For abolishing the free System of English Laws in a neighboring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies :

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments :

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

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the Lives of our People.

He is at this time transporting large Armies of foreign Mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of Cruelty and Perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow-citizens

taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms; our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free People.

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

We, therefore, the REPRESENTATIVES of the UNITED STATES OF AMERICA IN GENERAL CONGRESS assembled, appealing to the Supreme Judge of the World for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly PUBLISH and DECLARE, That these United Colonies are, and of Rightought to be, FREE AND INDEPENDENT States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved; and that as FREE AND INDEPENDENT STATES, they have full Power to levy War, conclude Peace, contract Alliances, establish Commeree, and to do all other Acts and things which INDEPENDENT STATES may of right do. And for the support of this Declaration, with a firm reliance on the Protection of Divine Providence, We mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.

The foregoing declaration was, by order of Congress, engrossed, and signed by the following members :

JOHN HANCOCK.

*New Hampshire* { Josiah Bartlett,  
William Whipple.  
Matthew Thornton.

<i>Massachusetts Bay.</i>	{ Samuel Adams, John Adams, Robert Treat Paine, Elbridge Gerry.
<i>Rhode Island, etc.</i>	{ Stephen Hopkins, William Ellery.
<i>Connecticut.</i>	{ Roger Sherman, Samuel Huntington, William Williams, Oliver Wolcott.
<i>New York.</i>	{ William Floyd, Philip Livingston, Francis Lewis, Lewis Morris.
<i>New Jersey.</i>	{ Richard Stockton, John Witherspoon, Francis Hopkinson, John Hart, Abraham Clark.
<i>Pennsylvania.</i>	{ Robert Morris, Benjamin Rush, Benjamin Franklin, John Morton, George Clymer, James Smith, George Taylor, James Wilson, George Ross.
<i>Delaware.</i>	{ Cesar Rodney, George Read, Thomes McKean.
<i>Maryland.</i>	{ Samuel Chase, William Paca, Thomas Stone, Charles Carroll, of Carrollton.
<i>Virginia.</i>	{ George Wythe, Richard Henry Lee, Thomas Jefferson, Benjamin Harrison, Thomas Nelson, jr., Francis Lightfoot Lee, Carter Braxton.
<i>North Carolina.</i>	{ William Hooper, Joseph Hewes, John Penn.
<i>South Carolina.</i>	{ Edward Rutledge, Thomas Heyward, jr., Thomas Lynch, jr., Arthur Middleton.
<i>Georgia.</i>	{ Button Gwinnett, Lyman Hall, George Walton.

*Resolved*, That copies of the Declaration be sent to the several assemblies, conventions, and committees or councils of safety, and to the several commanding officers of the Continental Troops: That it be PROCLAIMED in each of the UNITED STATES, and at the HEAD of the ARMY.—[*Jour. Cong.*, vol. 1, p. 396.]

### Articles of Confederation.

*Done at Philadelphia on the 9th day of July, 1778.*

[While the Declaration of Independence was under consideration in the Continental Congress, and before it was finally agreed upon, measures were taken for the establishment of a constitutional form of government; and on the 11th of June, 1776, it was "*Resolved*, That a committee be appointed to prepare and digest the form of a confederation to be entered into between these Colonies;" which committee was appointed the next day, June 12, and consisted of a member from each Colony, namely: Mr. Bartlett. Mr. S. Adams, Mr. Hopkins, Mr. Sherman, Mr. R. R. Livingston, Mr. Dickinson, Mr. McKean, Mr. Stone, Mr. Nelson, Mr. Hewes, Mr. E. Rutledge, and Mr. Gwinnett. On the 12th of July, 1776, the committee reported a draught of the Articles of Confederation, which was printed for the use of the members under the strictest injunctions of secrecy.

This report underwent a thorough discussion in Congress, from time to time, until the 15th of November, 1777; on which day, "Articles of Confederation and Perpetual Union" were finally agreed to in form, and they were directed to be proposed to the Legislatures of all the United States, and if approved by them, they were advised to authorize their delegates to ratify the same in the Congress of the United States; and in that event they were to become conclusive. On the 17th of November, 1777, the Congress agreed upon the form of a circular letter to accompany the Articles of Confederation, which concluded with a recommendation to each of the several Legislatures "to invest its delegates with competent powers, ultimately, and in the name and behalf of the State, to subscribe articles of confederation and perpetual union of the United States, and to attend Congress for that purpose on or before the 10th day of March next." This letter was signed by the President of Congress and sent, with a copy of the articles, to each State Legislature.

On the 26th of June, 1778, Congress agreed upon the form of a ratification of the Articles of Confederation, and directed a copy of the articles and the ratification to be engrossed on parchment; which, on the 9th of July, 1778, having been examined and the blanks filled, was signed by the delegates of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, Pennsylvania, Virginia, and South Carolina. Congress then directed that a circular letter be addressed to the States whose delegates were not present, or being present, conceived they were not

authorized to sign the ratification, informing them how many and what States had ratified the Articles of Confederation, and desiring them, with all convenient dispatch, to authorize their delegates to ratify the same. Of these States, North Carolina ratified on the 21st and Georgia on the 24th of July, 1778; New Jersey on the 26th of November following; Delaware on the 5th of May, 1779; Maryland on the 1st of March, 1781; and on the 2d of March, 1781, Congress assembled under the new form of government.]

#### ARTICLES OF CONFEDERATION.

*To all to whom these presents shall come,*

We, the undersigned, delegates of the States affixed to our names, send greeting:

Whereas the delegates of the United States of America in Congress assembled did, on the fifteenth day of November, in the year of our Lord one thousand seven hundred and seventy-seven, and in the second year of the independence of America, agree to certain Articles of Confederation and Perpetual Union between the States of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, in the words following, viz:

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

ARTICLE I. The style of this Confederacy shall be, "The United States of America."

ARTICLE II. Each State retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this confederation expressly delegated to the United States in Congress assembled.

ARTICLE III. The said States hereby severally enter into a firm league of friendship with each other for their common defense, the security of their liberties, and their mutual and general welfare; binding themselves to assist each other against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretense whatever.

ARTICLE IV. The better to secure and perpetuate mutual friendship and intercourse among the people of the different States in this Union, the free inhabitants of each of these States, paupers, vagabonds, and fugitives from justice excepted, shall

be entitled to all privileges and immunities of free citizens in the several States; and the people of each State shall have free ingress and regress to and from any other State, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions, and restrictions, as the inhabitants thereof respectively: *Provided*, That such restrictions, shall not extend so far as to prevent the removal of property imported into any State to any other State, of which the owner is an inhabitant: *Provided, also*, That no imposition, duties, or restriction shall be laid by any State on the property of the United States or either of them.

If any person guilty of or charged with treason, felony, or other high misdemeanor, in any State, shall flee from justice, and be found in any of the United States, he shall, upon demand of the governor or executive power of the State from which he fled, be delivered up, and removed to the State having jurisdiction of his offense.

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

ARTICLE V. For the more convenient management of the general interests of the United States, delegates shall be annually appointed in such manner as the Legislature of each State shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each State to recall its delegates or any of them, at any time within the year, and to send others in their stead for the remainder of the year.

No State shall be represented in Congress by less than two nor by more than seven members; and no person shall be capable of being a delegate for more than three years in any term of six years; nor shall any person, being a delegate, be capable of holding any office under the United States, for which he, or another for his benefit, receives any salary, fees or emolument of any kind.

Each State shall maintain its own delegates in a meeting of the States, and while they act as members of the committee of these States.

In determining questions in the United States in Congress assembled, each State shall have one vote.

Freedom of speech and debate in Congress shall not be impeached or questioned in any court or place out of Congress; and the members of Congress shall be protected in their persons from arrests and imprisonments during the time of their going to and from, and attendance on, Congress, except for treason, felony, or breach of the peace.

ARTICLE VI. No State, without the consent of the United States in Congress as-

sembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance, or treaty with any King, prince, or state; nor shall any person holding any office of profit or trust under the United States, or any of them, accept of any present, emolument, office or title of any kind whatever from any King, prince, or foreign state; nor shall the United States in Congress assembled, or any of them, grant any title of nobility.

No two or more States shall enter into any treaty, confederation, or alliance whatever between them without the consent of the United States in Congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.

No State shall lay any imposts or duties, which may interfere with any stipulations in treaties entered into by the United States in Congress assembled with any King, prince, or state, in pursuance of any treaties already proposed by Congress to the Courts of France and Spain.

No vessels of war shall be kept up in time of peace by any State, except such number only as shall be deemed necessary by the United States in Congress assembled, for the defense of such State, or its trade; nor shall any body of forces be kept up by any State in time of peace, except such number only, as, in the judgment of the United States, in Congress assembled, shall be deemed requisite to garrison the forts necessary for the defense of such State; but every State shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutered, and shall provide and constantly have ready for use, in public stores, a due number of field-pieces and tents, and a proper quantity of arms, ammunition, and camp equipage.

No State shall engage in any war without the consent of the United States in Congress assembled, unless such State be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nation of Indians to invade such State, and the danger is so imminent as not to admit of a delay till the United States in Congress assembled can be consulted; nor shall any State grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the United States in Congress assembled; and then only against the kingdom or state, and the subjects thereof, against which war has been so declared, and under such regulations as shall be established by the United States in Congress assembled, unless such State be infested by pirates, in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall

continue, or until the United States in Congress assembled shall determine otherwise.

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

ARTICLE VIII. All charges of war, and all other expenses that shall be incurred for the common defense or general welfare and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several States, in proportion to the value of all land within each State, granted to, or surveyed for, any person, as such land and the buildings and improvements thereon shall be estimated, according to such mode as the United States in Congress assembled shall, from time to time, direct and appoint.

The taxes for paying that proportion shall be laid and levied by the authority and direction of the Legislatures of the several States, within the time agreed upon by the United States in Congress assembled.

ARTICLE IX. The United States in Congress assembled shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article; of sending and receiving ambassadors; entering into treaties and alliances: *Provided*, That no treaty of commerce shall be made whereby the legislative power of the respective States shall be restrained from imposing such imposts and duties on foreigners as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever; of establishing rules for deciding, in all cases, what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the United States, shall be divided or appropriated; of granting letters of marque and reprisal in times of peace; appointing courts for the trial of piracies and felonies committed on the high seas, and establishing courts for receiving and determining finally, appeals in all cases of captures: *Provided*, That no member of Congress shall be appointed a judge of any of the said courts.

The United States in Congress assembled shall also be the last resort on appeal in all disputes and differences now subsisting, or that hereafter may arise between two or more States concerning boundary, jurisdiction, or any other cause whatever; which authority shall always be exercised in the manner following: Whenever the

legislative or executive authority or lawful agent of any State in controversy with another, shall present a petition to Congress, stating the matter in question, and praying for a hearing, notice thereof shall be given by order of Congress to the legislative or executive authority of the other State in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint, by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question; but if they cannot agree, Congress shall name three persons out of each of the United States, and from the list of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number not less than seven nor more than nine names, as Congress shall direct, shall, in the presence of Congress, be drawn out by lot; and the persons whose names shall be so drawn, or any five of them, shall be commissioners or judges, to hear and finally determine the controversy, so always as a major part of the judges who shall hear the cause, shall agree in the determination; and if either party shall neglect to attend at the day appointed, without showing reasons which Congress shall judge sufficient, or, being present, shall refuse to strike, the Congress shall proceed to nominate three persons out of each State, and the Secretary of Congress shall strike in behalf of such party absent or refusing; and the judgment and sentence of the court to be appointed in the manner before prescribed shall be final and conclusive; and if any of the parties shall refuse to submit to the authority of such court or to appear or defend their claim or cause, the court shall, nevertheless, proceed to pronounce sentence or judgment, which shall, in like manner, be final and decisive; the judgment or sentence, and other proceedings, being in either case transmitted to Congress, and lodged among the acts of Congress for the security of the parties concerned: *Provided*, That every commissioner, before he sits in judgment, shall take an oath, to be administered by one of the judges of the supreme or superior court of the State, where the cause shall be tried, "*well and truly to hear and determine the matter in question, according to the best of his judgment without favor, affection, or hope of reward.*" *Provided*, also, That no State shall be deprived of territory for the benefit of the United States.

All controversies concerning the private right of soil claimed under different grants of two or more States, whose jurisdictions, as they may respect such lands, and the States which passed such grants, are adjusted, the said grants or either of them

being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall, on the petition of either party to the Congress of the United States, be finally determined, as near as may be, in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different States.

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

The United States in Congress assembled shall have authority to appoint a committee to sit in the recess of Congress, to be denominated "a Committee of the States," and to consist of one delegate from each State, and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the United States, under their direction; to appoint one of their number to preside; provided that no person be allowed to serve in the office of president more than one year in any term of three years; to ascertain the necessary sums of money to be raised for the service of the United States, and to appropriate and apply the same for defraying the public expenses; to borrow money or emit bills on the credit of the United States, transmitting every half year to the respective States, an account of the sums of money so borrowed or emitted; to build and equip a navy; to agree upon the number of land forces, and to make requisitions from each State for its quota, in proportion to the number of white inhabitants in such State, which requisitions shall be binding; and thereupon the Legislature of each State shall appoint the regimental officers, raise the men, and clothe, arm, and equip them in a soldier-like manner, at the expense of the United States; and the officers and men so clothed, armed, and



equipped, shall march to the place appointed, and within the time agreed on by the United States in Congress assembled; but if the United States in Congress assembled shall, on consideration of circumstances, judge proper that any State should not raise men, or should raise a smaller number than its quota, and that any other State should raise a greater number of men than the quota thereof, such extra number shall be raised, officered, clothed, armed, and equipped in the same manner as the quota of each State, unless the Legislature of such State shall judge that such extra number cannot be safely spared out of the same; in which case they shall raise, officer, clothe, arm, and equip as many of such extra number as they judge can be safely spared. And the officers and men so clothed, armed, and equipped shall march to the place appointed, and within the time agreed on by the United States in Congress assembled.

The United States in Congress assembled shall never engage in a war, nor grant letters of marque and reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expenses necessary for the defense and welfare of the United States or any of them, nor emit bills, nor borrow money on the credit of the United States, nor appropriate money, nor agree upon the number of vessels of war to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander-in-chief of the Army or Navy, unless nine States assent to the same; nor shall a question on any other point, except for adjourning from day to day, be determined, unless by the votes of a majority of the United States in Congress assembled.

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

ARTICLE X. The committee of the States, or any nine of them, shall be authorized to execute, in the recess of Congress, such of the powers of Congress as the United States in Congress assembled, by the con-

sent of nine States, shall, from time to time, think expedient to vest them with: *Provided*, That no power be delegated to the said committee, for the exercise of which, by the Articles of Confederation, the voice of nine States in the Congress of the United States assembled is requisite.

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

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

ARTICLE XIII. Every State shall abide by the determinations of the United States in Congress assembled, on all questions which by this confederation are submitted to them. And the articles of this confederation shall be inviolably observed by every State, and the union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them, unless such alteration be agreed to in a Congress of the United States, and be afterwards confirmed by the Legislatures of every State.

And whereas it has pleased the Great Governor of the world to incline the hearts of the Legislatures we respectively represent in Congress, to approve of, and to authorize us to ratify the said articles of confederation and perpetual union: *Know ye*, That we, the undersigned delegates, by virtue of the power and authority to us given for that purpose, do, by these presents, in the name and in behalf of our respective constituents, fully and entirely ratify and confirm each and every of the said Articles of Confederation and Perpetual Union, and all and singular the matters and things therein contained. And we do further solemnly plight and engage the faith of our respective constituents, that they shall abide by the determinations of the United States, in Congress assembled, on all questions which, by the said confederation, are submitted to them; and that the articles thereof shall be inviolably observed by the States we respectively represent; and that the union shall be perpetual.

IN WITNESS WHEREOF we have hereunto set our hands, in Congress. DONE AT PHILADELPHIA, in the State of PENNSYLVANIA, the ninth day of July, in the year of our Lord one thousand seven hun-

dred and seventy-eight, and in the third year of the INDEPENDENCE OF AMERICA.

*On the part and behalf of the State of New Hampshire.*—Josiah Bartlett, John Wentworth, jr., August 8, 1778.

*On the part and behalf of the State of Massachusetts Bay.*—John Hancock, Samuel Adams, Elbridge Gerry, Francis Dana, James Lovell, Samuel Holten.

*On the part and in behalf of the State of Rhode Island and Providence Plantations.*—William Ellery, Henry Marchant, John Collins.

*On the part and behalf of the State of Connecticut.*—Roger Sherman, Samuel Huntington, Oliver Wolcott, Titus Hosmer, Andrew Adams.

*On the part and behalf of the State of New York.*—Jas. Duane, Fra. Lewis, Wm. Duer, Gouv. Morris.

*On the part and in behalf of the State of New Jersey.*—Jno. Witherspoon, Nath. Scudder, Nov. 26, 1778.

*On the part and behalf of the State of Pennsylvania.*—Robt. Morris, Daniel Roberdeau, Jona. Bayard Smith, William Clinigan, Joseph Reed, July 22d, 1778.

*On the part and behalf of the State of Delaware.*—Thos. McKean, Feb. 13, 1779, John Dickinson, May 5, 1779, Nicholas Van Dyke.

*On the part and behalf of the State of Maryland.*—John Hanson, March 1, 1781, Daniel Carroll, March 1, 1781.

*On the part and behalf of the State of Virginia.*—Richard Henry Lee, John Banister, Thomas Adams, Jno. Harvie, Francis Lightfoot Lee.

*On the part and behalf of the State of North Carolina.*—John Penn, July 21, 1778, Corns. Harnett, Jno. Williams.

*On the part and behalf of the State of South Carolina.*—Henry Laurens, William Henry Drayton, Jno. Mathews, Richard Hutson, Thomas Heyward, Jr.

*On the part and behalf of the State of Georgia.*—Jno. Walton, July 24, 1778, Edw. Telfair, Edw. Langworthy.

#### Ordinance of 1787.

*An Ordinance for the Government of the Territory of the United States Northwest of the Ohio River. [In Congress, July 13, 1787.]*

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

*Be it ordained by the authority aforesaid,* That the estates both of resident and non-resident proprietors in the said Territory, dying intestate, shall descend to and be distributed among their children, and the

descendants of a deceased child, in equal parts; the descendants of a deceased child or grandchild to take the share of their deceased parent in equal parts among them; and where there shall be no children or descendants, then in equal parts to the next of kin, in equal degree; and among collaterals, the children of a deceased brother or sister of the intestate shall have, in equal parts among them, their deceased parents' share; and there shall, in no case, be a distinction between kindred of the whole and half blood; saving in all cases to the widow of the intestate, her third part of the real estate for life, and one-third part of the personal estate; and this law relative to descents and dower shall remain in full force until altered by the Legislature of the district. And until the governor and judges shall adopt laws as hereinafter mentioned, estates in the said Territory may be devised or bequeathed by wills in writing, signed and sealed by him or her, in whom the estate may be, (being of full age,) and attested by three witnesses; and real estates may be conveyed by lease and release, or bargain and sale, signed, sealed, and delivered by the person, being of full age, in whom the estate may be and attested by two witnesses, provided such wills be duly proved, and such conveyances be acknowledged, or the execution thereof duly proved and be recorded within one year, after proper magistrates, courts, and registers shall be appointed for that purpose; and personal property may be transferred by delivery, saving, however, to the French and Canadian inhabitants, and other settlers of the Kaskaskies, Saint Vincent's, and the neighboring villages, who have heretofore professed themselves citizens of Virginia, their laws and customs now in force among them, relative to the descent and conveyance of property.

*Be it ordained by the authority aforesaid,* That there shall be appointed, from time to time, by Congress, a governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress; he shall reside in the district, and have a freehold estate therein, in one thousand acres of land, while in the exercise of his office.

There shall be appointed, from time to time, by Congress, a secretary, whose commission shall continue in force for four years, unless sooner revoked; he shall reside in the district, and have a freehold estate therein, in five hundred acres of land, while in the exercise of his office; it shall be his duty to keep and preserve the acts and laws passed by the Legislature, and the public records of the district, and the proceedings of the governor in his executive department; and transmit authentic copies of such acts and proceed-

ings every six months to the secretary of Congress. There shall also be appointed a court, to consist of three judges, any two of whom to form a court, who shall have a common law jurisdiction, and reside in the district, and have each therein a freehold estate, in five hundred acres of land, while in the exercise of their offices, and their commissions shall continue in force during good behavior.

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

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

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

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

So soon as there shall be five thousand free male inhabitants of full age in the district, upon giving proof thereof to the governor, they shall receive authority, with time and place, to elect representatives from their counties or townships, to represent them in the General Assembly; *Provided*, That for every five hundred free male inhabitants, there shall be one representative; and so on, progressively, with the number of free male inhabitants, shall the right of representation increase, until the number of representatives shall amount

to twenty-five; after which the number and proportion of representatives shall be regulated by the Legislature: *Provided*. That no Person be eligible or qualified to act as a representative unless he shall have been a citizen of one of the United States three years, and be a resident in the district, or unless he shall have resided in the district three years; and in either case, shall likewise hold in his own right, in fee simple, two hundred acres of land within the same: *Provided, also*, That a freehold in fifty acres of land in the district, having been a citizen of one of the States, and being resident in the district, or the like freehold and two years' residence in the district, shall be necessary to qualify a man as an elector of a representative.

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

The General Assembly, or Legislature, shall consist of the governor, legislative council, and a house of representatives. The legislative council shall consist of five members, to continue in office five years, unless sooner removed by Congress, any three of whom to be a quorum; and the members of the council shall be nominated and appointed in the following manner, to wit: As soon as representatives shall be elected, the governor shall appoint a time and place for them to meet together, and when met, they shall nominate ten persons, residents in the district, and each possessed of a freehold in five hundred acres of land, and return their names to Congress; five of whom Congress shall appoint and commission to serve as aforesaid; and whenever a vacancy shall happen in the council, by death or removal from office, the house of representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to Congress; one of whom Congress shall appoint and commission for the residue of the term. And every five years, four months at least before the expiration of the time of service of the members of the council, the said house shall nominate ten persons, qualified as aforesaid, and return their names to Congress; five of whom Congress shall appoint and commission to serve as members of the council five years, unless sooner removed. And the governor, legislative council, and house of representatives, shall have authority to make laws in all cases for the good government of the district, not repugnant to the principles and articles in this ordinance established and declared, and all bills having passed by a majority in the house, and by a majority in the coun-

cil, shall be referred to the governor for his assent; but no bill or legislative act whatever shall be of any force without his assent. The governor shall have power to convene, prorogue, and dissolve the General Assembly when in his opinion it shall be expedient.

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

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

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

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

ART. 2. The inhabitants of the said Territory shall always be entitled to the benefits of the writ of *habeas corpus*, and of the trial by jury; of a proportionate representation of the people in the Legislature, and of judicial proceedings according to the course of the common law. All persons shall be bailable, unless for capital offenses, where the proof shall be evident or the presumption great. All fines shall be moderate; and no cruel or unusual punishments shall be inflicted. No man shall be deprived of his liberty or property but by the judgment of his peers, or the law of the land; and should the public exigencies make it necessary for the common preservation to take any person's property, or to demand his particular services, full compensation shall be made for the same. And, in the just preservation

of rights and property, it is understood and declared that no law ought ever to be made, or have force in the said Territory, that shall, in any manner whatever, interfere with, or affect, private contracts or engagements, *bona fide* and without fraud, previously formed.

ART. 3. Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged. The utmost good faith shall always be observed toward the Indians; their lands and property shall never be taken from them without their consent; and in their property, rights, and liberty they shall never be invaded or disturbed, unless in just and unlawful wars authorized by Congress; but laws founded in justice and humanity shall, from time to time, be made for preventing wrongs being done to them, and for preserving peace and friendship with them.

ART. 4. The said Territory, and the States which may be formed therein, shall ever remain a part of this confederacy of the United States of America, subject to the Articles of Confederation, and to such alterations therein as shall be constitutionally made; and to all the acts and ordinances of the United States in Congress assembled, conformable thereto. The inhabitants and settlers in the Territory shall be subject to pay a part of the Federal debts, contracted or to be contracted, and a proportional part of the expenses of Government, to be apportioned on them by Congress, according to the same common rule and measure by which apportionments thereof shall be made on the other States; and the taxes for paying their proportion shall be laid and levied by the authority and direction of Legislatures of the district or districts, or new States, as in the original States, within the time agreed upon by the United States in Congress assembled. The Legislatures of those districts, or new States shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the *bona fide* purchasers. No tax shall be imposed on lands the property of the United States; and in no case shall non-resident proprietors be taxed higher than residents. The navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same, shall be common highways, and forever free, as well to the inhabitants of the said Territory as to the citizens of the United States, and those of any other States that may be admitted into the confederacy, without any tax, impost, or duty therefor.

ART. 5. There shall be formed in the said Territory not less than three, nor

more than five States; and the boundaries of the States, as soon as Virginia shall alter her act of cession, and consent to the same, shall become fixed and established as follows, to wit: The western State in the said territory shall be bounded by the Mississippi, the Ohio, and Wabash Rivers; a direct line drawn from the Wabash and Post Vincents, due north, to the territorial line between the United States and Canada; and by the said territorial line to the Lake of the Woods and Mississippi. The middle States shall be bounded by the said direct line, the Wabash, from Post Vincents to the Ohio, by the Ohio, by a direct line drawn due north from the mouth of the Great Miami to the said territorial line, and by the said territorial line. The eastern State shall be bounded by the last mentioned direct line, the Ohio, Pennsylvania, and the said territorial line: *Provided, however,* And it is further understood and declared that the boundaries of these three States shall be subject so far to be altered, that, if Congress shall hereafter find it expedient, they shall have authority to form one or two States in that part of the said Territory which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan. And whenever any of the said States shall have sixty thousand free inhabitants therein, such State shall be admitted, by its delegates, into the Congress of the United States, on an equal footing with the original States in all respects whatever; and shall be at liberty to form a permanent constitution and State government: *Provided,* The constitution and government so to be formed shall be republican, and in conformity to the principles contained in these articles; and, so far as it can be consistent with the general interest of the confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the State than sixty thousand.

ART. 6. There shall be neither slavery nor involuntary servitude in the said Territory, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted: *Provided always,* That any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labor or service as aforesaid.

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

Done by the United States in Congress assembled the thirteenth day of July, in the year of our Lord one thousand seven

hundred and eighty-seven, and of their sovereignty and independence the twelfth.

CHARLES THOMPSON,  
*Secretary.*

**Constitution of the United States  
of America,**

*With amendments and dates of ratification.*

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

ARTICLE I.

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

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

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

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, [which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three-fifths of all other Persons.\*] The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive

\* The portion of this clause within brackets has been amended by the 14th amendment, 2nd section.

Authority thereof shall issue Writs of Election to fill such Vacancies.

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

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

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the expiration of the sixth Year, so that one-third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall choose their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no person shall be convicted without the Concurrence of two-thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and Disqualification to hold and enjoy any Office of Honour, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

*Section IV.*—The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such Regulations, except as to the places of choosing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, un-

less they shall by Law appoint a different Day.

*Section V.*—Each House shall be the Judge of the Elections, Returns, and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of Absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two-thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one-fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

*Section VI.*—The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

*Section VII.*—All bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two-thirds of that House shall agree to pass the Bill, it shall be sent, together

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

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

*Section VIII.*—The Congress shall have Power To lay and collect Taxes, Duties Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

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

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

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

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

To establish Post Offices and post Roads;

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

To constitute Tribunals inferior to the Supreme Court;

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

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

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

To provide and maintain a Navy;

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

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the Discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, Dock-Yards, and other needful Buildings;—And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

*Section IX.* The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration hereinbefore directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any office of Profit or Trust under them, shall, without the Consent of the Congress,

accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

*Section X.*—No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing its inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Control of the Congress.

No State shall, without the Consent of Congress, lay any Duty on Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of Delay.

## ARTICLE II.

*Section I.*—The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected as follows:

Each State shall appoint, in such manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

\* [The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if

\* This clause has been superseded and annulled by the 12th amendment.

there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately choose by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like manner choose the President. But in choosing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A Quorum for this purpose shall consist of a Member or Members from two-thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall choose from them by Ballot the Vice President.]

The Congress may determine the Time of choosing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No person except a natural-born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty-five Years, and been fourteen Years a Resident within the United States.

In case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation, or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the execution of his Office he shall take the following Oath or Affirmation:—

“ I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States.”

*Section II.* The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the



actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the Supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law; but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

*Section III.* He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the officers of the United States.

*Section IV.*—The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

### ARTICLE III.

*Section I.*—The judicial Power of the United States, shall be vested in one Supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services a Compensation, which shall not be diminished during their Continuance in Office.

*Section II.*—The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws

of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, or other public Ministers, and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States;—between a State and Citizens of another State;—between Citizens of different States,—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the Supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the Supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crime shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

*Section III.*—Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

### ARTICLE IV.

*Section I.*—Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

*Section II.*—The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be dis-

charged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

SECTION III. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

SECTION IV. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion, and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

#### ARTICLE V.

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two-thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year one thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

#### ARTICLE VI.

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before

mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

#### ARTICLE VII.

The Ratification of the Convention of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

Done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty-seven and of the Independence of the United States of America the Twelfth. In WITNESS whereof We have hereunto subscribed our Names.

GEO. WASHINGTON—

*Presidt. and deputy from Virginia.*

<i>New Hampshire.</i>	{ John Langdon, Nicholas Gilman.
<i>Massachusetts.</i>	{ Nathaniel Gorham, Rufus King.
<i>Connecticut.</i>	{ Wm. Saml. Johnson, Roger Sherman.
<i>New York.</i>	{ Alexander Hamilton.
<i>New Jersey.</i>	{ Wil: Livingston, Wm. Paterson, David Brearley, Jona. Dayton.
<i>Pennsylvania.</i>	{ B. Franklin, Robt. Morris, Tho: Fitzsimons, James Wilson, Thomas Mifflin, Geo: Clymer, Jared Ingersoll, Gouv: Morris.
<i>Delaware.</i>	{ Geo: Read, John Dickinson, Jaco: Broom, Gunning Bedford, Jr., Richard Bassett.
<i>Maryland.</i>	{ James M'Henry, Danl. Carroll, Dan: of St. Thos: Jenifer.
<i>Virginia.</i>	{ John Blair, James Madison, Jr.
<i>North Carolina.</i>	{ Wm. Blount, Hu. Williamson, Rich'd Dobbs Spaight.
<i>South Carolina.</i>	{ J. Rutledge, Charles Pinckney, Charles Cotesworth Pinckney, Pierce Butler,
<i>Georgia.</i>	{ William Few, Abr. Baldwin.

Attest: WILLIAM JACKSON, *Secretary.*

**Articles in Addition to, and Amendment of,  
the Constitution of the United States  
of America,**

*Proposed by Congress and Ratified by the Legislatures of the several States, pursuant to the Fifth Article of the Original Constitution.*

ARTICLE I. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

ARTICLE II. A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

ARTICLE III. No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V.—No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any Criminal Case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

ARTICLE VI.—In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have Compulsory process for obtaining Witnesses in his favor, and to have the assistance of Counsel for his defence.

ARTICLE VII.—In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

ARTICLE VIII.—Excessive bail shall not be required, nor excessive fines im-

posed, nor cruel and unusual punishment inflicted.

ARTICLE IX.—The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

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

ARTICLE XI.—The Judicial power of the United States shall not be construed to extend to any suit in law and equity, commenced and prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

ARTICLE XII.—The Electors shall meet in their respective States, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted. The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose

the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

ARTICLE XIII. *Section I.* Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

*Section II.* Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XIV. *Section I.* All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

*Section II.* Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

*Section III.* No person shall be a senator or representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each house, remove such disability.

*Section IV.* The validity of the public debt of the United States, authorized by

law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

*Section V.*—The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

ARTICLE XV. *Section I.*—The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

*Section II.*—The Congress shall have power to enforce this article by appropriate legislation.

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#### Ratifications of the Constitution. \*

Of the thirteen States which originally composed the Union under the Confederation, eleven ratified the Constitution prior to the 4th of March, 1789, the time fixed by the resolution of September 13, 1788, for commencing proceedings under it, viz:

Delaware, December 7, 1787.  
 Pennsylvania, December 12, 1787.  
 New Jersey, December 18, 1787.  
 Georgia, January 2, 1788.  
 Connecticut, January 9, 1788.  
 Massachusetts, February 6, 1788.  
 Maryland, April 28, 1788.  
 South Carolina, May 23, 1788.  
 New Hampshire, June 21, 1788.  
 Virginia, June 26, 1788.  
 New York, July 26, 1788.

Of the other two States, North Carolina ratified the Constitution on the 21st of November, 1789; of which, information was communicated to Congress by the President, in a message dated January 28, 1790.

Rhode Island ratified it on the 29th of May, 1790; of which, also, information was communicated to Congress by the President, in a message dated June 1, 1790.

The State of Vermont, by convention, ratified the Constitution on the 10th of January, 1791, and was, by an act of Congress of the 18th of February, 1791, "received and admitted into this Union as a new and entire member of the United States of America."

\* From W. J. McDonald's "Constitution, Rules and Manual."

### Ratifications of the Amendments to the Constitution.

From W. J. McDonald's "Constitution, Rules and Manual."

The first ten of the preceding articles of amendment, (with two others which were not ratified by the requisite number of States,) were submitted to the several State Legislatures by a resolution of Congress which passed on the 25th of September, 1789, at the first session of the First Congress, and were ratified by the Legislatures of the following States:

New Jersey, November 20, 1789.  
 Maryland, December 19, 1789.  
 North Carolina, December 22, 1789.  
 South Carolina, January 19, 1790.  
 New Hampshire, January 25, 1790.  
 Delaware, January 28, 1790.  
 Pennsylvania, March 10, 1790.  
 New York, March 27, 1790.  
 Rhode Island, June 15, 1790.  
 Vermont, November 3, 1791.  
 Virginia, December 15, 1791.

The acts of the Legislatures of the States ratifying these amendments were transmitted by the governors to the President, and by him communicated to Congress. The Legislatures of Massachusetts, Connecticut, and Georgia, do not appear by the record to have ratified them.

The 11th article was submitted to the Legislatures of the several States by a resolution of Congress passed on the 5th of March, 1794, at the first session of the Third Congress; and on the 8th of January, 1798, at the second session of the Fifth Congress, it was declared by the President, in a message to the two Houses of Congress, to have been adopted by the Legislatures of three-fourths of the States, there being at that time sixteen States in the Union.

The twelfth article was submitted to the Legislatures of the several States, there being then seventeen States, by a resolution of Congress passed on the 12th of December, 1803, at the first session of the Eighth Congress; and was ratified by the Legislatures of three-fourths of the States, in 1804, according to a proclamation of the Secretary of State dated the 25th of September, 1804.

The thirteenth article was submitted to the Legislatures of the several States, there being then thirty-six States, by a resolution of Congress passed on the 1st of February, 1865, at the second session of the Thirty-eighth Congress, and was ratified, according to a proclamation of the Secretary of State dated December 18, 1865, by the Legislatures of the following States:

Illinois, February 1, 1865.  
 Rhode Island, February 2, 1865.  
 Michigan, February 2, 1865.  
 Maryland, February 3, 1865.

New York, February 3, 1865.  
 West Virginia, February 3, 1865.  
 Massachusetts, February 3, 1865.  
 Pennsylvania, February 3, 1865.  
 Maine, February 7, 1865.  
 Kansas, February 8, 1865.  
 Ohio, February 8, 1865.  
 Minnesota, February 7, 1865.  
 Virginia, February 9, 1865.  
 Indiana, February 13, 1865.  
 Nevada, February 16, 1865.  
 Louisiana, February 17, 1865.  
 Wisconsin, February 21, 1865.  
 Missouri, February 24, 1865.  
 Tennessee, March 4, 1865.  
 Vermont, March 9, 1865.  
 Arkansas, April 14, 1865.  
 Connecticut, May 4, 1865.  
 New Hampshire, June 30, 1865.  
 South Carolina, November 13, 1865.  
 North Carolina, December 1, 1865.  
 Alabama, December 2, 1865.  
 Georgia, December 6, 1865.

The following States not enumerated in the proclamation of the Secretary of State, also ratified this amendment:

Oregon, December 11, 1865.  
 California, December 20, 1865.  
 Florida, June 9, 1868.

The States of Delaware, New Jersey, and Kentucky rejected the amendment.

The fourteenth article was submitted to the Legislatures of the different States, there being then thirty-seven States, by a resolution of Congress passed on the 16th of June, 1866, at the first session of the Thirty-ninth Congress; and was ratified, according to a proclamation of the Secretary of State, dated July 28, 1868, by the Legislatures of the following States:

Connecticut, June 30, 1866.  
 New Hampshire, July 7, 1866.  
 Tennessee, July 19, 1866.  
 \* New Jersey, September 11, 1866.  
 † Oregon, September 19, 1866.  
 Vermont, November 9, 1866.  
 New York, January 10, 1867.  
 ‡ Ohio, January 11, 1867.  
 Illinois, January 15, 1867.  
 West Virginia, January 16, 1867.  
 Kansas, January 18, 1867.  
 Maine, January 19, 1867.  
 Nevada, January 22, 1867.  
 Missouri, January 26, 1867.  
 Indiana, January 29, 1867.  
 Minnesota, February 1, 1867.  
 Rhode Island, February 7, 1867.  
 Wisconsin, February 13, 1867.  
 Pennsylvania, February 13, 1867.  
 Michigan, February 15, 1867.  
 Massachusetts, March 20, 1867.  
 Nebraska, June 15, 1867.

\* New Jersey withdrew her consent to the ratification April —, 1868.

† Oregon withdrew her consent to the ratification October 15, 1868.

‡ Ohio withdrew her consent to the ratification January —, 1868.

Iowa, April 3, 1868.

Arkansas, April 6, 1868.

Florida, June 9, 1868.

\* North Carolina, July 4, 1868.

Louisiana, July 9, 1868.

\* South Carolina, July 9, 1868.

Alabama, July 13, 1868.

\* Georgia, July 21, 1868.

\* The State of Virginia ratified this amendment on the 8th of October, 1869, subsequent to the date of the proclamation of the Secretary of State.

The States of Delaware, Maryland, Kentucky, and Texas rejected the amendment.

The fifteenth article was submitted to the Legislatures of the several States, there being then thirty-seven States, by a resolution of Congress passed on the 27th of February, 1869, at the first session of the Forty-first Congress; and was ratified, according to a proclamation of the Secretary of State dated March 30, 1870, by the Legislatures of the following States:

Nevada, March 1, 1869.

West Virginia, March 3, 1869.

North Carolina, March 5, 1869.

Louisiana, March 5, 1869.

Illinois, March 5, 1869.

Michigan, March 8, 1869.

Wisconsin, March 9, 1869.

Massachusetts, March 12, 1869.

Maine, March 12, 1869.

South Carolina, March 16, 1869.

Pennsylvania, March 26, 1869.

Arkansas, March 30, 1869.

† New York, April 14, 1869.

Indiana, May 14, 1869.

Connecticut, May 19, 1869.

Florida, June 15, 1869.

New Hampshire, July 7, 1869.

Virginia, October 8, 1869.

Vermont, October 21, 1869.

Alabama, November 24, 1869.

Missouri, January 10, 1870.

Mississippi, January 17, 1870.

Rhode Island, January 18, 1870.

Kansas, January 19, 1870.

‡ Ohio, January 27, 1870.

Georgia, February 2, 1870.

Iowa, February 3, 1870.

Nebraska, February 17, 1870.

Texas, February 18, 1870.

Minnesota, February 19, 1870.

§ The State of New Jersey ratified this amendment on the 21st of February, 1871, subsequent to the date of the proclamation of the Secretary of State.

The States of California, Delaware, Kentucky, Maryland, Oregon, and Tennessee rejected this amendment.

\* North Carolina, South Carolina, Georgia, and Virginia had previously rejected the amendment.

† New York withdrew her consent to the ratification January 5, 1870.

‡ Ohio had previously rejected the amendment May 4, 1869.

§ New Jersey had previously rejected the amendment.

## JEFFERSON'S MANUAL OF PARLIAMENTARY PRACTICE.

### Importance of Rules.

#### SEC. I.—IMPORTANCE OF ADHERING TO RULES.

Mr. Onslow, the ablest among the Speakers of the House of Commons, used to say, "It was a maxim he had often heard when he was a young man, from old and experienced members, that nothing tended more to throw power into the hands of administration, and those who acted with the majority of the House of Commons, than a neglect of, or departure from, the rules of proceeding; that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority, and that they were, in many instances, a shelter and protection to the minority, against the attempts of power." So far the maxim is certainly true, and is founded in good sense, that as it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power, are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and are become the law of the House; by a strict adherence to which, the weaker party can only be protected from those irregularities and abuses which these forms were intended to check, and which the wantonness of power is but too often apt to suggest to large and successful majorities. 2 *Hats.*, 171, 172.

And whether these forms be in all cases the most rational or not, is really not of so great importance. It is much more material that there should be a rule to go by, than what that rule is; that there may be a uniformity of proceedings in business, not subject to the caprice of the Speaker, or captiousness of the members. It is very material that order, decency, and regularity be preserved in a dignified public body. 2 *Hats.*, 149.

#### SEC. II.—LEGISLATURE.

[All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives. *Constitution of the United States, Art. 1, Sec. 1.*]

[The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States. *Constitution of the United States, Art. 1, Sec. 6.*]

[For the powers of Congress, see the following Articles and Sections of the Constitution of the United States: I, 4, 7, 8, 9. II, 1, 2. III, 3. IV, 1, 3, 5, and all the amendments.]

## SEC. III.—PRIVILEGE.

The privileges of members of Parliament, from small and obscure beginnings, have been advancing for centuries with a firm and never-yielding pace. Claims seem to have been brought forward from time to time, and repeated, till some example of their admission enabled them to build law on that example. We can only, therefore, state the points of progression at which they now are. It is now acknowledged, 1st. That they are at all times exempted from question elsewhere, for anything said in their own House; that during the time of privilege, 2d. Neither a member himself, his wife, nor his servants, (*familiares sui*,) for any matter of their own, may be arrested on mesne process, in any civil suit: 3d. Nor be detained under execution, though levied before time of privilege: 4th. Nor impleaded, cited, or subpoenaed in any court: 5th. Nor summoned as a witness or juror: 6th. Nor may their lands or goods be distrained: 7th. Nor their persons assaulted, or characters traduced. And the period of time covered by privilege, before and after the session, with the practice of short prorogations under the connivance of the Crown, amounts in fact to a perpetual protection against the course of justice. In one instance, indeed, it has been relaxed by the 19 G. 3, c. 50, which permits judiciary proceedings to go on against them. That these privileges must be continually progressive, seems to result from their rejecting all definition of them; the doctrine being, that "their dignity and independence are preserved by keeping their privileges indefinite; and that 'the maxim upon which they proceed, together with the method of proceeding, rest entirely in their own breast, and are not defined and ascertained by any particular stated laws.'" 1 *Blackst.*, 163, 164.

[It was probably from this view of the encroaching character of privilege that the framers of our Constitution, in their care to provide that the laws shall bind equally on all, and especially that those who make them shall not exempt themselves from their operation, have only privileged "Senators and Representatives" themselves from the single act of "arrest in all cases except treason, felony, and breach of the peace, during their attendance at the session of their respective Houses, and in going to and returning from the same, and from being questioned in any other place for any speech or debate in either House." *Const. U. S.*, Art. 1, Sec. 6. Under the general authority "to make all laws necessary and proper for carrying into execution the powers given them," *Const. U. S.*, Art. 2, Sec. 8, they may provide by law the details which may be necessary for giving full effect to the enjoyment of this privilege. No such law being as yet made, it seems to

stand at present on the following ground: 1. The act of arrest is void, *ab initio*. 2. The member arrested may be discharged on motion, 1 *Bl.*, 166; 2 *Str.*, 990; or by habeas corpus under the Federal or State authority, as the case may be; or by a writ of privilege out of the chancery, 2 *Str.*, 989, in those States which have adopted that part of the laws of England. *Orders of the House of Commons*, 1550, February 20. 3. The arrest being unlawful, is a trespass for which the officer and others concerned are liable to action or indictment in the ordinary courts of justice, as in other cases of unauthorized arrest. 4. The court before which the process is returnable is bound to act as in other cases of unauthorized proceeding, and liable, also, as in other similar cases, to have their proceedings stayed or corrected by the superior courts.]

[The time necessary for going to, and returning from, Congress, not being defined, it will, of course, be judged of in every particular case by those who will have to decide the case.] While privilege was understood in England to extend, as it does here, only to exemption from arrest, *eundo, morando, et redeundo*, the House of Commons themselves decided that "a convenient time was to be understood." (1580,) 1 *Hats.*, 99, 100. Nor is the law so strict in point of time as to require the party to set out immediately on his return, but allows him time to settle his private affairs, and to prepare for his journey; and does not even scan his road very nicely, nor forfeit his protection for a little deviation from that which is most direct; some necessity perhaps constraining him to it. 2 *Str.*, 986, 987.

This privilege from arrest, privileges, of course, against all process the disobedience to which is punishable by an attachment of the person; as a subpoena ad respondendum, or testificandum, or a summons on a jury; and with reason, because a member has superior duties to perform in another place. [When a representative is withdrawn from his seat by summons, the 40,000 people whom he represents lose their voice in debate and vote, as they do on his voluntary absence; when a Senator is withdrawn by summons, his State loses half its voice in debate and vote, as it does on his voluntary absence. The enormous disparity of evil admits no comparison.]

[So far there will probably be no difference of opinion as to the privileges of the two Houses of Congress; but in the following cases it is otherwise. In December, 1795, the House of Representatives committed two persons of the name of Randall and Whitney, for attempting to corrupt the integrity of certain members, which they considered as a contempt and breach of the privileges of the House; and the facts being proved, Whitney was detained in

confinement a fortnight, and Randall three weeks, and was reprimanded by the Speaker. In March, 1796, the House of Representatives voted a challenge given to a member of their House to be a breach of the privileges of the House; but satisfactory apologies and acknowledgments being made, no further proceeding was had. The editor of the *Aurora* having, in his paper of February 19, 1800, inserted some paragraphs defamatory of the Senate, and failed in his appearance, he was ordered to be committed.

In debating the legality of this order, it was insisted, in support of it, that every man, by the law of nature, and every body of men, possesses the right of self-defense; that all public functionaries are essentially invested with the powers of self-preservation; that they have an inherent right to do all acts necessary to keep themselves in a condition to discharge the trusts confided to them; that whenever authorities are given, the means of carrying them into execution are given by necessary implication; that thus we see the British Parliament exercise the right of punishing contempts; all the State Legislatures exercise the same power, and every court does the same; that, if we have it not, we sit at the mercy of every intruder who may enter our doors or gallery, and, by noise and tumult, render proceeding in business impracticable; that if our tranquillity is to be perpetually disturbed by newspaper defamation, it will not be possible to exercise our functions with the requisite coolness and deliberation; and that we must therefore have a power to punish these disturbers of our peace and proceedings. To this it was answered, that the Parliament and courts of England have cognizance of contempts by the express provisions of their law; that the State Legislatures have equal authority, because their powers are plenary; they represent their constituents completely, and possess all their powers, except such as their constitutions have expressly denied them; that the courts of the several States have the same powers by the laws of their States, and those of the Federal Government by the same State laws adopted in each State, by a law of Congress; that none of these bodies, therefore, derive those powers from natural or necessary right, but from express law; that Congress have no such natural or necessary power, nor any powers but such as are given them by the Constitution; that that has given them, directly, exemption from personal arrest, exemption from question elsewhere for what is said in their House, and power over their own members and proceedings; for these no further law is necessary, the Constitution being the law; that, moreover, by that article of the Constitution

which authorizes them "to make all laws necessary and proper for carrying into execution the powers vested by Constitution in them," they may provide by law for an undisturbed exercise of their functions, e. g., for the punishment of contempts, of affrays or tumult in their presence, &c.; but, till the law be made, it does not exist; and does not exist, from their own neglect; that, in the mean time, however, they are not unprotected, the ordinary magistrates and courts of law being open and competent to punish all unjustifiable disturbances or defamations, and even their own sergeant, who may appoint deputies ad libitum to aid him, 3 *Grey*, 59, 147, 255, is equal to small disturbances; that in requiring a previous law, the Constitution had regard to the inviolability of the citizen, as well as of the member; as, should one House, in the form of a bill, aim at too broad privileges, it may be checked by the other, and both by the President; and also as, the law being promulgated, the citizen will know how to avoid offense. But if one branch may assume its own privileges without control, if it may do it on the spur of the occasion, conceal the law in its own breast, and, after the fact committed, make its sentence both the law and the judgment on that fact; if the offense is to be kept undefined, and to be declared only *ex re nata*, and according to the passions of the moment, and there be no limitation either in the manner or measure of the punishment, the condition of the citizen will be perilous indeed. Which of these doctrines is to prevail, time will decide. Where there is no fixed law, the judgment on any particular case is the law of that single case only, and dies with it. When a new and even a similar case arises, the judgment which is to make and at the same time apply the law, is open to question and consideration, as are all new laws. Perhaps Congress, in the mean time, in their care for the safety of the citizen, as well as that for their own protection, may declare by law what is necessary and proper to enable them to carry into execution the powers vested in them, and thereby hang up a rule for the inspection of all, which may direct the conduct of the citizen, and at the same time test the judgments they shall themselves pronounce in their own case.]

Privilege from arrest takes place by force of the election; and before a return be made a member elected may be named of a committee, and is to every extent a member except that he cannot vote until he is sworn. *Memor.*, 107, 108. *D'Ewes*, 643, col. 2; 643, col. 1. *Pet. Miscel. Parl.*, 119. *Lex. Parl.*, c. 23. 2 *Hats.*, 22, 62.

Every man must, at his peril, take notice who are members of either House



returned of record. *Lex. Parl.*, 23; 4 *Inst.*, 24.

On complaint of a breach of privilege, the party may either be summoned, or sent for in custody of the sergeant. 1 *Grey*, 88, 95.

The privilege of a member is the privilege of the House. If the member waive it without leave, it is a ground for punishing him, but cannot in effect waive the privilege of the House. 3 *Grey*, 140, 222.

For any speech or debate in either House, they shall not be questioned in any other place. *Const. U. S.*, I, 6; *S. P. protest of the Commons to James I*, 1621; 2 *Rapin*, No. 54, pp. 211, 212. But this is restrained to things done in the House in a parliamentary course. 1 *Rush.*, 663. For he is not to have privilege contra morem parliamentarium, to exceed the bounds and limits of his place and duty. *Com. p.*

If an offence be committed by a member in the House, of which the House has cognizance, it is an infringement of their right for any person or court to take notice of it, till the House has punished the offender, or referred him to a due course. *Lex. Parl.*, 63.

Privilege is in the power of the House, and is a restraint to the proceedings of inferior courts, but not of the House itself. 2 *Nalson*, 450; 2 *Grey*, 399. For whatever is spoken in the House is subject to the censure of the House; and offenses of this kind have been severely punished by calling the person to the bar to make submission, committing him to the tower, expelling the House, &c. *Scob.*, 72; *L. Parl.*, c. 22.

It is a breach of order for the Speaker to refuse to put a question which is in order. 1 *Hats.*, 175-6; 5 *Grey*, 133.

And even in cases of treason, felony, and breach of the peace, to which privilege does not extend as to substance, yet in Parliament a member is privileged as to the mode of proceeding. The case is first to be laid before the House, that it may judge of the fact and of the grounds of the accusation, and how far forth the manner of the trial may concern their privilege; otherwise it would be in the power of other branches of the government, and even of every private man, under pretenses of treason, &c., to take any man from his services in the House, and so, as many, one after another, as would make the House what he pleaseth. *Dec. of the Com. on the King's declaring Sir John Hotham a traitor.* 4 *Rushw.*, 586. So, when a member stood indicted for felony, it was adjudged that he ought to remain of the House till conviction; for it may be any man's case, who is guiltless, to be accused and indicted of felony or the like

crime. 23 *El.*, 1580; *D'Ewes*, 283, col. 1; *Lex Parl.*, 133.

When it is found necessary for the public service to put a member under arrest, or when, on any public inquiry, matter comes out which may lead to affect the person of a member, it is the practice immediately to acquaint the House, that they may know the reason for such a proceeding, and take such steps as they think proper. 2 *Hats.*, 259. Of which see many examples. *Ib.*, 256, 257, 258. But the communication is subsequent to the arrest. 1 *Blackst.*, 167.

It is highly expedient, says Hatsel, for the due preservation of the privileges of the separate branches of the legislature, that neither should encroach on the other, or interfere in any matter depending before them, so as to preclude, or even influence, that freedom of debate which is essential to a free council. They are, therefore, not to take notice of any bills or other matters depending, or of votes that have been given, or of speeches which have been held, by the members of either of the other branches of the legislature, until the same have been communicated to them in the usual parliamentary manner. 2 *Hats.*, 252; 4 *Inst.*, 15; *Seld. Jud.*, 53. Thus the King's taking notice of the bill for suppressing soldiers, depending before the House; his proposing a provisional clause for a bill before it was presented to him by the two Houses; his expressing displeasure against some persons for matters moved in Parliament during the debate and preparation of a bill, were breaches of privilege; 2 *Nalson*, 743; and in 1783, December 17, it was declared a breach of fundamental privileges, &c., to report any opinion or pretended opinion of the King on any bill or proceeding depending in either House of Parliament, with a view to influence the votes of the members. 2 *Hats.*, 251, 6.

#### SEC. IV.—ELECTIONS.

[The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators. *Const.*, 1, 4.]

[Each House shall be the judge of the elections, returns, and qualifications of its own members. *Const.*, I, 5.]

#### SEC. V.—QUALIFICATIONS.

[The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof for six years, and each Senator shall have one vote.]

[Immediately after they shall be assembled in consequence of the first election,

they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the end of the second year; of the second class at the expiration of the fourth year; and of the third class at the expiration of the sixth year; so that one-third may be chosen every second year; and if vacancies happen, by resignation or otherwise, during the recess of the Legislature of any State, the executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies. *Const.*, I, 3.]

[No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen. *Const.* I, 3.]

[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. *Const.*, I, 2.]

[No person shall be a Representative who shall not have attained to the age of twenty-five years and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen. *Const.*, I, 2.]

[Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers; which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one Representative. *Const.*, I, 2.]

[When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies. *Const.*, I, 2.]

[No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created, or the emoluments whereof shall have been increased, during such time; and no person holding any office under the United States shall be a member of either House during his continuance in office. *Const.*, I, 6.]

#### SEC. VI.—QUORUM.

[A majority of each House shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members in such manner and under such penalties as each House may provide. *Const.*, I, 5.]

In general the chair is not to be taken till a quorum for business is present; unless, after due waiting, such a quorum be despaired of, when the chair may be taken and the House adjourned. And whenever, during business, it is observed that a quorum is not present, any member may call for the House to be counted, and being found deficient, business is suspended. 2 *Hats.*, 125, 126.

[The President having taken the chair, and a quorum being present, the journal of the preceding day shall be read, to the end that any mistake may be corrected that shall have been made in the entries. *Rules of the Senate.*]

#### SEC. VII.—CALL OF THE HOUSE.

On a call of the House, each person rises up as he is called, and answereth; the absentees are then only noted, but no excuse to be made till the House be fully called over. Then the absentees are called a second time, and if still absent, excuses are to be heard. *Ord. House of Commons*, 92.

They rise that their persons may be recognized; the voice, in such a crowd, being an insufficient verification of their presence. But in so small a body as the Senate of the United States, the trouble of rising cannot be necessary.

Orders for calls on different days may subsist at the same time. 2 *Hats.*, 72.

#### SEC. VIII.—ABSENCE.

[No member shall absent himself from the service of the Senate without leave of the Senate first obtained. And in case a less number than a quorum of the Senate shall convene, they are hereby authorized to send the Sergeant-at-Arms, or any other person or persons by them authorized, for any or all absent members, as the majority of such members present shall agree, at the expense of such absent members, respectively, unless such excuse for non-attendance shall be made as the Senate, when a quorum is convened, shall judge sufficient: and in that case the expense shall be paid out of the contingent fund. And this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session, after the hour is arrived to which the Senate stood adjourned. *Rule 8.*]

#### SEC. IX.—SPEAKER.

[The Vice-President of the United States shall be President of the Senate, but

shall have no vote unless they be equally divided. *Constitution*, I, 3.]

[The Senate shall choose their officers, and also a President *pro tempore* in the absence of the Vice-President, or when he shall exercise the office of President of the United States. *Ib.*]

[The House of Representatives shall choose their Speaker and other officers. *Const.*, I, 2.]

When but one person is proposed, and no objection made, it has not been usual in Parliament to put any question to the House; but without a question the members proposing him conduct him to the chair. But if there be objection, or another proposed, a question is put by the Clerk. 2 *Hats.*, 158. As are also questions of adjournment. 6 *Grey*, 406. Where the House debated and exchanged messages and answers with the King for a week without a Speaker, till they were prorogued. They have done it *de die in diem* for fourteen days. 1 *Chand.*, 331, 335.

[In the Senate, a President *pro tempore*, in the absence of the Vice-President, is proposed and chosen by ballot. His office is understood to be determined on the Vice-President's appearing and taking the chair, or at the meeting of the Senate after the first recess.]

Where the Speaker has been ill, other Speakers *pro tempore* have been appointed. Instances of this are 1 *H.*, 4. Sir John Cheyney, and Sir William Sturton, and in 15 *H.*, 6. Sir John Tyrrel, in 1656, January 27; 1658, March 9; 1659, January 13.

Sir Job Charlton ill, Seymour chosen, 1673, February 18.

Seymour being ill, Sir Robert Sawyer chosen, 1678, April 15.

Sawyer being ill, Seymour chosen.

Not merely *pro tempore*.  
1 *Chand.*, 169, 276, 277.

Thorpe in execution, a new Speaker chosen, 31 *H.* VI, 3 *Grey*, 11; and March 14, 1694, Sir John Trevor chosen. There have been no later instances. 2 *Hats.*, 161; 4 *Inst.* 8; *L. Parl.*, 263.

A Speaker may be removed at the will of the House, and a Speaker *pro tempore* appointed. 2 *Grey*, 186; 5 *Grey*, 134.

#### SEC. X.—ADDRESS.

[The President shall, from time to time, give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient. *Const.*, II, 3.]

A joint address of both Houses of Parliament is read by the Speaker of the House of Lords. It may be attended by both Houses in a body, or by a committee

from each House, or by the two Speakers only. An address of the House of Commons only may be presented by the whole House, or by the Speaker, 9 *Grey*, 473; 1 *Chandler*, 298, 301; or by such particular members as are of the privy council. 2 *Hats.*, 278.

#### SEC. XI.—COMMITTEES.

Standing committees, as of Privileges and Elections, &c., are usually appointed at the first meeting, to continue through the session. The person first named is generally permitted to act as chairman. But this is a matter of courtesy; every committee having a right to elect their own chairman, who presides over them, puts questions, and reports their proceedings to the House. 4 *Inst.*, 11, 12; *Scob.*, 9; 1 *Grey*, 122.

At these committees the members are to speak standing, and not sitting; though there is reason to conjecture it was formerly otherwise. *D'Ewes*, 630, col. 1; 4 *Parl. Hist.*, 440; 2 *Hats.*, 77.

Their proceedings are not to be published, as they are of no force till confirmed by the House, *Rushw.*, part 3, vol. 2, 74; 3 *Grey*, 401; *Scob.*, 39. Nor can they receive a petition but through the House. 9 *Grey*, 412.

When a committee is charged with an inquiry, if a member prove to be involved, they cannot proceed against him, but must make a special report to the House; whereupon the member is heard in his place, or at the bar, or a special authority is given to the committee to inquire concerning him. 9 *Grey*, 523.

So soon as the House sits, and a committee is notified of it, the chairman is in duty bound to rise instantly, and the members to attend the service of the House. 2 *Nals.*, 319.

It appears that on joint committees of the Lords and Commons, each committee acted integrally in the following instances: 7 *Grey*, 261, 278, 285, 338; 1 *Chandler*, 357, 462. In the following instances it does not appear whether they did or not; 6 *Grey*, 129; 7 *Grey*, 213, 229, 321.

#### SEC. XII.—COMMITTEE OF THE WHOLE.

The speech, messages, and other matters of great concernment, are usually referred to a committee of the Whole House, (6 *Grey*, 311,) where general principles are digested in the form of resolutions, which are debated and amended till they get into a shape which meets the approbation of a majority. These being reported and confirmed by the House, are then referred to one or more select committees, according as the subject divides itself into one or more bills. *Scob.*, 36, 44. Propositions for any charge on the people are especially to be first made in a Committee of the

Whole. 3 *Hats.*, 127. The sense of the whole is better taken in committee, because in all committees every one speaks as often as he pleases. *Scob.*, 49. They generally acquiesce in the chairman named by the Speaker; but, as well as all other committees, have a right to elect one, some member, by consent, putting the question. *Scob.*, 36; 3 *Grey*, 301. The form of going from the House into committee, is for the Speaker, on motion, to put the question that the House do now resolve itself into a Committee of the Whole to take into consideration such a matter, naming it. If determined in the affirmative, he leaves the chair and takes a seat elsewhere, as any other member; and the person appointed chairman seats himself at the Clerk's table. *Scob.*, 36. Their quorum is the same as that of the House; and if a defect happens, the chairman, on a motion and question, rises, the Speaker resumes the chair, and the chairman can make no other report than to inform the House of the cause of their dissolution. If a message is announced during a committee, the Speaker takes the chair and receives it, because the committee cannot. 2 *Hats.*, 125, 126.

In a Committee of the Whole, the tellers on a division differing as to numbers, great heats and confusion arose, and danger of a decision by the sword. The Speaker took the chair, the mace was forcibly laid on the table; whereupon, the members retiring to their places, the Speaker told the House "he had taken the chair without an order, to bring the House into order." Some excepted against it; but it was generally approved, as the only expedient to suppress the disorder. And every member was required, standing up in his place, to engage that he would proceed no further in consequence of what had happened in the grand committee, which was done. 3 *Grey*, 128.

A Committee of the Whole being broken up in disorder, and the chair resumed by the Speaker without an order, the House was adjourned. The next day the committee was considered as thereby dissolved, and the subject again before the House; and it was decided in the House, without returning into committee. 3 *Grey*, 130.

No previous question can be put in a committee; nor can this committee adjourn as others may; but if their business is unfinished, they rise, on a question, the House is resumed, and the chairman reports that the Committee of the Whole have, according to order, had under their consideration such a matter, and have made progress therein; but not having had time to go through the same, have directed him to ask leave to sit again. Whereupon a question is put on their

having leave, and on the time the House will again resolve itself into a committee. *Scob.*, 38. But if they have gone through the matter referred to them, a member moves that the committee may rise, and the chairman report their proceedings to the House; which being resolved, the chairman rises, the Speaker resumes the chair, the chairman informs him that the committee have gone through the business referred to them, and that he is ready to make report when the House shall think proper to receive it. If the House have time to receive it, there is usually a cry of "now, now," whereupon he makes the report; but if it be late, the cry is "to-morrow, to-morrow," or "Monday," &c., or a motion is made to that effect, and a question put that it be received to-morrow, &c. *Scob.*, 38.

In other things the rules of proceeding are to be the same as in the House. *Scob.*, 39.

#### SEC. XIII.—EXAMINATION OF WITNESSES.

Common fame is a good ground for the House to proceed by inquiry, and even to accusation. *Resolution House of Commons*, 1 *Car.* 1, 1625; *Rush, L. Parl.*, 115; 1 *Grey*, 16-22, 92; 8 *Grey*, 21, 23, 27, 45.

Witnesses are not to be produced but where the House has previously instituted an inquiry, 2 *Hats.*, 102, nor then are orders for their attendance given blank. 3 *Grey*, 51.

When any person is examined before a committee, or at the bar of the House, any member wishing to ask the person a question, must address it to the Speaker or chairman, who repeats the question to the person, or says to him, "You hear the question—answer it." But if the propriety of the question be objected to, the Speaker directs the witness, counsel, and parties to withdraw; for no question can be moved or put or debated while they are there. 2 *Hats.*, 108. Sometimes the questions are previously settled in writing before the witness enters. *Ib.*, 106, 107; 8 *Grey*, 64. The questions asked must be entered in the journals. 3 *Grey*, 81. But the testimony given in answer before the House is never written down; but before a committee, it must be, for the information of the House, who are not present to hear it. 7 *Grey*, 52, 334.

If either House have occasion for the presence of a person in custody of the other, they ask the other their leave that he may be brought up to them in custody. 3 *Hats.*, 52.

A member, in his place, gives information to the House of what he knows of any matter under hearing at the bar. *Jour. H. of C.*, Jan. 22, 1744-5.

Either House may request, but not command, the attendance of a member of the

other. They are to make the request by message of the other House, and to express clearly the purpose of attendance, that no improper subject of examination may be tendered to him. The House then gives leave to the member to attend, if he choose it; waiting first to know from the member himself whether he chooses to attend, till which they do not take the message into consideration. But when the peers are sitting as a court of criminal judicature, they may order attendance, unless where it be a case of impeachment by the Commons. There, it is to be a request. 3 *Hats.*, 17; 9 *Grey*, 306, 406; 10 *Grey*, 133.

Counsel are to be heard only on private, not on public bills, and on such points of law only as the House shall direct. 10 *Grey*, 61.

#### SEC. XIV.—ARRANGEMENT OF BUSINESS.

The Speaker is not precisely bound to any rules as to what bills or other matter shall be first taken up; but it is left to his own discretion, unless the House on a question decide to take up a particular subject. *Hakew.*, 136.

A settled order of business is, however, necessary for the government of the presiding person, and to restrain individual members from calling up favorite measures, or matters under their special patronage, out of their just turn. It is useful also for directing the discretion of the House, when they are moved to take up a particular matter, to the prejudice of others, having priority of right to their attention in the general order of business.

[In the Senate, the bills and other papers which are in possession of the House, and in a state to be acted on, are arranged every morning and brought on in the following order:]

[1. Bills ready for a second reading are read, that they may be referred to committees, and so be put under way. But if, on their being read, no motion is made for commitment, they are then laid on the table in the general file, to be taken up in their just turn.]

[2. After 12 o'clock, bills ready for it are put on their passage.]

[3. Reports in possession of the House, which offer grounds for a bill, are to be taken up, that the bill may be ordered in.]

[4. Bills or other matters before the House, and unfinished on the preceding day, whether taken up in turn or on special order, are entitled to be resumed and passed on through their present stage.]

[5. These matters being dispatched, for preparing and expediting business, the general file of bills and other papers is then taken up, and each article of it is brought on according to its seniority, reckoned by the date of its first introduction

to the House. Reports on bills belong to the dates of their bills.]

[The arrangement of the business of the Senate is now as follows:]\*

[1. Motions previously submitted.]

[2. Reports of committees previously made.]

[3. Bills from the House of Representatives, and those introduced on leave, which have been read the first time, are read the second time; and if not referred to a committee, are considered in Committee of the Whole, and proceeded with as in other cases.]

[4. After twelve o'clock, engrossed bills of the Senate, and bills of the House of Representatives, on third reading, are put on their passage.]

[5. If the above are finished before one o'clock, the general file of bills, consisting of those reported from committees on the second reading, and those reported from committees after having been referred, are taken up in the order in which they were reported to the Senate by the respective committees.]

[6. At one o'clock, if no business be pending, or if no motion be made to proceed to other business, the special orders are called, at the head of which stands the unfinished business of the preceding day.]

[In this way we do not waste our time in debating what shall be taken up. We do one thing at a time; follow up a subject while it is fresh, and till it is done with; clear the House of business gradually as it is brought on, and prevent, to a certain degree, its immense accumulation toward the close of the session.]

[Arrangement, however, can only take hold of matters in possession of the House. New matter may be moved at any time when no question is before the House. Such are original motions and reports on bills. Such are bills from the other House, which are received at all times, and receive their first reading as soon as the question then before the House is disposed of; and bills brought in on leave, which are read first whenever presented. So messages from the other House respecting amendments to bills are taken up as soon as the House is clear of a question, unless they require to be printed, for better consideration. Orders of the day may be called for even when another question is before the House.]

#### SEC. XV.—ORDER.

[Each House may determine the rules of its proceedings; punish its members for disorderly behavior; and, with the concurrence of two-thirds, expel a member. *Const.*, I, 5.]

In Parliament, "instances make order,"

\* This arrangement is changed by the 8th rule.

per Speaker Onslow. 2 *Hats.*, 141. But what is done only by one Parliament, cannot be called custom of Parliament, by Prynne. 1 *Grey*, 52.

SEC. XVI.—ORDER RESPECTING PAPERS.

The Clerk is to let no journals, records, accounts, or papers be taken from the table or out of his custody. 2 *Hats.*, 193, 194.

Mr. Prynne, having at a Committee of the Whole amended a mistake in a bill without order or knowledge of the committee, was reprimanded. 1 *Chand.*, 77.

A bill being missing, the House resolved that a protestation should be made and subscribed by the members "before Almighty God, and this honorable House, that neither myself, nor any other to my knowledge, have taken away, or do at this present conceal a bill entitled," &c. 5 *Grey*, 202.

After a bill is engrossed, it is put into the Speaker's hands, and he is not to let any one have it to look into. *Town. col.*, 209.

SEC. XVII.—ORDER IN DEBATE.

When the Speaker is seated in his chair, every member is to sit in his place. *Scob.*, 6; *Grey*, 403.

When any member means to speak, he is to stand up in his place, uncovered, and to address himself, not to the House, or any particular member, but to the Speaker, who calls him by his name, that the House may take notice who it is that speaks. *Scob.*, 6; *D'Ewes*, 487, col. 1; 2 *Hats.*, 77; 4 *Grey*, 66; 8 *Grey*, 108. But members who are indisposed may be indulged to speak sitting. 2 *Hats.*, 75, 77; 1 *Grey*, 143.

[In Senate, every member, when he speaks, shall address the Chair standing in his place, and, when he has finished, shall sit down. *Rule 3.*]

When a member stands up to speak, no question is to be put, but he is to be heard, unless the House overrule him. 4 *Grey*, 390; 5 *Grey*, 6, 143.

If two or more rise to speak nearly together, the Speaker determines who was first up, and calls him by name, whereupon he proceeds, unless he voluntarily sits down and gives way to the other. But sometimes the House does not acquiesce in the Speaker's decision, in which case the question is put, "which member was first up?" 2 *Hats.*, 76; *Scob.*, 7; *D'Ewes*, 434, col. 1, 2.

[In the Senate of the United States, the President's decision is without appeal. Their rule is: *When two members rise at the same time, the President shall name the person to speak; but in all cases the member who shall first rise and address the Chair shall speak first. Rule 38.*]

No man may speak more than once on the same bill on the same day; or even on another day, if the debate be adjourned.

But if it be read more than once in the same day, he may speak once at every reading. *Co.*, 12, 115; *Hakew.*, 148; *Scob.*, 58; 2 *Hats.*, 75. Even a change of opinion does not give a right to be heard a second time. *Smyth's Comw. L.* 2, c. 3; *Arcan. Parl.*, 17.

[The corresponding rule of the Senate is in these words: No member shall speak more than twice, in any one debate, on the same day, without leave of the Senate. *Rule 39.*]

But he may be permitted to speak again to clear a matter of fact, 3 *Grey*, 357, 416; or merely to explain himself 2 *Hats.*, 73, in some material part of his speech, *Ib.*, 75; or to the manner or words of the question, keeping himself to that only, and not traveling into the merits of it, *Memorials in Hakew.*, 29; or to the orders of the House if they be transgressed, keeping within that line, and not falling into the matter itself. *Mem. Hakew.*, 30, 31.

But if the Speaker rise to speak, the member standing up ought to sit down, that he may be first heard. *Town.*, col. 205; *Hale Parl.*, 133; *Mem. in Hakew.*, 30, 31. Nevertheless, though the Speaker may of right speak to matters of order, and be first heard, he is restrained from speaking on any other subject, except where the House have occasion for facts within his knowledge; then he may, with their leave, state the matter of fact. 3 *Grey*, 38.

No one is to speak impertinently or beside the question, superfluous, or tediously. *Scob.*, 31, 33; 2 *Hats.*, 166, 168; *Hale Parl.*, 133.

No person is to use indecent language against the proceedings of the House; no prior determination of which is to be reflected on by any member, unless he means to conclude with a motion to rescind it. 2 *Hats.*, 169, 170; *Rushw.*, p. 3, v. 1, fol. 42. But while a proposition under consideration is still *in fieri*, though it has even been reported by a committee, reflections on it are no reflections on the House. 9 *Grey*, 508.

No person, in speaking, is to mention a member then present by his name, but to describe him by his seat in the House, or who spoke last, or on the other side of the question, &c., *Mem. in Hakew.*, 3; *Smyth's Comw.*, L. 2, c. 3; nor to digress from the matter to fall upon the person *Scob.*, 31; *Hale Parl.*, 133; 2 *Hats.*, 166 by speaking, reviling, nipping, or unmannerly words against a particular member. *Smyth's Comw.*, L. 2, c. 3. The consequences of a measure may be reprobated in strong terms; but to arraign the motives of those who propose to advocate it is a personality, and against order. *Qui digreditur a materia ad personam*, Mr. Speaker ought to suppress. *Ord. Com.*, 1604, Apr. 19.

[When a member shall be called to

order by the President or a Senator, he shall sit down; and every question of order shall be decided by the President, without debate, subject to an appeal to the Senate; and the President may call for the sense of the Senate on any question of order. *Rule 40.*]

[No member shall speak to another or otherwise interrupt the business of the Senate, or read any newspapers while the journals or public papers are being read, or when any member is speaking in any debate. *Rule 38.*]

No one is to disturb another in his speech by hissing, coughing, spitting, 6 *Grey*, 332; *Scob.*, 8; *D'Ewes*, 332, col. 1, 640, col. 2, speaking or whispering to another, *Scob.*, 6; *D'Ewes*, 487, col. 1; nor stand up to interrupt him, *Town.*, col. 205; *Mem. in Hakew.*, 31; nor to pass between the Speaker and the speaking member, nor to go across the House, *Scob.*, 6, to walk up and down it, or to take books or papers from the table or write there, 2 *Hats.*, 171.

Nevertheless, if a member finds that it is not the inclination of the House to hear him, and that by conversation or any other noise they endeavor to drown his voice, it is his most prudent way to submit to the pleasure of the House, and sit down; for it scarcely ever happens that they are guilty of this piece of ill-manners without sufficient reason, or inattentive to a member who says anything worth their hearing. 2 *Hats.*, 77, 78.

If repeated calls do not produce order, the Speaker may call by his name any member obstinately persisting in irregularity; whereupon the House may require the member to withdraw. He is then to be heard in exculpation, and to withdraw. Then the Speaker states the offense committed; and the House considers the degree of punishment they will inflict. 2 *Hats.*, 167, 7, 8, 172.

For instances of assaults and affrays in the House of Commons, and the proceedings thereon, see 1 *Pet. Misc.*, 82; 3 *Grey*, 128; 4 *Grey*, 323; 5 *Grey*, 382; 6 *Grey*, 254; 10 *Grey*, 8. Whenever warm words or an assault have passed between members, the House, for the protection of their members, requires them to declare in their places not to prosecute any quarrel, 3 *Grey*, 128, 293; 5 *Grey*, 280; or orders them to attend the Speaker, who is to accommodate their differences, and report to the House, 3 *Grey*, 419; and they are put under restraint if they refuse, or until they do. 9 *Grey*, 234, 312.

Disorderly works are not to be noticed till the member has finished his speech. 5 *Grey*, 355; 6 *Grey*, 60. Then the person objecting to them, and desiring them to be taken down by the Clerk at the table, must repeat them. The Speaker then may di-

rect the Clerk to take them down in his minutes; but if he thinks them not disorderly, he delays the direction. If the call becomes pretty general, he orders the Clerk to take them down, as stated by the objecting member. They are then a part of his minutes, and when read to the offending member, he may deny they were his words, and the House must then decide by a question whether they are his words or not. Then the member may justify them, or explain the sense in which he used them, or apologize. If the House is satisfied, no further proceeding is necessary. But if two members still insist to take the sense of the House, the member must withdraw before that question is stated, and then the sense of the House is to be taken. 2 *Hats.*, 199; 4 *Grey*, 170; 6 *Grey*, 59. When any member has spoken, or other business intervened, after offensive words spoken, they cannot be taken notice of for censure. And this is for the common security of all, and to prevent mistakes which must happen if words are not taken down immediately. Formerly they might be taken down at any time the same day. 2 *Hats*, 196; *Mem. in Hakew.*, 71; 3 *Grey*, 48; 9 *Grey*, 514.

Disorderly words spoken in a committee must be written down as in the House; but the committee can only report them to the House for animadversion. 6 *Grey*, 46.

[The rule of the Senate says: If the member be called to order by a Senator for words spoken, the exceptionable words shall immediately be taken down in writing, that the President may be better able to judge of the matter. *Rule 37.*]

In Parliament, to speak irreverently or seditiously against the King, is against order. *Smyth's Comw.*, L. 2, c. 3; 2 *Hats.*, 170.

It is a breach of order in debate to notice what has been said on the same subject in the other House, or the particular votes or majorities on it there; because the opinion of each House should be left to its own independency, not to be influenced by the proceedings of the other; and the quoting them might beget reflections leading to a misunderstanding between the two Houses. 2 *Grey*, 22.

Neither House can exercise any authority over a member or officer of the other, but should complain to the House of which he is, and leave the punishment to them. Where the complaint is of words disrespectfully spoken by a member of another House, it is difficult to obtain punishment, because of the rules supposed necessary to be observed (as to the immediate noting down of words) for the security of members. Therefore it is the duty of the House, and more particularly of the Speaker, to interfere immediately, and not to permit expressions to go unnoticed

which may give a ground of complaint to the other House, and introduce proceedings and mutual accusations between the two Houses, which can hardly be terminated without difficulty and disorder. 3 *Hats.*, 51.

No member may be present when a bill or any business concerning himself is debating; nor is any member to speak to the merits of it till he withdraws. 2 *Hats.*, 219. The rule is, that if a charge against a member arise out of a report of a committee, or examination of witnesses in the House, as the member knows from that to what points he is to direct his exculpation, he may be heard to those points before any question is moved or stated against him. He is then to be heard, and withdraw before any question is moved. But if the question itself is the charge, as for breach of order or matter arising in the debate, then the charge must be stated, (that is, the question must be moved,) himself heard, and then to withdraw. 2 *Hats.*, 121, 122.

Where the private interests of a member are concerned in a bill or question he is to withdraw. And where such an interest has appeared, his voice has been disallowed, even after a division. In a case so contrary, not only to the laws of decency, but to the fundamental principle of the social compact, which denies to any man to be a judge in his own cause, it is for the honor of the House that this rule of immemorial observance should be strictly adhered to. 2 *Hats.*, 119, 121; 6 *Grey*, 368.

No member is to come into the House with his head covered, nor to remove from one place to another with his hat on, nor is he to put on his hat in coming in or removing, until he be set down in his place. *Scob.*, 6.

A question of order may be adjourned to give time to look into precedents. 2 *Hats.*, 118.

In Parliament, all decisions of the Speaker may be controlled by the House. 3 *Grey*, 319.

#### SEC. XVIII.—ORDERS OF THE HOUSE.

Of right, the door of the House ought not to be shut, but to be kept by porters, or Sergeants-at-Arms, assigned for that purpose. *Mod. ten. Parl.*, 23.

[By the rules of the Senate, on motion made and seconded to shut the doors of the Senate on the discussion of any business which may, in the opinion of a member, require secrecy, the President shall direct the gallery to be cleared; and during the discussion of such motion the doors shall remain shut. *Rule* 64.]

[No motion shall be deemed in order to admit any person or persons whatsoever within the doors of the Senate chamber to

present any petition, memorial, or address, or to hear any such read. *Rule* 19.]

The only case where a member has a right to insist on anything, is where he calls for the execution of a subsisting order of the House. Here, there having been already a resolution, any person has a right to insist that the Speaker, or any other whose duty it is, shall carry it into execution; and no debate or delay can be had on it. Thus any member has a right to have the House or gallery cleared of strangers, an order existing for that purpose; or to have the House told when there is not a quorum present. 2 *Hats.*, 87, 129. How far an order of the House is binding, see *Hakew.*, 392.

But where an order is made that any particular matter be taken up on a particular day, there a question is to be put, when it is called for, whether the House will now proceed to that matter? Where orders of the day are on important or interesting matter, they ought not to be proceeded on till an hour at which the House is usually full, [*which in Senate is at noon.*]

Orders of the day may be discharged at any time, and a new one made for a different day. 3 *Grey*, 48, 313.

When a session is drawing to a close, and the important bills are all brought in, the House, in order to prevent interruption by further unimportant bills, sometimes comes to a resolution that no new bill be brought in, except it be sent from the other House. 3 *Grey*, 156.

All orders of the House determine with the session; and one taken under such an order may, after the session is ended, be discharged on a habeas corpus. *Raym.*, 120; *Jacob's L. D. by Ruffhead*; *Parliament*, 1 *Lev.*, 165, *Pritchard's case*.

[Where the Constitution authorizes each House to determine the rules of its proceedings, it must mean in those cases (legislative, executive, or judiciary) submitted to them by the Constitution, or in something relating to these, and necessary toward their execution. But orders and resolutions are sometimes entered in the journals having no relation to these, such as acceptances of invitations to attend orations, to take part in processions, &c. These must be understood to be merely conventional among those who are willing to participate in the ceremony, and are therefore, perhaps, improperly placed among the records of the House.]

#### SEC. XIX.—PETITION.

A petition prays something. A remonstrance has no prayer. 1 *Grey*, 58.

Petitions must be subscribed by the petitioners, *Scob.*, 87; *L. Parl.*, c. 22; 9 *Grey*, 362, unless they are attending, 1 *Grey*, 401, or unable to sign, and averred



by a member, 3 *Grey*, 418. But a petition not subscribed, but which the member presenting it affirmed to be all in the handwriting of the petitioner, and his name written in the beginning, was on the question (March 14, 1800) received by the Senate. The averment of a member, or of somebody without doors, that they know the handwriting of the petitioners, is necessary, if it be questioned. 6 *Grey*, 36. It must be presented by a member—not by the petitioners, and must be opened by him holding it in his hand. 10 *Grey*, 57.

[Before any petition or memorial addressed to the Senate shall be received and read at the table, whether the same shall be introduced by the President or a member, a brief statement of the contents of the petition or memorial shall verbally be made by the introducer. *Rule 14.*]

Regularly a motion for receiving it must be made and seconded, and a question put, whether it shall be received? but a cry from the House of “received,” or even its silence, dispenses with the formality of this question. It is then to be read at the table and disposed of.

#### SEC. XX.—MOTIONS.

When a motion has been made, it is not to be put to the question or debated until it is seconded. *Scob.*, 21.

[The Senate says: No motion shall be debated until the same shall be seconded. *Rule 42.*]

It is then, and not till then, in possession of the House, and cannot be withdrawn but by leave of the House. It is to be put into writing, if the House or Speaker require it, and must be read to the House by the Speaker as often as any member desires it for his information. 2 *Hats.*, 82.

[The rule of the Senate is, when a motion shall be made and seconded, it shall be reduced to writing, if desired by the President or any member, delivered in at the table, and read by the President, before the same shall be debated. *Rule 42.*]

It might be asked whether a motion for adjournment or for the orders of the day can be made by one member while another is speaking? It cannot. When two members offer to speak, he who rose first is to be heard, and it is a breach of order in another to interrupt him, unless by calling him to order if he departs from it. And the question of order being decided, he is still to be heard through. A call for adjournment, or for the order of the day, or for the question, by gentlemen from their seats, is not a motion. No motion can be made without rising and addressing the Chair. Such calls are themselves breaches of order, which, though the member who has risen may respect, as an expression of impatience of the House

against further debate, yet, if he chooses, he has a right to go on.

#### SEC. XXI.—RESOLUTIONS.

When the House commands, it is by an “order.” But fact, principles, and their own opinions and purposes, are expressed in the form of resolutions.

[A resolution for an allowance of money to the clerks being moved, it was objected to as not in order, and so ruled by the Chair; but on appeal to the Senate, (*i. e.*, a call for their sense by the President, on account of doubt in his mind, according to Rule 6,) the decision was overruled. *Jour. Senate, June 1, 1796.* I presume the doubt was, whether an allowance of money could be made otherwise than by bill.]

#### SEC. XXII.—BILLS.

[Every bill shall receive three readings previous to its being passed; and the President shall give notice at each whether it be first, second, or third; which readings shall be on three different days, unless the Senate unanimously direct otherwise. *Rule 23.*]

#### SEC. XXIII.—BILLS, LEAVE TO BRING IN.

[One day's notice, at least, shall be given of an intended motion for leave to bring in a bill. *Rule 22.*]

When a member desires to bring in a bill on any subject, he states to the House in general terms the causes for doing it, and concludes by moving for leave to bring in a bill, entitled, &c. Leave being given, on the question, a committee is appointed to prepare and bring in the bill. The mover and seconder are always appointed of this committee, and one or more in addition. *Hakew.*, 132; *Scob.*, 40.

It is to be presented fairly written, without any erasure or interlineation, or the Speaker may refuse it. *Scob.*, 41; 1 *Grey*, 82, 84.

#### SEC. XXIV.—BILLS, FIRST READING.

When a bill is first presented, the Clerk reads it at the table, and hands it to the Speaker, who, rising, states to the House the title of the bill; that this is the first time of reading it; and the question will be, whether it shall be read a second time? then sitting down to give an opening for objections. If none be made, he rises again, and puts the question, whether it shall be read a second time? *Hakew.*, 137, 141. A bill cannot be amended on the first reading, 6 *Grey*, 286; nor is it usual for it to be opposed then, but it may be done, and rejected. *D'Ewes*, 335, col. 1; 3 *Hats.*, 198.

#### SEC. XXV.—BILLS, SECOND READING.

The second reading must regularly be on another day. *Hakew.*, 143. It is done by

the Clerk at the table, who then hands it to the Speaker. The Speaker, rising, states to the House the title of the bill; that this is the second time of reading it; and that the question will be, whether it shall be committed, or engrossed and read a third time? But if the bill came from the other House, as it always comes engrossed, he states that the question will be read a third time? and before he has so reported the state of the bill, no one is to speak to it. *Hakew.*, 143-146.

[In the Senate of the United States, the President reports the title of the bill; that this is the second time of reading it; that it is now to be considered as in a Committee of the Whole; and the question will be, whether it shall be read a third time? or that it may be referred to a special committee?]

#### SEC. XXVI.—BILLS, COMMITMENT.

If on motion and question it be decided that the bill shall be committed, it may then be moved to be referred to Committee of the Whole House, or to a special committee. If the latter, the Speaker proceeds to name the committee. Any member also may name a single person, and the Clerk is to write him down as of the committee. But the House have a controlling power over the names and number, if a question be moved against any one; and may in any case put in and put out whom they please.

Those who take exceptions to some particulars in the bill are to be of the committee, but none who speak directly against the body of the bill; for he that would totally destroy will not amend it, *Hakew.*, 146; *Town.*, col. 208; *D'Ewes*, 634, col. 2; *Scob.*, 47, or, as is said, 5 *Grey*, 145, the child is not to be put to a nurse that cares not for it, 6 *Grey*, 373. It is therefore a constant rule "that no man is to be employed in any matter who has declared himself against it." And when any member who is against the bill hears himself named of its committee, he ought to ask to be excused. Thus, March 7, 1606, Mr. Hadley was, on the question being put, excused from being of a committee, declaring himself to be against the matter itself. *Scob.*, 46.

[No bill shall be committed or amended until it shall have been twice read; after which it may be referred to a committee. *Rule 24.*]

[In the appointment of the standing committees, the Senate will proceed, by ballot, severally to appoint the chairman of each committee, and then, by one ballot, the other members necessary to complete the same; and a majority of the whole number of votes given shall be necessary to the choice of a chairman of a standing committee. All other committees shall be

appointed by ballot, and a plurality of votes shall make a choice. When any subject or matter shall have been referred to a committee, any other subject or matter of a similar nature, may, on motion, be referred to such committee.

The Clerk may deliver the bill to any member of the committee, *Town.*, col. 138; but it is usual to deliver it to him who is first named.

In some cases the House has ordered a committee to withdraw immediately into the committee chamber, and act on and bring back the bill, sitting the House, *Scob.*, 48. A committee meet when and where they please, if the House has not ordered time and place for them, 6 *Grey*, 370; but they can only act when together, and not by separate consultation and consent—nothing being the report of the committee but what has been agreed to in committee actually assembled.

A majority of the committee constitutes a quorum for business. *Elsynge's Method of Passing Bills*, 11.

Any member of the House may be present at any select committee, but cannot vote, and must give place to all of the committee, and sit below them. *Elsynge*, 12; *Scob.*, 49.

The committee have full power over the bill or other paper committed to them, except that they cannot change the title or subject. 8 *Grey*, 228.

The paper before a committee, whether select or of the whole, may be a bill, resolutions, draught of an address, &c., and it may either originate with them or be referred to them. In every case the whole paper is read first by the Clerk, and then by the chairman, by paragraphs, *Scob.*, 49, pausing at the end of each paragraph, and putting questions for amending, if proposed. In case of resolutions on distinct subjects, originating with themselves, a question is put on each separately, as amended or unamended, and no final question on the whole, 3 *Hats.*, 276; but if they relate to the same subject, a question is put on the whole. If it be a bill, draught of an address, or other paper originating with them, they proceed by paragraphs, putting questions for amending, either by insertion or striking out, if proposed; but no question on agreeing to the paragraphs separately; this is reserved to the close, when a question is put on the whole, for agreeing to it as amended or unamended. But if it be a paper referred to them, they proceed to put questions of amendment, if proposed, but no final question on the whole; because all parts of the paper, having been adopted by the House, stand, of course, unless altered or struck out by a vote. Even if they are opposed to the whole paper, and think it cannot be made good by amendments, they cannot reject

it, but must report it back to the House without amendments, and there make their opposition.

The natural order in considering and amending any paper is, to begin at the beginning, and proceed through it by paragraphs; and this order is so strictly adhered to in Parliament, that when a latter part has been amended, you cannot recur back and make any alteration in a former part. 2 *Hats.*, 90. In numerous assemblies this restraint is doubtless important. [But in the Senate of the United States, though in the main we consider and amend the paragraphs in their natural order, yet recurrences are indulged; and they seem, on the whole, in that small body, to produce advantages overweighing their inconveniences.]

To this natural order of beginning at the beginning, there is a single exception found in parliamentary usage. When a bill is taken up in committee, or on its second reading, they postpone the preamble till the other parts of the bill are gone through. The reason is, that on consideration of the body of the bill such alterations may therein be made as may also occasion the alteration of the preamble. *Scob.*, 50; 7 *Grey*, 431.

On this head the following case occurred in the Senate, March 6, 1800: A resolution which had no preamble having been already amended by the House so that a few words only of the original remained in it, a motion was made to prefix a preamble, which having an aspect very different from the resolution, the mover intimated that he should afterwards propose a correspondent amendment in the body of the resolution. It was objected that a preamble could not be taken up till the body of the resolution is done with; but the preamble was received, because we are in fact through the body of the resolution; we have amended that as far as amendments have been offered, and, indeed, till little of the original is left. It is the proper time, therefore, to consider a preamble; and whether the one offered be consistent with the resolution is for the House to determine. The mover, indeed, has intimated that he shall offer a subsequent proposition for the body of the resolution; but the House is not in possession of it; it remains in his breast, and may be withheld. The rules of the House can only operate on what is before them. [The practice of the Senate, too, allows recurrences backward and forward for the purposes of amendment, not permitting amendments in a subsequent, to preclude those in a prior part, or *e converso*.]

When the committee is through the whole, a member moves that the committee may rise, and the chairman report the paper to the House, with or without

amendments, as the case may be. 2 *Hats.*, 289, 292; *Scob.*, 53; 2 *Hats.*, 290; 8 *Scob.*, 50.

When a vote is once passed in a committee, it cannot be altered but by the House, their votes being binding on themselves. 1607, *June 4*.

The committee may not erase, interline, or blot the bill itself; but must, in a paper by itself, set down the amendments, stating the words which are to be inserted or omitted, *Scob.*, 50, and where, by references to page, line, and word of the bill. *Scob.*, 50.

#### SEC. XXVII.—REPORT OF COMMITTEE.

The chairman of the committee, standing in his place, informs the House that the committee to whom was referred such a bill, have, according to order, had the same under consideration, and have directed him to report the same without any amendment, or with sundry amendments (as the case may be), which he is ready to do when the House pleases to receive it. And he or any other may move that it be now received; but the cry of "now, now," from the House, generally dispenses with the formality of a motion and question. He then reads the amendments, with the coherence in the bill, and opens the alterations and the reasons of the committee for such amendments, until he has gone through the whole. He then delivers it at the Clerk's table, where the amendments reported are read by the Clerk without the coherence; whereupon the papers lie upon the table till the House, at its convenience, shall take up the report. *Scob.*, 52; *Hakew.*, 148.

The report being made, the committee is dissolved, and can act no more without a new power. *Scob.*, 51. But it may be revived by a vote, and the same matter re-committed to them. 4 *Grey*, 361.

#### SEC. XXVIII.—BILL, RECOMMITMENT.

After a bill has been committed and reported, it ought not, in an ordinary course, to be recommitted; but in cases of importance, and for special reasons, it is sometimes recommitted, and usually to the same committee. *Hakew.*, 151. If a report be recommitted before agreed to in the House, what has passed in committee is of no validity; the whole question is again before the committee, and a new resolution must be again moved, as if nothing had passed. 3 *Hats.*, 131—*note*.

In Senate, January, 1800, the salvage bill was recommitted three times after the commitment.

A particular clause of a bill may be committed without the whole bill, 3 *Hats.*, 131; or so much of a paper to one and so much to another committee.

## SEC. XXIX.—BILL, REPORTS TAKEN UP.

When the report of a paper originating with a committee is taken up by the House, they proceed exactly as in committee. Here, as in committee, when the paragraphs have, on distinct questions, been agreed to *seriatim*, 5 *Grey*, 366; 6 *Grey*, 368; 8 *Grey*, 47, 104, 360; 1 *Torbuck's Deb.*, 125; 3 *Hats.*, 348, no question needs be put on the whole report. 5 *Grey*, 381.

On taking up a bill reported with amendments, the amendments only are read by the Clerk. The Speaker then reads the first, and puts it to the question, and so on till the whole are adopted or rejected, before any other amendment be admitted, except it be an amendment to an amendment. *Elsynge's Mem.*, 53. When through the amendments of the committee, the Speaker pauses, and gives time for amendments to be proposed in the House to the body of the bill; as he does also if it has been reported without amendments: putting no questions but on amendments proposed; and when through the whole, he puts the question whether the bill shall be read a third time?

## SEC. XXX.—QUASI-COMMITTEE.

If on motion and question the bill be not committed, or if no proposition for commitment be made, then the proceedings in the Senate of the United States and in Parliament are totally different. The former shall be first stated.

[The 25th rule of the Senate says: "All bills on a second reading shall first be considered by the Senate in the same manner as if the Senate were in Committee of the Whole before they shall be taken up and proceeded on by the Senate agreeably to the standing rules, unless otherwise ordered;" (that is to say, unless ordered to be referred to a special committee.) And when the Senate shall consider a treaty, bill, or resolution, as in Committee of the Whole, the Vice-President or President *pro tempore* may call a member to fill the chair during the time the Senate shall remain in Committee of the Whole; and the chairman (so called) shall, during such time, have the powers of a President *pro tempore*.]

[The proceeding of the Senate as in a Committee of the Whole, or in quasi-committee, is precisely as in a real Committee of the Whole, taking no questions but on amendments. When through the whole, they consider the quasi-committee as risen, the House resumed without any motion, question, or resolution to that effect, and the President reports that "the House, acting as in a Committee of the Whole, have had under their consideration the bill entitled, &c., and have made sundry amendments, which he will now report to the House." The bill is then before them,

as it would have been if reported from a committee, and questions are regularly to be put again on every amendment; which being gone through, the President pauses to give time to the House to propose amendments to the body of the bill, and, when through, puts the question whether it shall be read a third time?]

[After progress in amending the bill in quasi-committee, a motion may be made to refer it to a special committee. If the motion prevails, it is equivalent in effect to the several votes, that the committee rise, the House resume itself, discharge the Committee of the Whole, and refer the bill to a special committee. In that case, the amendments already made fall. But if the motion fails, the quasi-committee stands *in statu quo*.]

[How far does this 25th rule subject the House, when in quasi-committee, to the laws which regulate the proceedings of Committees of the Whole?] The particulars in which these differ from proceedings in the House are the following: 1. In a committee every member may speak as often as he pleases. 2. The votes of a committee may be rejected or altered when reported to the House. 3. A committee, even of the whole, cannot refer any matter to another committee. 4. In a committee no previous question can be taken: the only means to avoid an improper discussion is to move that the committee rise; and if it be apprehended that the same discussion will be attempted on returning into committee, the House can discharge them, and proceed itself on the business, keeping down the improper discussion by the previous question. 5. A committee cannot punish a breach of order in the House or in the gallery. 9 *Grey*, 113. It can only rise and report it to the House, who may proceed to punish. [The first and second of these peculiarities attach to the quasi-committee of the Senate, as every day's practice proves, and it seems to be the only ones to which the 25th rule meant to subject them; for it continues to be a House, and therefore, though it acts in some respects as a committee, in others it preserves its character as a House. Thus (3) it is in the daily habit of referring its business to a special committee. 4. It admits of the previous question. If it did not, it would have no means of preventing an improper discussion: not being able, as a committee is, to avoid it by returning into the House, for the moment it would resume the same subject there, the 25th rule declares it again a quasi-committee. 5. It would doubtless exercise its powers as a House on any breach of order. 6. It takes a question by yea and nay, as the House does. 7. It receives messages from the President and the other House. 8. In the midst of a debate it receives a motion

to adjourn, and adjourns as a House, not as a committee.]

SEC. XXXI.—BILL, SECOND READING IN THE HOUSE.

In Parliament, after the bill has been read a second time, if on the motion and question it be not committed, or if no proposition for commitment be made, the Speaker reads it by paragraphs, pausing between each, but putting no question but on amendments proposed; and when through the whole, he puts the question whether it shall be read a third time? if it came from the other House; or, if originating with themselves, whether it shall be engrossed and read a third time? The Speaker reads sitting, but rises to put questions. The Clerk stands while he reads.

[\* But the Senate of the United States is so much in the habit of making many and material amendments at the third reading, that it has become the practice not to engross a bill till it has passed—an irregular and dangerous practice; because in this way the paper which passes the Senate is not that which goes to the other House, and that which goes to the other House as the act of the Senate, has never been seen in Senate. In reducing numerous, difficult, and illegible amendments into the text, the Secretary may, with the most innocent intentions, commit errors which can never again be corrected.]

The bill being now as perfect as its friends can make it, this is the proper stage for those fundamentally opposed to make their first attack. All attempts at earlier periods are with disjointed efforts, because many who do not expect to be in favor of the bill ultimately, are willing to let it go on to its perfect state, to take time to examine it themselves and to hear what can be said for it, knowing that after all they will have sufficient opportunities of giving it their veto. Its two last stages, therefore, are reserved for this—that is to say, on the question whether it shall be engrossed and read a third time? and, lastly, whether it shall pass? The first of these is usually the most interesting contest; because then the whole subject is

\* The former practice of the Senate referred to in this paragraph has been changed by the following rule:

[The final question upon the second reading of every bill, resolution, constitutional amendment, or motion, originating in the Senate and requiring three readings previous to being passed, shall be, "whether it shall be engrossed and read a third time?" and no amendment shall be received for discussion at the third reading of any bill, resolution, amendment, or motion, unless by unanimous consent of the members present; but it shall at all times be in order before the final passage of any such bill, resolution, constitutional amendment, or motion, to move its commitment; and should such commitment take place, and any amendment be reported by the committee, the said bill, resolution, constitutional amendment or motion, shall be again read a second time, and considered as in Committee of the Whole, and then the aforesaid question shall be again put.—*Rule 26.*]

new and engaging, and the minds of the members having not yet been declared by any trying vote the issue is the more doubtful. In this stage, therefore, is the main trial of strength between its friends and opponents, and it behooves every one to make up his mind decisively for this question, or he loses the main battle; and accident and management may, and often do, prevent a successful rallying on the next and last question, whether it shall pass?

When the bill is engrossed, the title is to be indorsed on the back, and not within the bill.—*Hakew.*, 250.

SEC. XXXII.—READING PAPERS.

Where papers are laid before the House or referred to a committee, every member has a right to have them once read at the table before he can be compelled to vote on them; but it is a great though common error to suppose that he has a right, *toties quoties*, to have acts, journals, accounts, or papers on the table, read independently of the will of the House. The delay and interruption which this might be made to produce evince the impossibility of the existence of such a right. There is, indeed, so manifest a propriety of permitting every member to have as much information as possible on every question on which he is to vote, that when he desires the reading, if it be seen that it is really for information and not for delay, the Speaker directs it to be read without putting a question, if no one objects; but if objected to, a question must be put.—2 *Hats.*, 117, 118.

It is equally an error to suppose that any member has a right, without a question put, to lay a book or paper on the table, and have it read, on suggesting that it contains matter infringing on the privileges of the House.—*Ib.*

For the same reason, a member has not a right to read a paper in his place, if it be objected to, without leave of the House. But this rigor is never exercised but where there is an intentional or gross abuse of the time and patience of the House.

A member has not a right even to read his own speech, committed to writing, without leave. This also is to prevent an abuse of time, and therefore is not refused but where that is intended.—2 *Grey*, 227.

A report of a committee of the Senate on a bill from the House of Representatives being under consideration: on motion that the report of the committee of the House of Representatives on the same bill be read in the Senate, it passed in the negative.—*Feb.* 28, 1793.

Formerly, when papers were referred to a committee, they used to be first read; but of late only the titles, unless a member insists they shall be read, and then nobody can oppose it.—2 *Hats.*, 117.

## SEC. XXXIII.—PRIVILEGED QUESTIONS.

[\* While a question is before the Senate, no motion shall be received, unless for an amendment, for the previous question, or for postponing the main question, or to commit it, or to adjourn.—*Rule 8.*]

It is no possession of a bill unless it be delivered to the Clerk to read, or the Speaker reads the title.—*Lex. Parl.*, 274; *Elsynge Mem.*, 85; *Ord. House of Commons*, 64.

It is a general rule that the question first moved and seconded shall be first put. *Scob.*, 28, 22; 2 *Hats.*, 81. But this rule gives way to what may be called privileged questions; and the privileged questions are of different grades among themselves.

A motion to adjourn simply takes place of all others; for otherwise the House might be kept sitting against its will, and indefinitely. Yet this motion cannot be received after another question is actually put, and while the House is engaged in voting.

Orders of the day take place of all other questions, except for adjournment—that is to say, the question which is the subject of an order is made a privileged one, *pro hac vice*. The order is a repeal of the general rule as to this special case. When any member moves, therefore, for the order of the day to be read, no further debate is permitted on the question which was before the House; for if the debate might proceed, it might continue through the day and defeat the order. This motion, to entitle it to precedence, must be for the orders generally, and not for any particular one; and if it be carried on the question “Whether the House will now proceed to the orders of the day?” they must be read and proceeded on in the course in which they stand, 2 *Hats.*, 83; for priority of order gives priority of right, which cannot be taken away but by another special order.

After these there are other privileged questions, which will require considerable explanation.

It is proper that every parliamentary assembly should have certain forms of questions, so adapted as to enable them fitly to dispose of every proposition which can be made to them. Such are, 1. The previous question. 2. To postpone indefinitely. 3. To adjourn a question to a defi-

\*This rule has been modified so as to specify the questions entitled to preference. The rule is now as follows:

RULE 43. When a question is under debate, no motion shall be received but to adjourn, to adjourn to a day certain, or that, when the Senate adjourn, it shall be to a day certain; to take a recess, to proceed to the consideration of the executive business, to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit, or to amend; which several motions shall have precedence in the order in which they stand arranged, and the motions relating to adjournment, to proceed to the consideration of executive business, and to lay on the table, shall be decided without debate.

nite day, 4. To lie on the table. 5. To commit. 6. To amend. The proper occasion for each of these questions should be understood.

1. When a proposition is moved which it is useless or inexpedient now to express or discuss, the previous question has been introduced for suppressing for that time the motion and its discussion. 3 *Hats.*, 188, 189.

2. But as the previous question gets rid of it only for that day, and the same proposition may recur the next day, if they wish to suppress it for the whole of that session, they postpone it indefinitely. 3 *Hats.*, 183. This quashes the proposition for that session, as an indefinite adjournment is a dissolution, or the continuance of a suit *sine die* is a discontinuance of it.

3. When a motion is made which it will be proper to act on, but information is wanted, or something more pressing claims the present time, the question or debate is adjourned to such day within the session as will answer the views of the House. 2 *Hats.*, 81. And those who have spoken before may not speak again when the adjourned debate is resumed. 2 *Hats.*, 73. Sometimes, however, this has been abusively used by adjourning it to a day beyond the session, to get rid of it altogether, as would be done by an indefinite postponement.

4. When the House has something else which claims its present attention, but would be willing to reserve in their power to take up a proposition whenever it shall suit them, they order it to lie on their table. It may then be called for at any time.

5. If the proposition will want more amendment and digestion than the formalities of the House will conveniently admit, they refer it to a committee.

6. But if the proposition be well digested, and may need but few and simple amendments, and especially if these be of leading consequence, they then proceed to consider and amend it themselves.

The Senate, in their practice, vary from this regular gradation of forms. Their practice comparatively with that of Parliament stands thus:

FOR THE PARLIAM- MENTARY:	THE SENATE USES:
Postponement in- definite,	Postponement to a day beyond the session.
Adjournment,	Postponement to a day within the session.
Lying on the table,	{ Postponement in- definite. Lying on the table.

In their eighth rule, therefore, which declares that while a question is before

the Senate no motion shall be received, unless it be for the previous question, or to postpone, commit, or amend the main question, the term postponement must be understood according to their broad use of it, and not in its parliamentary sense. Their rule, then establishes as privileged questions, the previous question, postponement, commitment, and amendment.

But it may be asked: Have these questions any privilege among themselves? or are they so equal that the common principle of the "first moved first put" takes place among them? This will need explanation. Their competitions may be as follows:

- |   |   |
|---|---|
| <p>1. Previous question and<br/>postpone<br/>commit<br/>amend</p> | <p>In the first, second, and the third classes, and the first member of the fourth class, the rule "first moved first put" takes place.</p> |
| <p>2. Postpone and previous<br/>question<br/>commit<br/>amend</p> |   |
| <p>3. Commit and previous<br/>question<br/>postpone<br/>amend</p> |   |
| <p>4. Amend and previous<br/>question<br/>postpone<br/>commit</p> |   |

In the first class, where the previous question is first moved, the effect is peculiar; for it not only prevents the after motion to postpone or commit from being put to question before it, but also from being put after it; for if the previous question be decided affirmatively, to wit, that the main question shall *now* be put, it would of course be against the decision to postpone or commit; and if it be decided negatively, to wit, that the main question shall not now be put, this puts the House out of possession of the main question, and consequently there is nothing before them to postpone or commit. So that neither voting for nor against the previous question will enable the advocates for postponing or committing to get at their object. Whether it may be amended shall be examined hereafter.

Second class. If postponement be decided affirmatively, the proposition is removed from before the House, and consequently there is no ground for the previous question, commitment, or amendment; but if decided negatively, (that it shall not be postponed,) the main question may then be suppressed by the previous question, or may be committed, or amended.

The third class is subject to the same observations as the second.

The fourth class. Amendment of the main question first moved, and afterwards

the previous question, the question of amendment shall be first put.

Amendment and postponement competing, postponement is first put, as the equivalent proposition to adjourn the main question would be in Parliament. The reason is that the question for amendment is not suppressed by postponing or adjourning the main question, but remains before the House whenever the main question is resumed; and it might be that the occasion for other urgent business might go by, and be lost by length of debate on the amendment, if the House had it not in their power to postpone the whole subject.

Amendment and commitment. The question for committing, though last moved shall be first put; because, in truth, it facilitates and befriends the motion to amend. *Scobell* is express: "On motion to amend a bill, any one may notwithstanding move to commit it, and the question for commitment shall be first put." *Scob.*, 46.

We have hitherto considered the case of two or more of the privileged questions contending for privilege between themselves, when both are moved on the original or main question; but now let us suppose one of them to be moved, not on the original primary question, but on the secondary one, *e. g.*:

Suppose a motion to postpone, commit, or amend the main question, and that it be moved to suppress that motion by putting a previous question on it. This is not allowed: because it would embarrass questions too much to allow them to be piled on one another several stories high; and the same result may be had in a more simple way—by deciding against the postponement, commitment, or amendment. *2 Hats.*, 81, 2, 3, 4.

Suppose a motion for the previous question, or commitment or amendment of the main question, and that it be then moved to postpone the motion for the previous question, or for commitment or amendment of the main question. 1. It would be absurd to postpone the previous question, commitment, or amendment, alone, and thus separate the appendage from its principal; yet it must be postponed separately from its original, if at all; because the eighth rule of Senate says that when a main question is before the House no motion shall be received but to commit, amend, or pre-question the original question, which is the parliamentary doctrine also. Therefore the motion to postpone the secondary motion for the previous question, or for committing or amending, cannot be received. 2. This is a piling of questions one on another; which, to avoid embarrassment, is not allowed. 3. The same result may be had more simply by

voting against the previous question, commitment, or amendment.

Suppose a commitment moved of a motion for the previous question, or to postpone or amend. The first, second, and third reasons, before stated, all hold good against this.

Suppose an amendment moved to a motion for the previous question. Answer: The previous question cannot be amended. Parliamentary usage, as well as the ninth rule of the Senate, has fixed its form to be, "Shall the main question be now put?"—*i. e.*, at this instant; and as the present instant is but one, it can admit of no modification. To change it to to-morrow, or any other moment, is without example and without utility. But suppose a motion to amend a motion for postponement, as to one day instead of another, or to a special instead of an indefinite time. The useful character of amendment gives it a privilege of attaching itself to a secondary and privileged motion: that is, we may amend a postponement of a main question. So, we may amend a commitment of a main question, as by adding, for example, "with instructions to inquire," &c. In like manner, if an amendment be moved to an amendment, it is admitted; but it would not be admitted in another degree, to wit, to amend an amendment to an amendment of a main question. This would lead to too much embarrassment. The line must be drawn somewhere, and usage has drawn it after the amendment to the amendment. The same result must be sought by deciding against the amendment to the amendment, and then moving it again as it was wished to be amended. In this form it becomes only an amendment to an amendment.

[When motions are made for reference of the same subject to a select committee and to a standing committee, the question on reference to the standing committee shall be first put. *Rule 48.*]

[In filling a blank with a sum, the largest sum shall be first put to the question, by the thirteenth rule of the Senate,\*] contrary to the rule of Parliament, which privileges the smallest sum and longest time. *5 Grey, 179; 2 Hats., 8, 83; 3 Hats., 132, 133.*] And this is considered to be not in the form of an amendment to the question, but as alternative or successive originals. In all cases of time or number, we must consider whether the larger comprehends the lesser, as in a question to what day a postponement shall be, the number of a committee, amount of a fine, term of an imprisonment, term of irredeemability of a loan, or the terminus in quem in any other case; then the question must begin a maximo. Or whether the lesser

\*In filling up blanks, the largest sum and longest time shall be first put. *Rule 32.*

includes the greater, as in questions on the limitation of the rate of interest, on what day the session shall be closed by adjournment, on what day the next shall commence, when an act shall commence, or the terminus a quo in any other case where the question must begin a minimo; the object being not to begin at that extreme which, and more, being within every man's wish, no one could negative it, and yet, if he should vote in the affirmative, every question for more would be precluded; but at that extreme which would unite few, and then to advance or recede till you get to a number which will unite a bare majority. *3 Grey, 376, 384, 385.* "The fair question in this case is not that to which, and more, all will agree, but whether there shall be addition to the question." *1 Grey, 365.*

Another exception to the rule of priority is when a motion has been made to strike out, or agree to, a paragraph. Motions to amend it are to be put to the question before a vote is taken on striking out or agreeing to the whole paragraph.

But there are several questions which, being incidental to every one, will take place of every one, privileged or not; to wit, a question of order arising out of any other question must be decided before that question. *2 Hats., 88.*

A matter of privilege arising out of any question, or from a quarrel between two members, or any other cause, supersedes the consideration of the original question, and must be first disposed of. *2 Hats., 88.*

Reading papers relative to the question before the House. This question must be put before the principal one. *2 Hats. 88.*

Leave asked to withdraw a motion. The rule of Parliament being that a motion made and seconded is in the possession of the House, and cannot be withdrawn without leave, the very terms of the rule imply that leave may be given, and, consequently, may be asked and put to the question.

#### SEC. XXXIV.—THE PREVIOUS QUESTION.

When any question is before the House, any member may move a previous question, "Whether that question (called the main question) shall now be put?" If it pass in the affirmative, then the main question is to be put immediately, and no man may speak anything further to it, either to add or alter. *Memor. in Hakew., 28; 4 Grey, 27.*

The previous question being moved and seconded, the question from the Chair shall be, "Shall the main question be now put?" and if the nays prevail, the main question shall not then be put.

This kind of question is understood by Mr. Hatsell to have been introduced in 1604. *2 Hats., 80.* Sir Henry Vane in-



roduced it. 2 *Grey*, 113, 114; 3 *Grey*, 384. When the question was put in this form, "Shall the main question be put?" a determination in the negative suppressed the main question during the session; but since the words "now put" are used, they exclude it for the present only; formerly, indeed, only till the present debate was over, 4 *Grey*, 43, but now for that day and no longer. 2 *Grey*, 113, 114.

Before the question "Whether the main question shall now be put?" any person might formerly have spoken to the main question, because otherwise he would be precluded from speaking to it at all. *Mem. in Hakew.*, 28.

The proper occasion for the previous question is when a subject is brought forward of a delicate nature as to high personages, &c., or the discussion of which may call forth observations which might be of injurious consequences. Then the previous question is proposed; and in the modern usage, the discussion of the main question is suspended, and the debate confined to the previous question. The use of it has been extended abusively to other cases; but in these it has been an embarrassing procedure; its uses would be as well answered by other more simple parliamentary forms, and therefore it should not be favored, but restricted within as narrow limits as possible.

Whether a main question may be amended after the previous question on it has been moved and seconded? 2 *Hats.*, 88, says, if the previous question has been moved and seconded, and also proposed from the Chair, (by which he means stated by the Speaker for debate,) it has been doubted whether an amendment can be admitted to the main question. He thinks it may, after the previous question moved and seconded; but not after it has been proposed from the Chair. In this case, he thinks the friends to the amendment must vote that the main question be not now put; and then move their amended question, which being made new by the amendment, is no longer the same which has been just suppressed, and therefore may be proposed as a new one. But this proceeding certainly endangers the main question, by dividing its friends, some of whom may chose it unamended, rather than lose it altogether; while others of them may vote, as Hatsell advises, that the main question be not now put, with a view to move it again in an amended form. The enemies of the main question, by this maneuver to the previous question, get the enemies to the amendment added to them on the first vote, and throw the friends of the main question under the embarrassment of rallying again as they can. To support this opinion, too, he makes the deciding circumstance, whether an amendment may

or may not be made, to be, that the previous question has been proposed from the Chair. But, as the rule is that the House is in possession of a question as soon as it is moved and seconded, it cannot be more than possessed of it by its being also proposed from the Chair. It may be said, indeed, that the object of the previous question being to get rid of a question, which it is not expedient should be discussed, this object may be defeated by moving to amend; and in the discussion of that motion, involving the subject of the main question. But so may the object of the previous question be defeated, by moving the amended question, as Mr. Hatsell proposes, after the decision against putting the original question. He acknowledges, too, that the practice has been to admit previous amendments, and only cites a few late instances to the contrary. On the whole, I should think it best to decide it *ab inconvenienti*, to wit: Which is most inconvenient, to put it in the power of one side of the House to defeat a proposition by hastily moving the previous question, and thus foreing the main question to be put unamended; or to put it in the power of the other side to force on, incidentally at least, a discussion which would be better avoided? Perhaps the last is the least inconvenience; inasmuch as the Speaker, by confining the discussion rigorously to the amendment only, may prevent their going into the main question; and inasmuch also as so great a proportion of the cases in which the previous question is called for, are fair and proper subjects of public discussion, and ought not to be obstructed by a formality introduced for questions of a peculiar character.

#### SEC. XXXV.—AMENDMENTS.

On an amendment being moved, a member who has spoken to the main question may speak again to the amendment. *Scob.*, 23.

If an amendment be proposed inconsistent with one already agreed to, it is a fit ground for its rejection by the House, but not within the competence of the Speaker to suppress as if it were against order. For were he permitted to draw questions of consistence within the vortex of order, he might usurp a negative on important modifications, and suppress, instead of subserving, the legislative will.

Amendments may be made so as totally to alter the nature of the proposition; and it is a way of getting rid of a proposition, by making it bear a sense different from what it was intended by the movers, so that they vote against it themselves. 2 *Hats.*, 79; 4, 82, 84. A new bill may be ingrafted, by way of amendment, on the words "Be it enacted," &c. 1 *Grey*, 190, 192.

If it be proposed to amend by leaving out certain words, it may be moved, as an amendment to this amendment, to leave out a part of the words of the amendment, which is equivalent to leaving them in the bill. 2 *Hats.*, 80, 9. The parliamentary question is, always, whether the words shall stand part of the bill.

When it is proposed to amend by inserting a paragraph, or part of one, the friends of the paragraph may make it as perfect as they can by amendments before the question is put for inserting it. If it be received, it cannot be amended afterward, in the same stage, because the House has, on a vote, agreed to it in that form. In like manner, if it is proposed to amend by striking out a paragraph, the friends of the paragraph are first to make it as perfect as they can by amendments, before the question is put for striking it out. If on the question it be retained, it cannot be amended afterward, because a vote against striking out is equivalent to a vote agreeing to it in that form.

When it is moved to amend by striking out certain words and inserting others, the manner of stating the question is first to read the whole passage to be amended as it stands at present, then the words proposed to be struck out, next those to be inserted, and lastly the whole passage as it will be when amended. And the question, if desired, is then to be divided, and put first on striking out. If carried, it is next on inserting the words proposed. If that be lost, it may be moved to insert others. 2 *Hats.*, 80, 7.

A motion is made to amend by striking out certain words and inserting others in their place, which is negatived. Then it is moved to strike out the same words and to insert others of a tenor entirely different from those first proposed. It is negatived. Then it is moved to strike out the same words and insert nothing, which is agreed to. All this is admissible, because to strike out and insert A is one proposition. To strike out and insert B is a different proposition. And to strike out and insert nothing is still different. And the rejection of one proposition does not preclude the offering a different one. Nor would it change the case were the first motion divided by putting the question first on striking out, and that negatived; for, as putting the whole motion to the question at once would not have precluded, the putting the half of it cannot do it.

[The practice in the United States Senate in this respect is now fixed by the 31st rule, as follows: If the question in debate contains several points, any Senator may have the same divided; but on a motion to strike out and insert, it shall not be in order to move for a division of the question; but the rejection of a motion to strike out and insert one proposition shall

not prevent a motion to strike out and insert a different proposition, nor prevent a subsequent motion simply to strike out; nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.]

But if it had been carried affirmatively to strike out the words and to insert A, it could not afterward be permitted to strike out A and insert B. The mover of B should have notified, while the insertion of A was under debate, that he would move to insert B; in which case those who preferred it would join in rejecting A.

After A is inserted, however, it may be moved to strike out a portion of the original paragraph, comprehending A, provided the coherence to be struck out be so substantial as to make this effectively a different proposition; for then it is resolved into the common case of striking out a paragraph after amending it. Nor does anything forbid a new insertion, instead of A and its coherence.

In Senate, January 25, 1798 a motion to postpone until the second Tuesday in February some amendments proposed to the Constitution; the words "until the second Tuesday in February," were struck out by way of amendment. Then it was moved to add, "until the first day of June." Objected that it was not in order, as the question should be first put on the longest time; therefore, after a shorter time decided against, a longer cannot be put to question. It was answered that this rule takes place only in filling blanks for time. But when a specific time stands part of a motion, that may be struck out as well as any other part of the motion; and when struck out, a motion may be received to insert any other. In fact, it is not until they are struck out, and a blank for the time thereby produced, that the rule can begin to operate, by receiving all the propositions for different times, and putting the questions successively on the longest. Otherwise it would be in the power of the mover, by inserting originally a short time, to preclude the possibility of a longer; for till the short time is struck out, you cannot insert a longer; and if, after it is struck out, you cannot do it, then it cannot be done at all. Suppose the first motion had been made to amend by striking out "the second Tuesday in February," and inserting instead thereof "the first of June," it would have been regular, then, to divide the question, by proposing first the question to strike out and then that to insert. Now this is precisely the effect of the present proceeding; only, instead of one motion and two questions, there are two motions and two questions to effect it—the motions being divided as well as the question.

When the matter contained in two bills

might be better put into one, the manner is to reject the one, and incorporate its matter into another bill by way of amendment. So if the matter of one bill would be better distributed into two, any part may be struck out by way of amendment, and put into a new bill. If a section is to be transposed, a question must be put on striking it out where it stands and another for inserting it in the place desired.

A bill passed by the one House with blanks. These may be filled up by the other by way of amendments, returned to the first as such, and passed. 3 *Hats.*, 83.

The number prefixed to the section of a bill, being merely a marginal indication, and no part of the text of the bill, the Clerk regulates that—the House or committee is only to amend the text.

#### SEC. XXXVI.—DIVISION OF THE QUESTION.

If a question contains more parts than one, it may be divided into two or more questions. *Mem. in Hakew.*, 29. But not as the right of an individual member, but with the consent of the House. For who is to decide whether a question is complicated or not—where it is complicated—into how many propositions it may be divided? The fact is that the only mode of separating a complicated question is by moving amendments to it; and these must be decided by the House, on a question, unless the House orders it to be divided; as, on the question, December 2, 1640, making void the election of the knights for Worcester, on a motion it was resolved to make two questions of it, to wit, one on each night. 2 *Hats.*, 85, 86. So, where- ever there are several names in a question, they may be divided and put one by one.

9 *Grey*, 444. So, 1729, April 17, on an objection that a question was complicated, it was separated by amendment. 2 *Hats.*, 79.

The soundness of these observations will be evident from the embarrassments produced by the twelfth rule of the Senate, which says, “if the question in debate contains several points, any member may have the same divided.”

1798, May 30, the alien bill in quasi-committee. To a section and proviso in the original, had been added two new provisos by way of amendment. On a motion to strike out the section as amended, the question was desired to be divided. To do this it must be put first on striking out either the former proviso, or some distinct member of the section. But when nothing remains but the last member of the section and the provisos, they cannot be divided so as to put the last member to question by itself; for the provisos might thus be left standing alone as exceptions to a rule when the rule is taken away; or the new provisos might be left to a second question,

after having been decided on once before at the same reading, which is contrary to rule. But the question must be on striking out the last member of the section as amended. This sweeps away the exceptions with the rule, and relieves from inconsistency. A question to be divisible must comprehend points so distinct and entire that one of them being taken away, the other may stand entire. But a proviso or exception, without an enacting clause, does not contain an entire point or proposition.

May 31.—The same bill being before the Senate. There was a proviso that the bill should not extend—1. To any foreign minister; nor, 2. To any person to whom the President should give a passport; nor, 3. To any alien merchant conforming himself to such regulations as the President shall prescribe; and a division of the question into its simplest elements was called for. It was divided into four parts, the 4th taking in the words “conforming himself,” &c. It was objected that the words “any alien merchant,” could not be separated from their modifying words, “conforming,” &c., because these words, if left by themselves, contain no substantive idea, will make no sense. But admitting that the divisions of a paragraph into separate questions must be so made as that each part may stand by itself, yet the House having, on the question, retained the two first divisions, the words “any alien merchant” may be struck out, and their modifying words will then attach themselves to the preceding description of persons, and become a modification of that description.

When a question is divided, after the question on the 1st member, the 2d is open to debate and amendment; because it is a known rule that a person may rise and speak at any time before the question has been completely decided, by putting the negative as well as the affirmative side. But the question is not completely put when the vote has been taken on the first member only. One-half of the question, both affirmative and negative, remains still to be put. See *Execut. Jour.*, June 25, 1795. The same decision by President Adams.

#### SEC. XXXVII.—COEXISTING QUESTIONS.

It may be asked whether the House can be in possession of two motions or propositions at the same time? so that, one of them being decided, the other goes to question without being moved anew? The answer must be special. When a question is interrupted by a vote of adjournment, it is thereby removed from before the House, and does not stand *ipso facto* before them at their next meeting, but must come forward in the usual way. So, when it is interrupted by the order of the day. Such other privileged questions also as dispose

of the main question, (*e. g.*, the previous question, postponement, or commitment,) remove it from before the House. But it is only suspended by a motion to amend, to withdraw, to read papers, or by a question of order or privilege, and stands again before the House when these are decided. None but the class of privileged questions can be brought forward while there is another question before the House, the rule being that when a motion has been made and seconded, no other can be received except it be a privileged one.

#### SEC. XXXVIII.—EQUIVALENT QUESTIONS.

If, on a question for rejection, a bill be retained, it passes, of course, to its next reading. *Hakew.*, 141; *Scob.*, 42. And a question for a second reading determined negatively, is a rejection without further question. 4 *Grey*, 149. And see *Elsynge's Memor.*, 42, in what cases questions are to be taken for rejection.

Where questions are perfectly equivalent, so that the negative of the one amounts to the affirmative of the other, and leaves no other alternative, the decision of the one concludes necessarily the other. 4 *Grey*, 157. Thus the negative of striking out amounts to the affirmative of agreeing; and therefore to put a question on agreeing after that on striking out, would be to put the same question in effect twice over. Not so in questions of amendments between the two Houses. A motion to recede being negatived, does not amount to a positive vote to insist, because there is another alternative, to wit, to adhere. A bill originating in one House is passed by the other with an amendment. A motion in the originating House to agree to the amendment is negatived. Does there result from this vote of disagreement, or must the question on disagreement be expressly voted? The question respecting amendments from another House are—1st, to agree; 2d, disagree; 3d, recede; 4th, insist; 5th, adhere,

1st. To agree.	} Either of these concludes the other necessarily, for the positive of either is exactly the equivalent of the negative of the other, and no other alternative remains. On either motion amendments to the amendment may be proposed; <i>e. g.</i> , if it be moved to disagree, those who are for the amendment have a right to propose amendments, and to make it as perfect as they can, before the question of disagreeing is put.
2d. To disagree.	

3d. To recede.	} You may then either insist or adhere.
4th. To insist.	
5th. To adhere.	

You may then either recede or adhere.  
You may then either recede or insist.

Consequently the negative of these is not equivalent to a positive vote, the other way. It does not raise so necessary an implication as may authorize the Secretary by inference to enter another vote; for two alternatives still remain, either of which may be adopted by the House.

#### SEC. XXXIX.—THE QUESTION.

The question is to be put first on the affirmative, and then on the negative side.

After the Speaker has put the affirmative part of the question, any member who has not spoken before to the question may rise and speak before the negative be put; because it is no full question till the negative part be put. *Scob.*, 23; 2 *Hats.*, 73.

But in small matters, and which are of course, such as receiving petitions, reports, withdrawing motions, reading papers, &c., the Speaker most commonly supposes the consent of the House where no objection is expressed, and does not give them the trouble of putting the question formally. *Scob.*, 22; 2 *Hats.*, 87; 5 *Grey*, 129; 9 *Grey*, 301.

#### SEC. XL.—BILLS, THIRD READING.

To prevent bills from being passed by surprise, the House, by a standing order, directs that they shall not be put on their passage before a fixed hour, naming one at which the House is commonly full. *Hakew.*, 153.

[The usage of the Senate is, not to put bills on their passage till noon.]

A bill reported and passed to the third reading, cannot on that day be read the third time and passed; because this would be to pass on two readings in the same day.

At the third reading the Clerk reads the bill and delivers it to the Speaker, who states the title, that it is the third time of reading the bill, and that the question will be whether it shall pass. Formerly the Speaker, or those who prepared a bill, prepared also a breviate or summary statement of its contents, which the Speaker read when he declared the state of the bill, at the several readings. Sometimes, however, he read the bill itself, especially on its passage. *Hakew.*, 136, 137, 153; *Coke*, 22, 115. Latterly, instead of this, he, at the third reading, states the whole con-

tents of the bill *verbatim*, only, instead of reading the formal parts, "Be it enacted," &c., he states that "preamble recites so and so—the 1st section enacts that, &c.; the 2d section enacts," &c.

[But in the Senate of the United States, both of these formalities are dispensed with; the brieve presenting but an imperfect view of the bill, and being capable of being made to present a false one; and the full statement being a useless waste of time, immediately after a full reading by the Clerk, and especially as every member has a printed copy in his hand.]

A bill on the third reading is not to be committed for the matter or body thereof, but to receive some particular clause or proviso, it hath been sometimes suffered, but as a thing very unusual. *Hakew.*, 156. Thus, 27 *El.*, 1584, a bill was committed on the third reading, having been formerly committed on the second, but is declared not usual. *D'Ewes*, 337, col. 2; 414, col. 2.

When an essential provision has been omitted, rather than erase the bill and render it suspicious, they add a clause on a separate paper, engrossed and called a rider, which is read and put to the question three times. *Elsynge's Memo.*, 59; 6 *Grey*, 335; 1 *Blackst.*, 183. For examples of riders, see 3 *Hats.*, 121, 122, 124, 156. Every one is at liberty to bring in a rider without asking leave. 10 *Grey*, 52.

It is laid down as a general rule, that amendments proposed at the second reading shall be twice read, and those proposed at the third reading thrice read; as also all amendments from the other House. *Town.*, col. 19, 23, 24, 25, 26, 27, 28.

It is with great and almost invincible reluctance that amendments are admitted at this reading, which occasion erasures or interlineations. Sometimes a proviso has been cut off from a bill; sometimes erased. 9 *Grey*, 513.

This is the proper stage for filling up blanks; for if filled up before, and now altered by erasure, it would be peculiarly unsafe.

At this reading the bill is debated afresh, and for the most part is more spoken to at this time than on any of the former readings. *Hakew.*, 153.

The debate on the question whether it should be read a third time, has discovered to its friends and opponents the arguments on which each side relies, and which of these appear to have influence with the House; they have had time to meet them with new arguments, and to put their old ones into new shapes. The former vote has tried the strength of the first opinion, and furnished grounds to estimate the issue; and the question now offered for its passage is the last occasion which is ever to be offered for carrying or rejecting it.

When the debate is ended, the Speaker, holding the bill in his hand, puts the question for its passage, by saying, "Gentlemen, all you who are of opinion that this bill shall pass, say aye;" and after the answer of the ayes, "All those of the contrary opinion, say no." *Hakew.*, 154.

After the bill is passed, there can be no further alteration of it in any point. *Hakew.*, 159.

SEC. XLI.—DIVISION OF THE HOUSE.

The affirmative and negative of the question having been both put and answered, the Speaker declares whether the yeas or nays have it by the sound, if he be himself satisfied, and it stands as the judgment of the House. But if he be not himself satisfied which voice is the greater, or if before any other member comes into the House, or before any new motion made, (for it is too late after that,) any member shall rise and declare himself dissatisfied with the Speaker's decision, then the Speaker is to divide the House. *Scob.*, 24; 2 *Hats.*, 140.

When the House of Commons is divided, the one party goes forth, and the other remains in the House. This has made it important which go forth and which remain; because the latter gain all the indolent, the indifferent, and inattentive. Their general rule, therefore, is, that those who give their vote for the preservation of the orders of the House shall stay in; and those who are for introducing any new matter or alteration, or proceeding contrary to the established course, are to go out. But this rule is subject to many exceptions and modifications. 2 *Hats.*, 134; 1 *Rush.*, p. 3, fol. 92; *Scob.*, 43, 52; *Co.*, 12, 116; *D'Ewes*, 505, col. 1; *Mem. in Hakew.*, 25, 29; as will appear by the following statement of who go forth:

Petition that it be received...	} Ayes.
Read.....	
Lie on the table.....	} Noes.
Rejected after refusal to lie on table.....	
Referred to a committee, for further proceeding...	Ayes.
Bill, that it be brought in....	} Ayes.
Read first or second time...	
Engrossed or read third time	
Proceeding on every other stage.....	
Committed.....	} Noes.
To Committee of the whole...	
To a select committee.....	Ayes.
Report of bill to lie on table..	Noes.
Be <i>now</i> read.....	} Ayes.
Be taken into consideration three months hence..	
Amendments to be read a second time.....	Noes.
Clause offered on report of bill to be read second time	} Ayes.
For receiving a clause.....	
With amendm'ts be engrossed	334.
	395.

That a bill be <i>now</i> read a third time.....	} Noes.	398.
Receive a rider.....		
Pass.....		
Be printed.....	} Ayes.	259.
Committees. That A take the chair.....		
To agree to the whole or any part of report .....	} Noes.	291.
That the House do <i>now</i> resolve into committee...		
Speaker. That he now leave the chair, after order to go into committee.....		
That he issue warrant for a new writ.....		
Member. That none be absent without leave.....	} Ayes.	344.
Witness. That he be further examined.....		
Previous question.....	Noes.	
Blanks. That they be filled with the largest sum.	} Ayes.	
Amendments. That words stand part of.....		
Lords. That their amendment be read a second time.....	Noes.	
Messenger be received.....	} Ayes.	
Orders of day to be now read, if before 2 o'clock...		
If after 2 o'clock.....	Noes.	
Adjournment. Till the next sitting day, if before 4 o'clock.....	} Ayes.	
If after 4 o'clock.....		
Over a sitting day, (unless a previous resolution.	} Ayes.	
Over the 30th of January.....		
For sitting on Sunday, or any other day not being a sitting day.....	Noes.	
	} Ayes.	

of either House on any question, shall at the desire of one-fifth of those present, be entered on the journal." And again: that in all cases of reconsidering a bill disapproved by the President, and returned with his objections, "the votes of both Houses shall be determined by yeas and nays, and the names of persons voting for and against the bill shall be entered on the journals of each House respectively."]

[By the 16th and 17th rules of the Senate, when the yeas and nays shall be called for by one-fifth of the members present, each member called upon shall, unless for special reasons he be excused by the Senate, declare openly, and without debate, his assent or dissent to the question. In taking the yeas and nays, and upon the call of the House, the names of the members shall be taken alphabetically.]

[When the yeas and nays shall be taken upon any question in pursuance of the above rule, no member shall be permitted, under any circumstances whatever, to vote after the decision is announced from the Chair.]

[When it is proposed to take the vote by yeas and nays, the President or Speaker states that "the question is whether, *e. g.*, the bill shall pass—that it is proposed that the yeas and nays shall be entered on the journal. Those, therefore, who desire it, will rise." If he finds and declares that one-fifth have risen, he then states that "those who are of opinion that the bill shall pass are to answer in the affirmative; those of the contrary opinion in the negative." The Clerk then calls over the names alphabetically, note the yea or nay of each, and gives the list to the President or Speaker, who declares the result. In the Senate, if there be an equal division, the Secretary calls on the Vice-President and notes his affirmative or negative, which becomes the decision of the House.]

In the House of Commons, every member must give his vote the one way or the other, *Scob.*, 24, as it is not permitted to any one to withdraw who is in the House when the question is put, nor is any one to be told in the division who was not in when the question was put. 2 *Hats.*, 140.

This last position is always true when the vote is by yeas and nays; where the negative as well as affirmative of the question is stated by the President at the same time, and the vote of both sides begins and proceeds *pari passu*. It is true also when the question is put in the usual way, if the negative has also been put; but if it has not, the member entering, or any other member, may speak, and even propose amendments, by which the debate may be opened again, and the question be greatly deferred. And as some who have answered ay may have been changed by the new arguments, the affirmative must be

The one party being gone forth, the Speaker names two tellers from the affirmative and two from the negative side, who first count those sitting in the House and report the number to the Speaker. Then they place themselves within the door, two on each side, and count those who went forth as they come in, and report the number to the Speaker. *Mem. in Hakew.*, 26.

A mistake in the report of the tellers may be rectified after the report made. 2 *Hats.*, 145, *note*.

[But in both Houses of Congress all these intricacies are avoided. The ayes first rise, and are counted standing in their places by the President or Speaker. Then they sit, and the noes rise and are counted in like manner.]

[In Senate, if they be equally divided, the Vice-President announces his opinion, which decides.]

[The Constitution, however, has directed that "the yeas and nays of the members

put over again. If, then, the member entering may, by speaking a few words, occasion a repetition of a question, it would be useless to deny it on his simple call for it.

While the House is telling, no member may speak or move out of his place; for if any mistake be suspected, it must be told again. *Mem. in Hakew.*, 26; 2 *Hats.*, 143.

If any difficulty arises in point of order during the division, the speaker is to decide peremptorily, subject to the future censure of the House if irregular. He sometimes permits old experienced members to assist him with their advice, which they do sitting in their seats, covered, to avoid the appearance of debate; but this can only be with the Speaker's leave, else the division might last several hours. 2 *Hats.*, 143.

The voice of the majority decides; for the *lex majoris partis* is the law of all councils, elections, &c., where not otherwise expressly provided. *Hakew.*, 93. But if the House be equally divided, *semper presumatur pro negante*; that is, the former law is not to be changed but by a majority. *Towns.*, col. 134.

[But in the Senate of the United States, the Vice-President decides when the House is divided. *Const. U. S. I.*, 3.]

When from counting the House on a division it appears that there is not a quorum, the matter continues exactly in the state in which it was before the division, and must be resumed at that point on any future day. 2 *Hats.*, 126.

1606, May 1, on a question whether a member having said yea may afterwards sit and change his opinion, a precedent was remembered by the Speaker, of Mr. Morris, attorney of the wards, in 39 *Eliz.*, who in like case changed his opinion. *Mem. in Hakew.*, 27.

#### SEC. XLII.—TITLES.

After the bill has passed, and not before, the title may be amended, and is to be fixed by a question; and the bill is then sent to the other House.

#### SEC. XLIII.—RECONSIDERATION.

[When a question has been once made and carried in the affirmative or negative, it shall be in order for any member of the majority to move for the reconsideration thereof; but no motion for the reconsideration of any vote shall be in order after a bill, resolution, message, report, amendment, or motion upon which the vote was taken shall have gone out of the possession of the Senate announcing their decision; nor shall any motion for reconsideration be in order unless made on the same day on which the vote was taken, or within the two next days of actual session of the Senate thereafter. *Rule 20.*]

[1798, Jan. A bill on its second reading being amended, and on the question whether it shall be read a third time negatived, was restored by a decision to reconsider that question. Here the votes of negative and reconsideration, like positive and negative quantities in equation, destroy one another, and are as if they were expunged from the journals. Consequently the bill is open for amendment, just so far as it was the moment preceding the question for the third reading; that is to say, all parts of the bill are open for amendment except those on which votes have been already taken in its present stage. So, also, it may be recommitted.]

[\*The rule permitting a reconsideration of a question affixing to it no limitation of time or circumstance, it may be asked whether there is no limitation? If, after the vote, the paper on which it is passed has been parted with, there can be no reconsideration; as if a vote has been for the passage of a bill, and the bill has been sent to the other House. But where the paper remains, as on a bill rejected; when, or under what circumstances, does it cease to be susceptible of reconsideration? This remains to be settled; unless a sense that the right of reconsideration is a right to waste the time of the House in repeated agitations of the same question, so that it shall never know when a question is done with, should induce them to reform this anomalous proceeding.]

In Parliament a question once carried cannot be questioned again at the same session, but must stand as the judgment of the House. *Towns.*, col. 67; *Mem. in Hakew.*, 33. And a bill once rejected, another of the same substance cannot be brought in again the same session. *Hakew.*, 158; 6 *Grey*, 392. But this does not extend to prevent putting the same question in different stages of a bill; because every stage of a bill submits the whole and every part of it to the opinion of the House, as open for amendment, either by insertion or omission, though the same amendment has been accepted or rejected in a former stage. So in reports of committees, *e. g.*, report of an address, the same question is before the House, and open for free discussion. *Towns.*, col. 26; 2 *Hats.*, 98, 100, 101. So orders of the House, or instructions to committees, may be discharged. So a bill, begun in one House, and sent to the other, and there rejected, may be renewed again in that other, passed and sent back. *Ib.*, 92: 3 *Hats.*, 161. Or if, instead of being rejected, they read it once and lay it aside or amend it, and put it off a month, they may order in another to the same effect,

\* The rule now fixes a limitation.

with the same or a different title. *Hakew.*, 97, 98.

Divers expedients are used to correct the effects of this rule; as, by passing an explanatory act, if anything has been omitted or ill expressed, 3 *Hats.*, 278, or an act to enforce, and make more effectual an act, &c., or to rectify mistakes in an act, &c., or a committee on one bill may be instructed to receive a clause to rectify the mistakes of another. Thus, June 24, 1685, a clause was inserted in a bill for rectifying a mistake committed by a clerk in engrossing a bill of supply: 2 *Hats.*, 194, 6. Or the session may be closed for one, two, three or more days, and a new one commenced. But then all matters depending must be finished, or they fall, and are to begin de novo. 2 *Hats.*, 94, 98. Or a part of the subject may be taken up by another bill, or taken up in a different way. 6 *Grey*, 304, 316.

And in cases of the last magnitude, this rule has not been so strictly and verbally observed as to stop indispensable proceedings altogether. 2 *Hats.*, 92, 98. Thus when the address on the preliminaries of peace in 1782 had been lost by a majority of one, on account of the importance of the question, and smallness of the majority, the same question in substance, though with some words not in the first, and which might change the opinion of some members, was brought on again and carried, as the motives for it were thought to outweigh the objection of form. 2 *Hats.*, 99, 100.

A second bill may be passed to continue an act of the same session, or to enlarge the time limited for its execution. 2 *Hats.*, 95, 98. This is not in contradiction to the first act.

#### SEC. XLIV.—BILLS SENT TO THE OTHER HOUSE.

[All bills passed in the Senate shall, before they are sent to the House of Representatives, be examined by a committee, consisting of three members, whose duty it shall be to examine all bills, amendments, resolutions, or motions, before they go out of the possession of the Senate, and to make report that they are correctly engrossed; which report shall be entered on the journal. *Rule 34.*]

A bill from the other House is sometimes ordered to lie on the table. 2 *Hats.*, 97.

When bills, passed in one House and sent to the other, are grounded on special facts requiring proof, it is usual, either by message or at a conference, to ask the grounds and evidence; and this evidence, whether arising out of papers, or from the examination of witnesses, is immediately communicated. 3 *Hats.*, 48.

#### SEC. XLV.—AMENDMENTS BETWEEN THE HOUSES.

When either House, *e. g.*, the House of Commons, send a bill to the other, the other may pass it with amendments. The regular progression in this case is, that the Commons disagree to the amendment; the Lords insist on it; the Commons insist on their disagreement; the Lords adhere to their amendment; the Commons adhere to their disagreement. The term of insisting may be repeated as often as they choose to keep the question open. But the first adherence by either renders it necessary for the other to recede or adhere also; when the matter is usually suffered to fall. 10 *Grey*, 148. Latterly, however, there are instances of their having gone to a second adherence. There must be an absolute conclusion of the subject somewhere, or otherwise transactions between the Houses would become endless. 3 *Hats.*, 268, 270. The term of insisting, we are told by Sir John Trevor, was then (1679) newly introduced into parliamentary usage, by the Lords. 7 *Grey*, 94. It was certainly a happy innovation, as it multiplies the opportunities of trying modifications which may bring the Houses to a concurrence. Either House, however, is free to pass over the term of insisting, and to adhere in the first instance; 10 *Grey*, 146; but it is not respectful to the other. In the ordinary parliamentary course, there are two free conferences, at least, before an adherence. 10 *Grey*, 147.

Either House may recede from its amendment and agree to the bill; or recede from their disagreement to the amendment, and agree to the same absolutely, or with an amendment; for here the disagreement and receding destroy one another, and the subject stands as before the agreement. *Elsynge*, 23, 27; 9 *Grey*, 476.

But the House cannot recede from or insist on its own amendment, with an amendment; for the same reason that it cannot send to the other House an amendment to its own act after it has passed the act. They may modify an amendment from the other House by ingrafting an amendment on it, because they have never assented to it; but they cannot amend their own amendment, because they have, on the question, passed it in that form. 9 *Grey*, 363; 10 *Grey*, 240. In the Senate, March 29, 1798. Nor where one House has adhered to their amendment, and the other agrees with an amendment, can the first House depart from the form which they have fixed by an adherence.

In the case of a money bill, the Lords' proposed amendments, become, by delay, confessedly necessary. The Commons, however, refused them, as infringing on their privilege as to money bills; but they offered themselves to add to the bill a pro-



viso to the same effect, which had no coherence with the Lords' amendments; and urged that it was an expedient warranted by precedent, and not unparliamentary in a case become impracticable, and irremediable in any other way. 3 *Hats.*, 256, 266, 270, 271. But the Lords refused, and the bill was lost. 1 *Chand.*, 288. A like case, 1 *Chand.*, 311. So the Commons resolved that it is unparliamentary to strike out, at a conference, anything in a bill which hath been agreed and passed by both Houses. 6 *Grey*, 274; 1 *Chand.*, 312.

A motion to amend an amendment from the other House takes precedence of a motion to agree or disagree.

A bill originating in one House is passed by the other with an amendment.

The originating House agrees to their amendment with an amendment. The other may agree to their amendment with an amendment, that being only in the 2d and not the 3d degree; for, as to the amending House, the first amendment with which they passed the bill is a part of its text; it is the only text they have agreed to. The amendment to that text by the originating House, therefore, is only in the 1st degree, and the amendment to that again by the amending House is only in the 2d, to wit, an amendment to an amendment, and so admissible. Just so, when, on a bill from the originating House, the other, at its second reading, makes an amendment; on the third reading this amendment is become the text of the bill, and if an amendment to it be moved, an amendment to that amendment may also be moved, as being only in the 2d degree.

#### SEC. XLVI.—CONFERENCES.

It is on the occasion of amendments between the Houses that conferences are usually asked; but they may be asked in all cases of difference of opinion between the two Houses on matters depending between them. The request of a conference, however, must always be by the House which is possessed of the papers. 3 *Hats.*, 31; 1 *Grey*, 425.

Conferences may be either simple or free. At a conference simply, written reasons are prepared by the House asking it, and they are read and delivered, without debate, to the managers of the other House at the conference; but are not then to be answered. 4 *Grey*, 144. The other House then, if satisfied, vote the reasons satisfactory, or say nothing; if not satisfied, they resolve them not satisfactory and ask a conference) on the subject of the last conference, where they read and deliver, in like manner, written answers to those reasons. 3 *Grey*, 183. They are meant chiefly to record the justification of each House to the nation at large, and to posterity, and in proof that the miscarriage of

a necessary measure is not imputable to them. 3 *Grey*, 255. At free conferences, the managers discuss, viva voce and freely, and interchange propositions for such modifications as may be made in a parliamentary way, and may bring the sense of the two Houses together. And each party reports in writing to their respective Houses the substance of what is said on both sides, and it is entered on their journals. 9 *Grey*, 220; 3 *Hats.*, 280. This report cannot be amended or altered, as that of a committee may be. *Journal Senate*, May 24, 1796.

A conference may be asked, before the House asking it has come to a resolution of disagreement, insisting or adhering. 3 *Hats.*, 269, 341. In which case the papers are not left with the other conferees, but are brought back to be the foundation of the vote to be given. And this is the most reasonable and respectful proceeding; for, as was urged by the Lords on a particular occasion, "it is held vain, and below the wisdom of Parliament, to reason or argue against fixed resolutions, and upon terms of impossibility to persuade." 3 *Hats.*, 226. So the Commons say, "an adherence is never delivered at a free conference, which implies debate." 10 *Grey*, 137. And on another occasion the Lords made it an objection that the Commons had asked a free conference after they had made resolutions of adhering. It was then affirmed, however, on the part of the Commons, that nothing was more parliamentary than to proceed with free conferences after adhering, 3 *Hats.*, 269, and we do in fact see instances of conference, or of free conference, asked after the resolution of disagreeing, 3 *Hats.*, 251, 253, 260, 286, 291, 316, 349; of insisting, *ib.*, 280, 296, 299, 319, 322, 355; of adhering, 269, 270, 283, 300; and even of a second or final adherence. 3 *Hats.*, 270. And in all cases of conference asked after a vote of disagreement, &c., the conferees of the House asking it are to leave the papers with the conferees of the other; and in one case where they refused to receive them, they were left on the table in the conference chamber. *ib.*, 271, 317, 323, 354; 10 *Grey*, 146.

After a free conference, the usage is to proceed with free conferences, and not to return again to a conference. 3 *Hats.*, 270; 9 *Grey*, 229.

After a conference denied, a free conference may be asked. 1 *Grey*, 45.

When a conference is asked, the subject of it must be expressed, or the conference not agreed to. *Ord. II Com.*, 89; *Grey*, 425; 7 *Grey*, 31. They are sometimes asked to inquire concerning an offense or default of a member of the other House. 6 *Grey*, 181; 1 *Chand.*, 304. Or the failure of the other House to present to the King a bill passed by both Houses, 8 *Grey*, 302. Or on information received, and relating to the

safety of the nation. 10 *Grey*, 171. Or when the methods of Parliament are thought by the one House to have been departed from by the other, a conference is asked to come to a right understanding thereon. 10 *Grey*, 148. So when an unparliamentary message has been sent, instead of answering it, they ask a conference. 3 *Grey*, 155. Formerly an address or articles of impeachment, or a bill with amendments, or a vote of the House, or concurrence in a vote, or a message from the King, were sometimes communicated by way of conference. 6 *Grey*, 128, 300, 387; 7 *Grey*, 80; 8 *Grey*, 210, 255; 1 *Tor-buck's Deb.*, 278; 10 *Grey*, 293; 1 *Chandler*, 49, 287. But this is not the modern practice. 8 *Grey*, 255.

A conference has been asked after the first reading of a bill. 1 *Grey*, 194. This is a singular instance.

#### SEC. XLVII.—MESSAGES.

Messages between the Houses are to be sent only while both Houses are sitting. 3 *Hats.*, 15. They are received during a debate without adjourning the debate. 3 *Hats.*, 22.

[In Senate the messengers are introduced in any state of business, except, 1. While a question is being put. 2. While the yeas and nays are being called. 3. While the ballots are being counted. *Rule 51.* The first case is short; the second and third are cases where any interruption might occasion errors difficult to be corrected. So arranged June 15, 1798.]

In the House of Representatives, as in Parliament, if the House be in committee when a messenger attends, the Speaker takes the chair to receive the message, and then quits it to return into committee, without any question or interruption. 4 *Grey*, 226.

Messengers are not saluted by the members, but by the Speaker for the House. 2 *Grey*, 253, 274.

If messengers commit an error in delivering their message, they may be admitted or called in to correct their message. 4 *Grey*, 41. Accordingly, March 13, 1800, the Senate having made two amendments to a bill from the House of Representatives, their Secretary, by mistake, delivered one only; which being inadmissible by itself, that House disagreed, and notified the Senate of their disagreement. This produced a discovery of the mistake. The Secretary was sent to the other House to correct his mistake, the correction was received, and the two amendments acted on de novo.

As soon as the messenger, who has brought bills from the other House, has retired, the Speaker holds the bills in his hand, and acquaints the House "that the other House have by their messenger sent certain bills," and then reads their titles,

and delivers them to the Clerk, to be safely kept till they shall be called for to be read. *Hakew.*, 178.

It is not the usage for one House to inform the other by what numbers a bill is passed. 10 *Grey*, 150. Yet they have sometimes recommended a bill, as of great importance, to the consideration of the House to which it is sent. 3 *Hats.*, 25. Nor when they have rejected a bill from the other House, do they give notice of it; but it passes sub silentio, to prevent unbecoming altercations. 1 *Blackst.*, 183.

[But in Congress the rejection is notified by message to the House in which the bill originated.]

A question is never asked by the one House of the other by way of message, but only at a conference; for this is an interrogatory, not a message. 3 *Grey*, 151, 181.

When a bill is sent by one House to the other, and is neglected, they may send a message to remind them of it. 3 *Hats.*, 25; 5 *Grey*, 154. But if it be mere inattention, it is better to have it done informally by communications between the Speakers or members of the two Houses.

Where the subject of a message is of a nature that it can properly be communicated to both Houses of Parliament, it is expected that this communication should be made to both on the same day. But where a message was accompanied with an original declaration, signed by the party to which the message referred, its being sent to one House was not noticed by the other, because the declaration, being original, could not possibly be sent to both Houses at the same time. 2 *Hats.*, 260, 261, 262.

The King having sent original letters to the Commons, afterward desires they may be returned, that he may communicate them to the Lords. 1 *Chandler*, 303.

#### SEC. XLVIII.—ASSENT.

The House which has received a bill and passed it may present it for the King's assent, and ought to do it, though they have not by message notified to the other their passage of it. Yet the notifying by message is a form which ought to be observed between the two Houses from motives of respect and good understanding. 2 *Hats.*, 242. Were the bill to be withheld from being presented to the King, it would be an infringement of the rules of Parliament. *Ib.*

[When a bill has passed both Houses of Congress, the House last acting on it notifies its passage to the other, and delivers the bill to the Joint Committee of Enrolment, who see that it is truly enrolled in parchment]. When the bill is enrolled, it is not to be written in paragraphs, but solidly, and all of a piece, that the blanks between the paragraphs

may not give room for forgery. 9 *Grey*, 143. [It is then put into the hands of the Clerk of the House of Representatives to have it signed by the Speaker. The Clerk then brings it by way of message to the Senate to be signed by their President. The Secretary of the Senate returns it to the Committee of Enrolment, who present it to the President of the United States. If he approve, he signs, and deposits it among the rolls in the office of the Secretary of State, and notifies by message the House in which it originated that he has approved and signed it; of which that House informs the other by message. If the President disapproves, he is to return it, with his objections, to that House in which it shall have originated; who are to enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that House shall agree to pass the bill, it shall be sent, together with the President's objections, to the other House, by which it shall likewise be reconsidered; and if approved by two-thirds of that House, it shall become a law. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner after he had signed it, unless the Congress, by their adjournment, prevent its return; in which case it shall not be a law. *Const.*, I, 7.]

[Every order, resolution, or vote, to which the concurrence of the Senate and House of Representatives may be necessary, (except on a question of adjournment), shall be presented to the President of the United States, and, before the same shall take effect, shall be approved by him; or, being disapproved by him, shall be re-passed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill. *Const.*, I, 7.]

#### SEC. XLIX.—JOURNALS.

[Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may, in their judgment, require secrecy. *Const.*, I, 5.]

[The proceedings of the Senate, when not acting as in a Committee of the Whole, shall be entered on the journals as concisely as possible, care being taken to detail a true account of the proceedings. Every vote of the Senate shall be entered on the journals, and a brief statement of the contents of each petition, memorial, or paper presented to the Senate, be also inserted on the journal. *Rule 5.*]

[The titles of bills, and such parts thereof, only, as shall be affected by proposed amendments, shall be inserted on the journals. *Rule 5.*]

If a question is interrupted by a vote to adjourn, or to proceed to the orders of the day, the original question is never printed in the journal, it never having been a vote, nor introductory to any vote; but when suppressed by the previous question, the first question must be stated, in order to introduce and make intelligible the second. 2 *Hats.*, 83.

So also when a question is postponed, adjourned, or laid on the table, the original question, though not yet a vote, must be expressed in the journals; because it makes part of the vote of postponement, adjourning, or laying it on the table.

Where amendments are made to a question, those amendments are not printed in the journals, separated from the question; but only the question as finally agreed to by the House. The rule of entering in the journals only what the House has agreed to, is founded in great prudence and good sense; as there may be many questions proposed, which it may be improper to publish to the world in the form in which they are made. 2 *Hats.*, 85.

[In both Houses of Congress, all questions whereon the yeas and nays are desired by one-fifth of the members present, whether decided affirmatively or negatively, must be entered in the journals. *Const.*, I, 5.]

The first order for printing the votes of the House of Commons was October 30, 1685. 1 *Chandler*, 387.

Some judges have been of opinion that the journals of the House of Commons are no records, but only remembrances. But this is not law. *Hob.*, 110, 111; *Lex Parl.*, 114, 115; *Jour. H. C.*, Mar. 17, 1592; *Hale, Parl.*, 105. For the Lords in their House have power of judicature, the Commons in their House have power of judicature, and both Houses together have power of judicature; and the book of the Clerk of the House of Commons is a record, as is affirmed by act of Parl., 6 *H.* 8, c. 16; 4 *Inst.*, 23, 24; and every member of the House of Commons hath a judicial place. 4 *Inst.*, 15. As records they are open to every person, and a printed vote of either House is sufficient ground for the other to notice it. Either may appoint a committee to inspect the journals of the other, and report what has been done by the other in any particular case. 2 *Hats.*, 261; 3 *Hats.*, 27-30. Every member has a right to see the journals and to take and publish votes from them. Being a record, every one may see and publish them. 6 *Grey*, 118, 119.

On information of a mis-entry or omission of an entry in the journal, a committee may be appointed to examine and rectify it, and report it to the House. 2 *Hats.*, 194, 1195.

## SEC. L.—ADJOURNMENT.

The two Houses of Parliament have the sole, separate, and independent power of adjourning each their respective Houses. The King has no authority to adjourn them; he can only signify his desire, and it is in the wisdom and prudence of either House to comply with his requisition, or not, as they see fitting. 2 *Hats.*, 232; 1 *Blackst.*, 186; 5 *Grey*, 122.

[By the Constitution of the United States, a smaller number than a majority may adjourn from day to day. I, 5. But "neither House, during the Session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting." I, 5. And in case of disagreement between them, with respect to the time of adjournment, the President may adjourn them to such time as he shall think proper. *Const.*, II, 3.]

A motion to adjourn, simply, cannot be amended, as by adding "to a particular day;" but must be put simply "that this House do now adjourn;" and if carried in the affirmative, it is adjourned to the next sitting day, unless it has come to a previous resolution, "that at its rising it will adjourn to a particular day," and then the House is adjourned to that day. 2 *Hats.*, 82.

Where it is convenient that the business of the House be suspended for a short time, as for a conference presently to be held, &c., it adjourns during pleasure; 2 *Hats.*, 305; or for a quarter of an hour. 5 *Grey*, 331.

If a question be put for adjournment, it is no adjournment till the Speaker pronounces it. 5 *Grey*, 137. And from courtesy and respect, no member leaves his place till the Speaker has passed on.

## SEC. LI.—A SESSION.

Parliament have three modes of separation, to wit: by adjournment, by prorogation or dissolution by the King, or by the efflux of the term for which they were elected. Prorogation or dissolution constitutes there what is called a session; provided some act was passed. In this case all matters depending before them are discontinued, and at their next meeting are to be taken up *de novo*, if taken up at all. 1 *Blackst.*, 186. Adjournment, which is by themselves, is no more than a continuance of the session from one day to another, or for a fortnight, a month, &c., *ad libitum*. All matters depending remain in *statu quo*, and when they meet again, be the term ever so distant, are resumed, without any fresh commencement, at the point at which they were left. 1 *Lev.*, 165; *Lex. Parl.*, c. 2; 1 *Ro. Rep.*, 29; 4 *Inst.*, 7, 27, 28; *Hutt.*, 61; 1 *Mod.*, 252; *Ruffh. Jac.*, *L. Dict. Parliament*; 1 *Blackst.*, 186. Their

whole session is considered in law but as one day, and has relation to the first day thereof. *Bro. Abr. Parliament*, 86.

Committees may be appointed to sit during a recess by adjournment, but not by prorogation. 5 *Grey*, 374; 9 *Grey*, 350; 1 *Chandler*, 50. Neither House can continue any portion of itself in any parliamentary function beyond the end of the session, without the consent of the other two branches. When done, it is by a bill constituting them commissioners for the particular purpose.

[Congress separate in two ways only, to wit: by adjournment, or dissolution by the efflux of their time. What, then, constitutes a session with them? A dissolution certainly closes one session, and the meeting of the new Congress begins another. The Constitution authorizes the President "on extraordinary occasions, to convene both Houses, or either of them." I, 3. If convened by the President's proclamation, this must begin a new session, and of course determine the preceding one to have been a session. So if it meets under the clause of the Constitution, which says, "the Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day." I, 4. This must begin a new session; for even if the last adjournment was to this day, the act of adjournment is merged in the higher authority of the Constitution, and the meeting will be under that, and not under their adjournment. So far we have fixed landmarks for determining sessions. In other cases it is declared by the joint vote authorizing the President of the Senate and the Speaker to close the session on a fixed day, which is usually in the following form: "Resolved by the Senate and House of Representatives, that the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the — day of —."]

When it was said above that all matters depending before Parliament were discontinued by the determination of the session, it was not meant for judiciary cases depending before the House of Lords, such as impeachments, appeals, and writs of error. These stand continued, of course, to the next session. *Raym.*, 120, 381; *Ruffh. Jac.*, *L. D. Parliament*.

[Impeachments stand, in like manner, continued before the Senate of the United States.]

## SEC. LII.—TREATIES.

[The President of the United States has power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur. *Const.*, II, 2.]

[Resolved, that all confidential communications made by the President of the United States to the Senate shall be, by the members thereof, kept secret; and that all treaties which may hereafter be laid before the Senate shall also be kept secret, until the Senate shall, by their resolution, take off the injunction of secrecy. *Rule 67.\**]

[Treaties are legislative acts. A treaty is the law of the land. It differs from other laws only as it must have the consent of a foreign nation, being but a contract with respect to that nation. In all countries, I believe, except England, treaties are made by the legislative power; and there, also, if they touch the laws of the land, they must be approved by Parliament. *Ware v. Hylton, 3 Dallas's Rep., 223.* It is acknowledged, for instance, that the King of Great Britain cannot by a treaty make a citizen of an alien. *Vattel, b. 1, c. 19, sec. 214.* An act of Parliament was necessary to validate the American treaty of 1783. And abundant examples of such acts can be cited. In the case of the treaty of Utrecht, in 1712, the commercial articles required the concurrence of Parliament; but a bill brought in for that purpose was rejected. France, the other contracting party, suffered these articles, in practice, to be not insisted on, and adhered to the rest of the treaty. 4 *Russell's Hist. Mod. Europe, 457*; 2 *Smollet, 242, 246.*

[By the Constitution of the United States this department of legislation is confined to two branches only of the ordinary legislature—the President originating and the Senate having a negative. To what subjects this power extends has not been defined in detail by the Constitution; nor are we entirely agreed among ourselves. 1. It is admitted that it must concern the foreign nation party to the contract, or it would be a mere nullity, *res inter alias acta.* 2. By the general power to make treaties, the Constitution must have intended to comprehend only those subjects which are usually regulated by treaty, and cannot be otherwise regulated. 3. It must have meant to except out of these the rights reserved to the States; for surely the President and Senate cannot do by treaty what the whole Government is interdicted from doing in any way. 4. And also to except those subjects of legislation in which it gave a participation to the House of Representatives. This last exception is denied by some on the ground that it would leave very little matter for the treaty power to work on. The less the better, say others.

\* This rule has been so amended as to except Indian treaties; which shall be considered and acted upon in open Senate, unless the same shall be transmitted by the President to the Senate in confidence.

The Constitution thought it wise to restrain the Executive and Senate from entangling and embroiling our affairs with those of Europe. Besides, as the negotiations are carried on by the Executive alone, the subjecting to the ratification of the Representatives such articles are within their participation is no more inconvenient than to the Senate. But the ground of this exception is denied as unfounded. For examine, *e. g.*, the treaty of commerce with France, and it will be found that, out of thirty-one articles, there are not more than small portions or two or three of them which would not still remain as subjects of treaties, untouched by these exceptions.]

[Treaties being declared, equally with the laws of the United States, to be the supreme law of the land, it is understood that an act of the legislature alone can declare them infringed and rescinded. This was accordingly the process adopted in the case of France in 1798.]

[It has been the usage for the Executive, when it communicates a treaty to the Senate for their ratification, to communicate also the correspondence of the negotiators. This having been omitted in the case of the Prussian treaty, was asked by a vote of the House of February 12, 1800, and was obtained. And in December, 1800, the convention that year between the United States and France, with the report of the negotiations by the envoys, but not their instructions, being laid before the Senate, the instructions were asked for and communicated by the President.]

[The mode of voting on questions of ratification is by nominal call.]

[Whenever a treaty shall be laid before the Senate for ratification, it shall be read a first time for information only; when no motion to reject, ratify, or modify the whole or any part, shall be received. Its second reading shall be for consideration, and on a subsequent day, when it shall be taken up as in a Committee of the Whole, and every one shall be free to move a question on any particular article in this form: "Will the Senate advise and consent to the ratification of this article?" or to propose amendments thereto, either by inserting or by leaving out words, in which last case the question shall be, "Shall the words stand part of the article?" And in every of the said cases the concurrence of two-thirds of the Senators present shall be requisite to decide affirmatively. And, when through the whole, the proceedings shall be stated to the House, and questions be again severally put thereon, for confirmation, or new ones proposed, requiring in like manner a concurrence of two-thirds for whatever is retained or inserted.]

[The votes so confirmed shall, by the House, or a committee thereof, be reduced

into the form of a ratification, with or without modifications, as may have been decided, and shall be proposed on a subsequent day, when every one shall again be free to move amendments, either by inserting or leaving out words; in which last case the question shall be, "Shall the words stand part of the resolution?" And in both cases the concurrence of two-thirds shall be requisite to carry the affirmative; as well as on the final question to advise and consent to the ratification in the form agreed to. *Rule 69.\**]

[When any question may have been decided by the Senate, in which two-thirds of the members present are necessary to carry the affirmative, any member who voted on that side which prevailed in the question, may be at liberty to move for a reconsideration; and a motion for a reconsideration shall be decided by a majority of votes. *Rule 20.*]

#### SEC. LIII.—IMPEACHMENT.

[The House of Representatives shall have the sole power of impeachment. *Const., I, 3.*]

[The Senate shall have the sole power to try all impeachments. When sitting for that purpose they shall be on oath or affirmation. When the President of the United States is tried the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present. Judgment in cases of impeachment shall not extend further than to removal from office and disqualification to hold and enjoy any office of honor, trust, or profit under the United States. But the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment, and punishment according to law. *Const., I, 3.*]

[The President, Vice-President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors. *Const., II, 4.*]

[The trial of crimes, except in cases of impeachment, shall be by jury. *Const., III, 2.*]

These are the provisions of the Constitution of the United States on the subject of impeachments. The following is a sketch of some of the principles and practices of England on the same subject:

**Jurisdiction.** The Lords cannot impeach any to themselves, nor join in the accusation, because they are the judges. *Seld. Judic. in Parl.*, 12, 63. Nor can they proceed against a commoner but on complaint of the Commons. *Ib.*, 84. The Lords may not, by the law, try a commoner for a capital offense, on the information of the King or a private person, because the accused is entitled to a trial by his peers generally;

\*This rule has since been modified by the U. S. Senate.

but on accusation by the House of Commons, they may proceed against the delinquent, of whatsoever degree, and whatsoever be the nature of the offense; for there they do not assume to themselves trial at common law. The Commons are then instead of a jury, and the judgment is given on their demand, which is instead of a verdict. So the Lords do only judge, but not try the delinquent. *Ib.*, 6, 7. But Wooddeson denies that a commoner can now be charged capitally before the Lords, even by the Commons; and cites Fitzharris's case, 1681, impeached of high treason, where the Lords remitted the prosecution to the inferior court. 8 *Grey's Deb.*, 325-7; 2 *Wooddeson*, 576, 601; 3 *Seld.*, 1604, 1610, 1618, 1619, 1641; 4 *Blackst.*, 257; 9 *Seld.*, 1656.

**Accusation.** The Commons, as the grand inquest of the nation, become suitors for penal justice. 2 *Wood.*, 597; 6 *Grey*, 356. The general course is to pass a resolution containing a criminal charge against the supposed delinquent, and then to direct some member to impeach him by oral accusation, at the bar of the House of Lords, in the name of the Commons. The person signifies that the articles will be exhibited, and desires that the delinquent may be sequestered from his seat, or be committed, or that the peers will take order for his appearance. *Sach. Trial*, 325; 2 *Wood.*, 602, 605; *Lords' Journ.*, 3 *June*, 1701; 1 *Wms.*, 616; 6 *Grey*, 324.

**Process.** If the party do not appear, proclamations are to be issued, giving him a day to appear. On their return they are strictly examined. If any error be found in them, a new proclamation issues, giving a short day. If he appear not, his goods may be arrested, and they may proceed. *Seld. Jud.*, 98, 99.

**Articles.** The accusation (articles) of the Commons is substituted in place of an indictment. Thus, by the usage of Parliament, in impeachment for writing or speaking, the particular words need not be specified. *Sach. Tr.*, 325; 2 *Wood.*, 602, 605; *Lords' Journ.*, 3 *June*, 1701; 1 *Wms.*, 616.

**Appearance.** If he appear, and the case be capital, he answers in custody; though not if the accusations be general. He is not to be committed but on special accusations. If it be for a misdemeanor only, he answers, a lord in his place, a commoner at the bar, and not in custody, unless, on the answer, the Lords find cause to commit him, till he find sureties to attend, and lest he should fly. *Seld. Jud.*, 98, 99. A copy of the articles is given him and a day fixed for his answer. *T. Ray.*; 1 *Rushw.*, 268; *Fost.*, 232; 1 *Clar. Hist. of the Reb.*, 379. On a misdemeanor, his appearance may be in person, or he may answer in writing, or by attorney. *Seld. Jud.*, 100.

The general rule on accusation for a misdemeanor is, that in such a state of liberty or restraint as the party is when the Commons complain of him, in such he is to answer. *Ib.*, 101. If previously committed by the Commons, he answers as a prisoner. But this may be called in some sort *judicium parium suorum*. *Ib.* In misdemeanors the party has a right to counsel by the common law, but not in capital cases. *Seld. Jud.*, 102, 105.

Answer. The answer need not observe great strictness of form. He may plead guilty as to part, and defend as to the residue; or, saving all exceptions, deny the whole or give a particular answer to each article separately. 1 *Rush.*, 274; 2 *Rush.*, 1374; 12 *Parl. Hist.*, 442; 3 *Lords' Journ.*, 13 *Nov.*, 1643; 2 *Wood.*, 607. But he cannot plead a pardon in bar to the impeachment. 2 *Wood.*, 615; 2 *St. Tr.*, 735.

Replication, rejoinder, &c. There may be a replication, rejoinder, &c. *Seld. Jud.*, 114; 8 *Grey's Deb.*, 233; *Sach. Tr.*, 15; *Journ. H. of Commons*, 6 *March*, 1640-1.

Witnesses. The practice is to swear the witnesses in open House, and then examine them there; or a committee may be named who shall examine them in committee, either on interrogatories agreed on in the House, or such as the committee in their discretion shall demand. *Seld. Jud.*, 120, 123.

Jury. In the case of Alice Pierce, 1 *R.*, 2, a jury was impaneled for her trial before a committee. *Seld. Jud.*, 123. But this was on a complaint, not on impeachment by the Commons. *Seld. Jud.*, 163. It must also have been for a misdemeanor only, as the Lords spiritual sat in the case, which they do on misdemeanors, but not in capital cases. *Id.*, 148. The judgment was a forfeiture of all her lands and goods. *Id.*, 188. This, Selden says, is the only jury he finds recorded in Parliament for misdemeanors; but he makes no doubt, if the delinquent doth put himself on the trial of his country, a jury ought to be impaneled, and he adds that it is not so on impeachment by the Commons; for they are in loco proprio, and there no jury ought to be impaneled. *Id.*, 124. The *Ld. Berkeley*, 6 *E.*, 3, was arraigned for the murder of *L. 2*, on an information on the part of the King, and not on impeachment of the Commons; for then they had been *patria sua*. He waived his peerage and was tried by a jury of Gloucestershire and Warwickshire. *Id.*, 125. In 1 *H. 7*, the Commons protest that they are not to be considered as parties to any judgment given or hereafter to be given in Parliament. *Id.*, 133. They have been generally and more justly considered, as is before stated, as the grand jury; for the conceit of Selden is certainly not accurate, that they are the *patria sua* of the accused, and that the

Lords do only judge, but not try, It is undeniable that they do try; for they examine witnesses as to the facts, and acquit or condemn, according to their own belief of them. And Lord Hale says, "the peers are judges of law as well as of fact; 2 *Hale, P. C.*, 275; consequently of fact as well as of law.

Presence of Commons. The Commons are to be present at the examination of witnesses. *Seld. Jud.*, 124. Indeed, they are to attend throughout, either as a committee of the whole House, or otherwise, at discretion, appoint managers to conduct the proofs. *Rushw. Tr. of Straff.*, 37; *Com. Journ.*, 4 *Feb.*, 1709-10; 2 *Wood.*, 614. And judgment is not to be given till they demand it. *Seld. Jud.*, 124. But they are not to be present on impeachment when the Lords consider of the answer or proofs and determine of their judgment. Their presence, however, is necessary at the answer and judgment in cases capital, *Id.* 58, 159 as well as not capital; 162. The Lords debate the judgment among themselves. Then the vote is first taken on the question of guilty or not guilty; and if they convict, the question, or particular sentence, is out of that which seemeth to be most generally agreed on: *Seld. Jud.*, 167; 2 *Wood.*, 612.

Judgment. Judgments in Parliament, for death, have been strictly guided *per legem terræ*, which they cannot alter; and not at all according to their discretion. They can neither omit any part of the legal judgment, nor add to it. Their sentence must be *secundum, non ultra legem*. *Seld. Jud.*, 168, 171. This trial, though it varies in external ceremony, yet differs not in essentials from criminal prosecutions before inferior courts. The same rules of evidence, the same legal notion of crimes and punishments, prevailed; for impeachments are not framed to alter the law, but to carry it into more effectual execution against too powerful delinquents. The judgment, therefore, is to be such as is warranted by legal principles or precedents. 6 *Sta. Tr.*, 14; 2 *Wood.*, 611. The Chancellor gives judgment in misdemeanors; the Lord High Steward formerly in cases of life and death. *Seld. Jud.*, 180. But now the Steward is deemed not necessary. *Fost.*, 144; 2 *Wood.*, 613. In misdemeanors the greatest corporal punishment hath been imprisonment. *Seld. Jud.*, 184. The King's assent is necessary in capital judgments, (but 2 *Wood.*, 614, *contra.*) but not in misdemeanors. *Seld. Jud.*, 136.

Continuance. An impeachment is not discontinued by the dissolution of Parliament, but may be resumed by the new Parliament. *T. Ray.*, 383; 4 *Com. Journ.*, 23 *Dec.*, 1790; *Lords' Jour.*, *May 15*, 1791; 2 *Wood.*, 618.





AMERICAN POLITICS.

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BOOK V.

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EXISTING POLITICAL LAWS.



# AMERICAN POLITICS.

## BOOK V.

### EXISTING POLITICAL LAWS.

#### Great Seal of the United States.

In the Continental Congress, on the 4th of July, 1776, after the signing of the Declaration of Independence, and just before adjourning on that day, a committee, consisting of Dr. Franklin, Mr. J. Adams, and Mr. Jefferson, was appointed "to prepare a device for a seal for the United States of America."

On the 20th of August, 1776, this committee made a report, which was ordered to lie on the table.

On the 20th of June, 1782, in the Congress of the Confederation, the following "device for an armorial achievement and reverse of the great seal for the United States in Congress assembled," was adopted.

ARMS: Paleways of thirteen pieces, argent and gules; a chief, azure; the escutcheon on the breast of the American eagle displayed proper, holding in his dexter talon an olive branch, and in his sinister a bundle of thirteen arrows, all proper, and in his beak a scroll inscribed with this motto, "*E pluribus Unum.*"

For the CREST: Over the head of the eagle, which appears above the escutcheon, a glory, or, breaking through a cloud, proper, and surrounding thirteen stars, forming a constellation, argent, on an azure field.

REVERSE: A pyramid unfinished. In the zenith, an eye in a triangle surrounded with glory, proper. Over the eye, these words: "*Annuit cœptis.*" On the base of the pyramid, the numerical letters, "MDCCLXXVI." And underneath, the following motto: "*Norus ordo seclorum.*" [*Jour. Cong., vol. 4, p. 39.*]

By the third section of an act approved September 15, 1789, to provide for the safe keeping of the acts, records, and seal of the United States, and for other purposes, it was enacted, "That the seal heretofore used

by the United States in Congress assembled, shall be, and hereby is, declared to be the seal of the United States."

The fourth section of the same act provides: "That the Secretary of State shall keep the said seal, and shall make out and record, and shall affix the said seal to, all civil commissions to officers of the United States, to be appointed by the President by and with the advice and consent of the Senate, or by the President alone: *Provided*, That the said seal shall not be affixed to any commission before the same shall have been signed by the President of the United States, nor to any other instrument or act without the special warrant of the President therefor." [*Sept. 15, 1789; 1 Stat., 68.*]

#### Relating to the National Flag.

The first action taken in regard to a national flag is to be found in the proceedings of the Continental Congress of the 14th of June, 1777, when the following resolution was adopted:

"*Resolved*, That the flag of the thirteen United States be thirteen stripes, alternate red and white; that the union be thirteen stars, white, in a blue field, representing a new constellation."

This continued to be the national flag, the thirteen stripes and the thirteen stars representing the thirteen States, until two "new States" were admitted into the Union; Vermont on the 4th of March, 1791, and Kentucky on the 1st of June, 1792, when Congress passed an act, January 13, 1794, making an alteration in the flag of the United States, which provided "that from and after the first day May, Anno Domini one thousand seven hundred and ninety-five, the flag of the United States be fifteen stripes, alternate red and white. That the union be fifteen stars, white, in a blue field."

No further action seems to have been taken respecting the flag, until the subject was brought to the notice of the House of Representatives at the second session of the Fourteenth Congress, on the 9th of December, 1816, by Mr. Peter H. Wendover, a Representative from the State of New York; at whose instance a committee was appointed who made a report, which, however, was not acted upon, and the subject dropped with the close of the session.

At the next session it was renewed by the same gentleman, who again made a report upon the subject, in which he said: The committee are fully persuaded that the form selected for the American flag was truly emblematical of our origin and existence as an independent nation; but they believe, however, that an increase in the number of States in the Union since the flag was altered by law, sufficiently indicates the propriety of such a change in the arrangement of the flag as shall best accord with the reason that led to its original adoption, and sufficiently to mark important periods of our national history.

Referring to the alteration made in the flag by the act of January 13, 1794, he says: The accession of new States since that alteration, and the certain prospect that at no distant period the number of States will be considerably multiplied, render it, in the opinion of the committee, highly inexpedient to increase the number of stripes, as every flag must, in some measure, be limited in size. That under the circumstances they are led to believe no alteration could be made more emblematical of our origin and present existence than to reduce the stripes of the original number of thirteen, to represent the number then contending for and happily achieving their independence. And to increase the stars to the number corresponding to the number of States in the Union, and hereafter to add one star to the flag whenever a new State shall be admitted.

The recommendations of this report were adopted by Congress and embodied in the following act, which was approved April 4, 1818:

AN ACT to establish the flag of the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the 4th day of July next, the flag of the United States be thirteen horizontal stripes, alternate red and white, that the Union be twenty stars, white in a blue field.

SEC. 2. *And be it further enacted,* That on the admission of every new State into the Union, one star be added to the union of the flag; and that such addition shall take effect on the 4th day of July then

next succeeding such admission. [April 4, 1818; 3 Stat., 415.]

[From the Revised Statutes and Supplements.]

ELECTION OF PRESIDENT AND VICE-PRESIDENT AND PROVIDING FOR VACANCIES IN THOSE OFFICES.

Number of Electors now composing the Electoral College of each State.

Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives, to which the State may be entitled in the Congress; but no Senator or Representative or person holding an office of trust or profit under the United States shall be appointed an elector. [Cons., Art. II., Sec. 1, cl. 2.]

Under the foregoing clause of the Constitution and the last apportionment of Representatives among the several States, the whole number of electors for President and Vice-President is 369, and the number of electors which each State will be entitled to choose is—

Alabama . . . . .	10	Mississippi . . . . .	8
Arkansas . . . . .	6	Missouri . . . . .	15
California . . . . .	6	Nebraska . . . . .	3
Colorado . . . . .	3	Nevada . . . . .	3
Connecticut . . . . .	6	New Hampshire . . . . .	5
Delaware . . . . .	3	New Jersey . . . . .	9
Florida . . . . .	4	New York . . . . .	35
Georgia . . . . .	11	North Carolina . . . . .	10
Illinois . . . . .	21	Ohio . . . . .	22
Indiana . . . . .	15	Oregon . . . . .	3
Iowa . . . . .	11	Pennsylvania . . . . .	29
Kansas . . . . .	5	Rhode Island . . . . .	4
Kentucky . . . . .	12	South Carolina . . . . .	7
Louisiana . . . . .	8	Tennessee . . . . .	12
Maine . . . . .	7	Texas . . . . .	8
Maryland . . . . .	8	Vermont . . . . .	5
Massachusetts . . . . .	13	Virginia . . . . .	11
Michigan . . . . .	11	West Virginia . . . . .	5
Minnesota . . . . .	5	Wisconsin . . . . .	10

Time of Appointing Electors.

SEC. 131. Except in case of a presidential election prior to the ordinary period, as specified in sections one hundred and forty-seven to one hundred and forty-nine inclusive, when the offices of President and Vice-President both become vacant, the electors of President and Vice-President shall be appointed in each State on the Tuesday next after the first Monday in November, in every fourth year succeeding every election of a President and Vice-President. [See Sec. 5520.]

[SEC. 5520. If two or more persons in any State or Territory conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy, in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice-President, or as a member

of the Congress of the United States, or to injure any citizen in person or property, on account of such support or advocacy, each of such persons shall be punished by a fine of not less than five hundred nor more than five thousand dollars, or by imprisonment, with or without hard labor, not less than six months nor more than six years, or by both such fine and imprisonment.]

#### **Number of Electors.**

SEC. 132. The number of electors shall be equal to the number of Senators and Representatives to which the several States are by law entitled at the time when the President and Vice-President to be chosen come into office, except that where no apportionment of Representatives has been made after any enumeration, at the time of choosing electors, the number of electors shall be according to the then existing apportionment of Senators and Representatives.

#### **Vacancies in the Electoral College.**

SEC. 133. Each State may, by law, provide for the filling of any vacancies which may occur in its college of electors when such college meets to give its electoral vote.

#### **In case of Failure to Elect on the day appointed.**

SEC. 134. Whenever any State has held an election for the purpose of choosing electors, and has failed to make a choice on the day prescribed by law, the electors may be appointed on a subsequent day in such a manner as the legislature of such State shall direct.

#### **Meeting of the Electoral College.**

SEC. 135. The electors for each State shall meet and give their votes upon the first Wednesday in December in the year in which they are appointed, at such place in each State as the legislature of such State shall direct.

#### **Certified Lists of Electors to be made.**

SEC. 136. It shall be the duty of the executive of each State to cause three lists of the names of the electors of such State to be made and certified, and to be delivered to the electors on or before the day on which they are required, by the preceding section, to meet.

#### **Manner of Voting.**

SEC. 137. The electors shall vote for President and Vice-President, respectively, in the manner directed by the Constitution.

#### **Certificates to be Signed by the Electors.**

SEC. 138. The electors shall make and sign three certificates of all the votes given

by them, each of which certificates shall contain two distinct lists, one of the votes for President, and the other of the votes for Vice-President, and shall annex to each of the certificates one of the lists of the electors which shall have been furnished to them by direction of the executive of the State.

#### **Certificates to be Sealed and Indorsed by the Electors.**

SEC. 139. The electors shall seal up the certificates so made by them, and certify upon each that the lists of all the votes of such State given for President, and of all the votes given for Vice-President, are contained therein.

#### **Disposition to be made of the Certificates.**

SEC. 140. The electors shall dispose of the certificates thus made by them in the following manner:

*One.* They shall, by writing under their hands, or under the hands of a majority of them, appoint a person to take charge of and deliver to the President of the Senate, at the seat of Government, before the first Wednesday in January then next ensuing, one of the certificates.

*Two.* They shall forthwith forward, by the post-office, to the President of the Senate, at the seat of Government, one other of the certificates.

*Three.* They shall forthwith cause the other of the certificates to be delivered to the judge of that district in which the electors shall assemble.

#### **In case of Failure to receive the Certificates.**

SEC. 141. Whenever a certificate of votes from any State has not been received at the seat of Government on the first Wednesday of January indicated by the preceding section, the Secretary of State shall send a special messenger to the district judge in whose custody one certificate of the votes from that State has been lodged, and such judge shall forthwith transmit that list to the seat of Government.

#### **Counting the Electoral Votes.**

SEC. 142. Congress shall be in session on the second Wednesday in February succeeding every meeting of the electors, and the certificates, or so many of them as have been received, shall then be opened, the votes counted, and the persons to fill the offices of President and Vice-President ascertained and declared, agreeable to the Constitution.

#### **In case the President of the Senate be absent, the Certificates are to be delivered to the Secretary of State.**

SEC. 143. In case there shall be no President of the Senate at the seat of Government on the arrival of the persons intrusted with the certificates of the votes

of the electors, then such person shall deliver such certificates into the office of the Secretary of State, to be safely kept and delivered over, as soon as may be, to the President of the Senate.

**Mileage of Messengers.**

SEC. 144. Each of the persons appointed by the electors to deliver the certificates of votes to the President of the Senate, shall be allowed, on the delivery of the list intrusted to him, twenty-five cents for every mile of the estimated distance, by the most usual road, from the place of meeting of the electors to the seat of Government of the United States, *computed for the one distance only.* [Act of December 18, 1876.]

**Penalty for Neglect of Duty by any Messenger.**

SEC. 145. Every person who, having been appointed, pursuant to sub-division one, of section one hundred and forty, or to section one hundred and forty-one, to deliver the certificates of the votes of the electors to the President of the Senate, and having accepted such appointment, shall neglect to perform the services required from him, shall forfeit the sum of one thousand dollars.

**In Case of Vacancies in the Offices of President and Vice-President.**

SEC. 146. In case of removal, death, resignation, or inability of both the President and Vice-President of the United States, the President of the Senate, or, if there is none, then the Speaker of the House of Representatives for the time being, shall act as President until the disability is removed or a President elected.

**Executives of the States to be Notified of Vacancies.**

SEC. 147. Whenever the offices of President and Vice-President both become vacant, the Secretary of State shall forthwith cause a notification thereof to be made to the executive of every State, and shall also cause the same to be published in at least one of the newspapers printed in each State.

**Character of the Notification to the Executives of the States.**

SEC. 148. The notification shall specify that electors of a President and Vice-President of the United States shall be appointed or chosen in the several States as follows:

*First.* If there shall be the space of two months yet to ensue between the date of such notification and the first Wednesday in December then next ensuing, such notification shall specify that the electors shall be appointed or chosen within thirty-four days preceding such first Wednesday in December.

*Second.* If there shall not be the space of two months between the date of such

notification and such first Wednesday in December, and if the term for which the President and Vice-President last in office were elected will not expire on the third day of March next ensuing, the notification shall specify that the electors shall be appointed or chosen within thirty-four days preceding the first Wednesday in December in the year next ensuing. But if there shall not be the space of two months between the date of such notification and the first Wednesday in December then next ensuing, and if the term for which the President and Vice-President last in office were elected will expire on the third day of March next ensuing, the notification shall not specify that electors are to be appointed or chosen.

**Time of holding Elections to fill Vacancies.**

SEC. 149. Electors appointed or chosen upon the notification prescribed by the preceding section shall meet and give their votes upon the first Wednesday of December specified in the notification.

**Regulations for Quadrennial Elections applicable to Elections to fill Vacancies.**

SEC. 150. The provisions of this Title relating to the quadrennial election of President and Vice-President shall apply with respect to any election to fill vacancies in the offices of President and Vice-President, held upon a notification given when both offices become vacant.

**Resignation or Refusal to Accept the Office of President or Vice-President.**

SEC. 151. The only evidence of a refusal to accept, or of the resignation of, the office of President or Vice-President, shall be an instrument in writing, declaring the same, and subscribed by the person refusing to accept, or resigning, as the case may be, and delivered into the office of the Secretary of State.

**Oath of Senators and President of the Senate.**

SEC. 28. The oath of office shall be administered by the President of the Senate to each Senator who shall hereafter be elected, previous to his taking his seat.

Sec. 29. When a President of the Senate has not taken the oath of office, it shall be administered to him by any member of the Senate.\*

\* When the term of a Senator expires while holding the office of President *pro tempore*, and he is re-elected, there being no Vice-President, or he being absent at the commencement of the next Session of the Senate, the usage has been, on the first day of the session, to direct by resolution that the oaths be administered to him by a Senator named in the resolution (usually the Senator of longest continuous service) and that he be chosen President *pro tempore*.

**Election of Senators.**

SEC. 14. The legislature of each State which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress.

SEC. 15. Such election shall be conducted in the following manner: Each house shall openly, by a *viva-voce* vote of each member present, name one person for Senator in Congress from such State, and the name of the person so voted for, who receives a majority of the whole number of votes cast in each house, shall be entered on the journal of that house by the clerk or secretary thereof; or if either house fails to give such majority to any person on that day, the fact shall be entered on the journal. At twelve o'clock meridian of the day following that on which proceedings are required to take place as aforesaid, the members of the two houses shall convene in joint assembly, and the journal of each house shall then be read, and if the same person has received a majority of all the votes in each house, he shall be declared duly elected Senator. But if the same person has not received a majority of the votes in each house, or if either house has failed to take proceedings as required by this section, the joint assembly shall then proceed to choose, by a *viva-voce* vote of each member present, a person for senator, and the person who receives a majority of all the votes of the joint assembly, a majority of all the members elected to both houses being present and voting, shall be declared duly elected. If no person receives such majority on the first day, the joint assembly shall meet at twelve o'clock meridian of each succeeding day during the session of the legislature, and shall take at least one vote, until a Senator is elected.

SEC. 16. Whenever on the meeting of the legislature of any State a vacancy exists in the representation of such State in the Senate, the legislature shall proceed, on the second Tuesday after meeting and organization, to elect a person to fill such vacancy, in the manner prescribed in the preceding section for the election of a Senator for a full term.

SEC. 17. Whenever during the session of the legislature of any State a vacancy occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the legislature is organized and has notice of such vacancy.

SEC. 18. It shall be the duty of the executive of the State from which any Senator has been chosen, to certify his election, under the seal of the State, to the President of the Senate of the United States.

SEC. 19. The certificate mentioned in the preceding section shall be countersigned by the secretary of state of the State.

**ORGANIZATION OF THE HOUSE OF REPRESENTATIVES.**

SEC. 30. At the first session of Congress after every general election of Representatives, the oath of office shall be administered by any member of the House of Representatives to the Speaker; and by the Speaker to all the Members and Delegates present, and to the Clerk, previous to entering on any other business; and to the Members and Delegates who afterward appear, previous to their taking their seats.

**Roll of Representatives Elect to be made by the Clerk.**

SEC. 31. Before the first meeting of each Congress the Clerk of the next preceding House of Representatives shall make a roll of the Representatives elect, and place thereon the names of those persons, and of such persons only, whose credentials show that they were regularly elected in accordance with the laws of their States, respectively, or the laws of the United States.

**If there be no Clerk, then the Sergeant-at-Arms to Act.**

SEC. 32. In case of a vacancy in the office of Clerk of the House of Representatives, or of the absence or inability of the Clerk to discharge the duties imposed on him by law or custom, relative to the preparation of the roll of Representatives or the organization of the House, those duties shall devolve on the Sergeant-at-Arms of the next preceding House of Representatives.

**If there be no Clerk nor Sergeant-at-Arms, then the Door-keeper to Act.**

SEC. 33. In case of vacancies in the offices of both the Clerk and Sergeant-at-Arms, or of the absence or inability of both to act, the duties of the Clerk relative to the preparation of the roll of the House of Representatives or the organization of the House shall be performed by the Doorkeeper of the next preceding House of Representatives

**APPORTIONMENT AND REPRESENTATION.****Number of Members of the House of Representatives.**

CHAP. XX. After the 3d of March, 1883, the House of Representatives shall be composed of three hundred and twenty-five members, to be apportioned among the

several States of the Union as indicated below:

Alabama.....	8
Arkansas.....	5
California.....	6
Colorado.....	1
Connecticut.....	4
Delaware.....	1
Florida.....	2
Georgia.....	10
Illinois.....	20
Indiana.....	13
Iowa.....	11
Kansas.....	7
Kentucky.....	11
Louisiana.....	6
Maine.....	4
Maryland.....	6
Massachusetts.....	12
Michigan.....	11
Minnesota.....	5
Mississippi.....	7
Missouri.....	14
Nebraska.....	3
Nevada.....	1
New Hampshire.....	2
New Jersey.....	7
New York.....	34
North Carolina.....	9
Ohio.....	21
Oregon.....	1
Pennsylvania.....	28
Rhode Island.....	2
South Carolina.....	17
Tennessee.....	10
Texas.....	1
Vermont.....	2
Virginia.....	10
West Virginia.....	4
Wisconsin.....	9

In each State entitled under this apportionment the number to which such State may be entitled in the XLVIIIth and each subsequent Congress shall be elected by districts composed of contiguous territory, and containing as nearly as practicable an equal number of inhabitants, and equal in number to the Representatives to which such State may be entitled in Congress, no one district electing more than one Representative; *provided*. That unless the Legislature of such State shall otherwise provide before the election of such Representatives shall take place as provided by law, where no change shall be hereby made in the representation of a State, the Representatives thereof to the XLVIIIth Congress shall be elected therein as now provided by law. If the number as hereby provided for shall be larger than it was before this change, then the additional representative or representatives allowed to said State under this apportionment may be elected by the State at large, and the

other representatives to which the State is entitled by the districts as now prescribed by law in said State; and if the number hereby provided for shall in any State be less than it was before the change hereby made, then the whole number to such State hereby provided for shall be elected at large, unless the Legislatures of said States have provided or shall otherwise provide before the time fixed by law for the next election of Representatives therein.—[Approved February 25th, 1882.]

#### Uniform Time for holding Elections in the States and Territories.

SEC. 25. The Tuesday next after the first Monday in November, in the year eighteen hundred and seventy-six, is established as the day in each of the States and Territories of the United States for the election of Representatives and Delegates to the Forty-fifth Congress; and the Tuesday next after the first Monday in November in every second year thereafter is established as the day for the election in each of said States and Territories, of Representatives and Delegates to the Congress commencing on the fourth day of March next thereafter.

SEC. 1863. The first election of a Delegate in any Territory for which a temporary government is hereafter provided by Congress, shall be held at the time and places, and in the manner the governor of such Territory may direct, after at least sixty days' notice, to be given by proclamation; but at all subsequent elections therein, as well as all elections for a Delegate in organized Territories, such time, places, and manner of holding the elections shall be prescribed by the law of each Territory.

#### Elections to Fill Vacancies.

SEC. 26. The time for holding elections in any State, district, or Territory, for a Representative or Delegate to fill a vacancy, whether such vacancy is caused by a failure to elect at the time prescribed by law, or by the death, resignation, or incapacity of a person elected, may be prescribed by the laws of the several States and Territories respectively.

#### Votes for Representatives to be by Written or Printed Ballot.

SEC. 27. All votes for Representatives in Congress must be by written or printed ballot; and all votes received or recorded contrary to this section shall be of no effect. But this section shall not apply to any State voting otherwise, whose election for Representatives occurs previous to the regular meeting of its legislature next after the twenty-eighth day of February, eighteen hundred and seventy-one.



**WHEN THE PRESIDENT MAY CHANGE THE PLACE OF MEETING OF CONGRESS.**

SEC. 34. Whenever Congress is about to convene, and from the prevalence of contagious sickness, or the existence of other circumstances, it would, in the opinion of the President, be hazardous to the lives or health of the members to meet at the seat of Government, the President is authorized, by proclamation, to convene Congress at such other place as he may judge proper.

**PAY OF CERTAIN PUBLIC OFFICERS.**

**Pay of the President of the United States.**

SEC. 153. The President shall receive in full for his services, during the term for which he shall have been elected, the sum of fifty thousand dollars a year, to be paid monthly, and shall be entitled to the use of the furniture and other effects belonging to the United States and kept in the Executive Mansion.

**Pay of the Vice-President and Heads of Departments.**

Hereafter the annual compensation of the Vice-President, Secretaries of State, Treasury, War, Navy, and Interior, and of the Postmaster-General and the Attorney-General, shall be eight thousand dollars each. [Stat. 11, 48.]

**Pay of the President of the Senate pro tempore and of the Speaker of the House of Representatives.**

The President of the Senate *pro tempore*, when there shall be no Vice-President or the Vice-President shall become President of the United States, shall receive the compensation provided by law for the Vice-President. [Stat. 11, 48.]

The pay of the Speaker of the House of Representatives shall be eight thousand dollars per annum. [Stat. 14, 323.]

**Pay of Members of Congress.**

The compensation of each Senator, Representative, and Delegate in Congress shall be five thousand dollars per annum; and in addition thereto, mileage at the rate of twenty cents per mile, to be estimated by the nearest route usually traveled in going to and returning from each regular session: *Provided*, That hereafter, mileage-accounts of Senators shall be certified by the President of the Senate, and those of Representatives and Delegates by the Speaker of the House of Representatives. [July 28, 1866; 14 Stat., 323.]

Mileage for two sessions only, to be paid in the following manner, to wit: On the first day of each regular session, each Senator, Representative, and Delegate shall

receive his mileage for one session; at the beginning of the second regular session of the Congress, each Senator, Representative, and Delegate shall receive his mileage for such second session. [Aug. 16, 1856; 11 Stat., 48.]

On the first day of the first session of each Congress, or as soon thereafter as he may be in attendance and apply, each Senator, Representative, and Delegate shall receive his mileage as now allowed by law; and on the first day of the second, or any subsequent session he shall receive his mileage as now allowed. [Dec. 23, 1857; 11 Stat., 367.]

A yearly allowance of one hundred and twenty-five dollars for stationery and newspapers is now made to Senators. [March 3, 1869; 15 Stat., 284.]

In all cases of vacancy in either house of Congress, by death or otherwise, of any member elected or appointed thereto, after the commencement of the Congress to which he shall have been elected, each person afterwards elected or appointed to fill such vacancy shall be compensated and paid from the time the compensation of his predecessor ceased. [July 12, 1862; 12 Stat., 624.]

In the event of the death of any Senator, Representative, or Delegate prior to the commencement of the first session of the Congress, he shall be neither entitled to mileage or compensation; and in the event of death after the commencement of any session, his representatives shall be entitled to receive so much of his compensation, computed at the rate of [three] *five* thousand dollars per annum, as he may not have received, and any mileage that may have actually accrued and be due and unpaid. [Aug. 16, 1856; 11 Stat., 48.]

That whenever, hereafter, any person elected a member of the Senate and House of Representatives shall die after the commencement of the Congress to which he shall have been so elected, compensation shall be computed and paid to his widow, or if no widow survive him to his heirs at law, for the period that shall have elapsed from the commencement of such Congress as aforesaid to the time of his death at the rate of [three] *five* thousand dollars per annum: *Provided, however*, that compensation shall be computed and paid in all cases for a period of not less than three months: *And provided further*, That in no case shall constructive mileage be computed or paid.

That the compensation of each person elected, or appointed afterward, to supply the vacancy so occasioned, shall hereafter be computed and paid from the time the compensation of his predecessor is hereby directed to be computed and paid for, and not otherwise. [March 3, 1859; 11 Stat., 442.]

**Pay of the Judges of the Supreme Court.**

The Chief Justice of the Supreme Court of the United States shall receive the sum of ten thousand five hundred dollars a year, and the Justices thereof shall receive the sum of ten thousand dollars a year each, to be paid monthly. [R. S., s. 676.]

**SUPREME COURT.**

SEC. 673. The Supreme Court of the United States shall consist of a Chief Justice of the United States and eight associate justices, any six of whom shall constitute a quorum.

**Precedence of Associate Justices.**

SEC. 674. The associate justices shall have precedence according to the dates of their commissions, or, when the commissions of two or more of them bear the same date, according to their ages.

**Vacancy in the Office of Chief Justice.**

SEC. 675. In case of a vacancy in the office of Chief Justice, or of his inability to perform the duties and powers of his office, they shall devolve upon the associate justice who is first in precedence, until such disability is removed, or another Chief Justice is appointed and duly qualified. This provision shall apply to every associate justice who succeeds to the office of Chief Justice.

**Sessions and Quorum of the Court.**

SEC. 684. The Supreme Court shall hold, at the seat of government, one term annually, commencing on the second Monday in October, and such adjourned or special terms as it may find necessary for the dispatch of business; and suits, proceedings, recognizances, and processes pending in or returnable to said court, shall be tried, heard, and proceeded with as if the time of holding said sessions had not been hereby altered.

SEC. 714. When any judge of any court of the United States resigns his office, after having held his commission as such at least ten years, and having attained the age of seventy years, he shall, during the residue of his natural life, receive the same salary which was by law payable to him at the time of his resignation.

**COURT OF CLAIMS.****Appointment and Pay of the Judges.**

SEC. 1049. The Court of Claims, established by the act of February 24, eighteen hundred and fifty-five, shall be continued. It shall consist of a chief justice and four judges, who shall be appointed by the

President, by and with the advice and consent of the Senate, and hold their offices during good behavior. Each of them shall take an oath to support the Constitution of the United States and to discharge faithfully the duties of his office, and shall be entitled to receive an annual salary of four thousand five hundred dollars, payable quarterly from the Treasury.

**Session of the Court.**

SEC. 1052. The Court of Claims shall hold one annual session at the city of Washington, beginning on the first Monday in December, and continuing as long as may be necessary for the prompt disposition of the business of the court.

SEC. 1057. On the first day of every December session of Congress, the clerk of the Court of Claims shall transmit to Congress a full and complete statement of all the judgments rendered by the court during the previous year.

SEC. 1058. Members of either house of Congress shall not practice in the Court of Claims.

**PROVISIONS RELATING TO THE TENURE OF CERTAIN CIVIL OFFICES.**

SEC. 1767. Every person holding any civil office to which he has been or hereafter may be appointed, by and with the advice and consent of the Senate, and who shall have become duly qualified to act therein, shall be entitled to hold such office during the term for which he was appointed, unless sooner removed, by and with the advice and consent of the Senate, or by the appointment, with the like advice and consent, of a successor in his place, except as herein otherwise provided.

SEC. 1768. During any recess of the Senate the President is authorized, in his discretion, to suspend any civil officer appointed by and with the advice and consent of the Senate, except judges of the courts of the United States, until the end of the next session of the Senate, and to designate some suitable person, subject to be removed, in his discretion, by the designation of another, to perform the duties of such suspended officer in the mean time; and the person so designated shall take the oath and give the bond required by law to be taken and given by the suspended officer, and shall, during the time he performs the duties of such officer, be entitled to the salary and emoluments of the office, no part of which shall belong to the officer suspended. The President shall, within thirty days after the commencement of each session of the Senate, except for any office which in his opinion ought not to be filled, to nominate persons to fill all vacancies in office which existed at the meeting of the Senate, whether tempo-

rarily filled or not, and also in the place of all officers suspended; and if the Senate during such session shall refuse to advise and consent to an appointment in the place of any suspended officer, then, and not otherwise, the President shall nominate another person as soon as practicable to the same session of the Senate for the office.

SEC. 1769. The President is authorized to fill all vacancies which may happen during the recess of the Senate by reason of death or resignation, or expiration of term of office, by granting commissions which shall expire at the end of their next session thereafter. And if no appointment, by and with the advice and consent of the Senate, is made to an office so vacant or temporarily filled during such next session of the Senate, the office shall remain in abeyance, without any salary, fees, or emoluments attached thereto, until it is filled by appointment thereto, by and with the advice and consent of the Senate; and during such time all the powers and duties belonging to such office shall be exercised by such other officer as may by law exercise such powers and duties in case of a vacancy in such office.

SEC. 1770. That nothing in sections seventeen hundred and sixty-seven, seventeen hundred and sixty-eight, or seventeen hundred and sixty-nine, shall be construed to extend the term of any office the duration of which is limited by law.

SEC. 1771. Every person who, contrary to the provisions of the four preceding sections, accepts any appointment to or employment in any office, or holds or exercises or attempts to hold or exercise, any such office or employment, shall be deemed guilty of a high misdemeanor, and shall be imprisoned not more than five years, or fined not more than ten thousand dollars, or both.

SEC. 1772. Every removal, appointment, or employment made, had, or exercised, contrary to section seventeen hundred and sixty-seven to seventeen hundred and seventy, inclusive, and the making, signing, sealing, countersigning, or issuing of any commission or letter of authority for or in respect to any such appointment or employment, shall be deemed a high misdemeanor, and every person guilty thereof shall be imprisoned not more than five years, or fined not more than ten thousand dollars, or both.

SEC. 1773. The President is authorized to make out and deliver, after the adjournment of the Senate, commissions for all officers whose appointments have been advised and consented to by the Senate.

SEC. 1774. Whenever the President, without the advice and consent of the

Senate, designates, authorizes, or employs any person to perform the duties of any office, he shall forthwith notify the Secretary of the Treasury thereof; and the Secretary of the Treasury shall thereupon communicate such notice to all the proper accounting and disbursing officers of his Department.

SEC. 1775. The Secretary of the Senate shall, at the close of each session thereof, deliver to the Secretary of the Treasury, and to each of the Assistant Secretaries of the Treasury, and to each of the Auditors, and to each of the Comptrollers in the Treasury, and to the Treasurer, and to the Register of the Treasury, a full and complete list, duly certified, of all persons who have been nominated to and rejected by the Senate during such session, and a like list of all the offices to which nominations have been made and not confirmed and filled at such session.

SEC. 1760. No money shall be paid from the Treasury to any person acting or assuming to act as an officer, civil, military, or naval, as salary, in any office, when the office is not authorized by some previously existing law, unless such office is subsequently sanctioned by law.

SEC. 1761. No money shall be paid from the Treasury, as salary, to any person appointed during the recess of the Senate, to fill a vacancy in any existing office, if the vacancy existed while the Senate was in session, and was by law required to be filled by and with the advice and consent of the Senate, until such appointee has been confirmed by the Senate.

SEC. 1762. No money shall be paid or received from the Treasury or paid or received from or retained out of any public moneys or funds of the United States, whether in the Treasury or not, to or by or for the benefit of any person appointed to or authorized to act in or holding or exercising the duties or functions of any office contrary to sections seventeen hundred and sixty-seven to seventeen hundred and seventy, inclusive; nor shall any claim, account, voucher, order, certificate, warrant, or other instrument providing for or relating to such payment, receipt, or retention, be presented, passed, allowed, approved, certified, or paid by any officer, or by any person exercising the functions or performing the duties of any office or place of trust under the United States, for or in respect to such office, or the exercising or performing the functions or duties thereof. Every person who violates any of the provisions of this section shall be deemed guilty of a high misdemeanor, and shall be imprisoned not more than ten years or fined not more than ten thousand dollars, or both.

**Election of Senators.**

Sec

14. When Senators to be elected.  
 15. Mode of election.  
 16. Vacancy occurring before meeting of legislature.  
 17. Vacancy during session of legislature.  
 18. Election of Senators certified.  
 19. Countersign of certificate.

SEC. 14. The legislature of each State which is chosen next preceding the expiration of the time for which any Senator was elected to represent such State in Congress shall, on the second Tuesday after the meeting and organization thereof, proceed to elect a Senator in Congress.

SEC. 15. Such election shall be conducted in the following manner: Each house shall openly, by a viva-voce vote of each member present, name one person for Senator in Congress from such State, and the name of the person so voted for, who receives a majority of the whole number of votes cast in each house, shall be entered on the journal of that house by the clerk or secretary thereof; or if either house fails to give such majority to any person on that day, the fact shall be entered on the journal. At twelve o'clock meridian of the day following that on which proceedings are required to take place as aforesaid, the members of the two houses shall convene in joint assembly, and the journal of each house shall then be read, and if the same person has received a majority of all the votes in each house, he shall be declared duly elected Senator. But if the same person has not received a majority of the votes in each house, or if either house has failed to take proceedings as required by this section, the joint assembly shall then proceed to choose, by a viva-voce vote of each member present, a person for Senator, and the person who receives a majority of all the votes of the joint assembly, a majority of all the members elected to both houses being present and voting, shall be declared duly elected. If no person receives such majority on the first day, the joint assembly shall meet at twelve o'clock meridian of each succeeding day during the session of the legislature, and shall take at least one vote, until a Senator is elected.

SEC. 16. Whenever on the meeting of the legislature of any State a vacancy exists in the representation of such State in the Senate, the legislature shall proceed, on the second Tuesday after meeting and organization, to elect a person to fill such vacancy, in the manner prescribed in the preceding section for the election of a Senator for a full term.

SEC. 17. Whenever during the session of the legislature of any State a vacancy occurs in the representation of such State in the Senate, similar proceedings to fill such vacancy shall be had on the second Tuesday after the legislature has organized and has notice of such vacancy.

SEC. 18. It shall be the duty of the executive of the State from which any Senator has been chosen, to certify his election, under the seal of the State, to the President of the Senate of the United States.

SEC. 19. The certificate mentioned in the preceding section shall be countersigned by the secretary of state of the State.

**Salaries.**

1874.—CHAP. 11.—AN ACT repealing the increase of salaries of members of Congress, and other officers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the act of March third, eighteen hundred and seventy-three, entitled "An act making appropriations for legislative, executive, and judicial expenses of the Government for the year ending June thirtieth, eighteen hundred and seventy-four," as provides for the increase of the compensation of public officers and employees, whether members of Congress, Delegates, or others, except the President of the United States and the Justices of the Supreme Court, be, and the same is hereby, repealed, and the salaries, compensation, and allowances of all said persons, except as aforesaid, shall be as fixed by the laws in force at the time of the passage of said act: *Provided*, That mileage shall not be allowed for the first session of the Forty-third Congress; that all moneys appropriated as compensation to the members of the Forty-second Congress in excess of the mileage and allowances fixed by law at the commencement of said Congress, and which shall not have been drawn by the members of said Congress respectively, or which having been drawn, have been returned in any form to the United States, are hereby covered into the Treasury of the United States, and are declared to be the moneys of the United States absolutely, the same as if they had never been appropriated as aforesaid.*

[NOTE.—The following schedules have been furnished by the First Comptroller of the Treasury, and are introduced here to show the reduction of Salaries made by the above act.]

*Schedules showing the reduction in salaries made by the act of January 20, 1874.*

Increased by act of March 3, 1873.	Annual salary.
Vice-President.....	\$10,000 00
Secretary of State..	10,000 00
Secretary of Treasury.....	10,000 00
Secretary of War.....	10,000 00
Secretary of Navy.....	10,000 00
Secretary of Interior.....	10,000 00
Attorney-General.....	10,000 00
Postmaster-General.....	10,000 00
Assistant Secretaries of State.....	6,000 00







the United States as may best promote the efficiency thereof, and ascertain the fitness of each candidate in respect to age, health, character, knowledge, and ability for the branch of service into which he seeks to enter; and for this purpose he may employ suitable persons to conduct such inquiries, and may prescribe their duties, and establish regulations for the conduct of persons who may receive appointments in the civil service.

SEC. 1754. Persons honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness incurred in the line of duty, shall be preferred for appointments to civil offices, provided they are found to possess the business capacity necessary for the proper discharge of the duties of such offices.

SEC. 1755. In grateful recognition of the services, sacrifices, and sufferings of persons honorably discharged from the military and naval service of the country, by reason of wounds, disease, or the expiration of terms of enlistment, it is respectfully recommended to bankers, merchants, manufacturers, mechanics, farmers, and persons engaged in industrial pursuits, to give them the preference for appointments to remunerative situations and employments.

SEC. 1756. Every person elected or appointed to any office of honor or profit, either in the civil, military, or naval service, excepting the President and the persons embraced by the section following, shall, before entering upon the duties of such office, and before being entitled to any part of the salary or other emoluments thereof, take and subscribe the following oath: "I, A B, do solemnly swear (or affirm) that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought, nor accepted, nor attempted to exercise the functions of any office, whatever, under any authority, or pretended authority, in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power, or constitution within the United States, hostile or inimical thereto. And I do further swear (or affirm) that, to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God."

SEC. 1757. Whenever any person who is not rendered ineligible to office by the provisions of the fourteenth amendment to the Constitution is elected or appointed to any office of honor or trust under the Government of the United States, and is not able, on account of his participation in the late rebellion, to take the oath prescribed in the preceding section, he shall, before entering upon the duties of his office, take and subscribe in lieu of that oath the following oath: "I, A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

SEC. 1758. The oath of office required by either of the two preceding sections may be taken before any officer who is authorized either by the laws of the United States, or by the local municipal law, to administer oaths, in the State, Territory, or District where such oath may be administered. [See § 2617.]

SEC. 1759. The oath of office taken by any person pursuant to the requirements of section seventeen hundred and fifty-six, or of section seventeen hundred and fifty-seven, shall be delivered in by him to be preserved among the files of the House of Congress, Department, or court to which the office in respect to which the oath is made may appertain.

SEC. 1760. No money shall be paid from the Treasury to any person acting or assuming to act as an officer, civil, military, or naval, as salary, in any office when the office is not authorized by some previously existing law, unless such office is subsequently sanctioned by law.

SEC. 1761. No money shall be paid from the Treasury, as salary, to any person appointed during the recess of the Senate, to fill a vacancy in any existing office, if the vacancy existed while the Senate was in session and was by law required to be filled by and with the advice and consent of the Senate, until such appointee has been confirmed by the Senate.

SEC. 1762. No money shall be paid or received from the Treasury, or paid or received from or retained out of any public moneys or funds of the United States, whether in the Treasury or not, to or by or for the benefit of any person appointed to or authorized to act in or holding or exercising the duties or functions of any office contrary to sections seventeen hundred and sixty-seven to seventeen hundred and seventy, inclusive; nor shall any claim, account, voucher, order, certificate, war-



rant, or other instrument providing for or relating to such payment, receipt, or retention, be presented, passed, allowed, approved, certified, or paid by any officer, or by any person exercising the functions or performing the duties of any office or place of trust under the United States, for or in respect to such office, or the exercising or performing the functions or duties thereof. Every person who violates any of the provisions of this section shall be deemed guilty of a high misdemeanor, and shall be imprisoned not more than ten years, or fined not more than ten thousand dollars, or both.

SEC. 1763. No person who holds an office, the salary or annual compensation attached to which amounts to the sum of two thousand five hundred dollars, shall receive compensation for discharging the duties of any other office, unless expressly authorized by law.

SEC. 1764. No allowance or compensation shall be made to any officer or clerk, by reason of the discharge of duties which belong to any other officer or clerk in the same or any other Department; and no allowance or compensation shall be made for any extra services whatever, which any officer or clerk may be required to perform, unless expressly authorized by law.

SEC. 1765. No officer in any branch of the public service, or any other person whose salary, pay, or emoluments are fixed by law or regulation, shall receive any additional pay, extra allowance, or compensation, in any form whatever, for the disbursement of public money, or for any other service or duty whatever, unless the same is authorized by law, and the appropriation therefor explicitly states that it is for such additional pay, extra allowance, or compensation.

SEC. 1766. No money shall be paid to any person for his compensation who is in arrears to the United States, until he has accounted for and paid into the Treasury all sums for which he may be liable. In all cases where the pay or salary of any person is withheld in pursuance of this section, the accounting officers of the Treasury, if required to do so by the party, his agent or attorney, shall report forthwith to the Solicitor of the Treasury the balance due; and the Solicitor shall, within sixty days thereafter, order suit to be commenced against such delinquent and his sureties.

SEC. 1767. Every person holding any civil office to which he has been or hereafter may be appointed by and with the advice and consent of the Senate, and who shall have become duly qualified to act therein, shall be entitled to hold such office during the term for which he was appointed, unless sooner removed by and with the advice and consent of the Senate,

or by the appointment, with the like advice and consent, of a successor in his place, except as herein otherwise provided.

SEC. 1768. During any recess of the Senate the President is authorized, in his discretion, to suspend any civil officer appointed by and with the advice and consent of the Senate, except judges of the courts of the United States, until the end of the next session of the Senate, and to designate some suitable person, subject to be removed, in his discretion, by the designation of another, to perform the duties of such suspended officer in the meantime; and the person so designated shall take the oath and give the bond required by law to be taken and given by the suspended officer, and shall, during the time he performs the duties of such officer, be entitled to the salary and emoluments of the office, no part of which shall belong to the officer suspended. The President shall, within thirty days after the commencement of each session of the Senate, except for any office which in his opinion ought not to be filled, nominate persons to fill all vacancies in office which existed at the meeting of the Senate, whether temporarily filled or not, and also in the place of all officers suspended; and if the Senate during such session shall refuse to advise and consent to an appointment in the place of any suspended officer, then, and not otherwise, the President shall nominate another person as soon as practicable to the same session of the Senate for the office.

SEC. 1769. The President is authorized to fill all vacancies which may happen during the recess of the Senate by reason of death or resignation or expiration of term of office, by granting commissions which shall expire at the end of their next session thereafter. And if no appointment, by and with the advice and consent of the Senate, is made to an office so vacant or temporarily filled during such next session of the Senate, the office shall remain in abeyance, without any salary, fees, or emoluments attached thereto, until it is filled by appointment thereto by and with the advice and consent of the Senate; and during such time all the powers and duties belonging to such office shall be exercised by such other officer as may by law exercise such powers and duties in case of a vacancy in such office.

SEC. 1770. Nothing in sections seventeen hundred and sixty-seven, seventeen hundred and sixty-eight, or seventeen hundred and sixty-nine shall be construed to extend the term of any office the duration of which is limited by law.

SEC. 1771. Every person who, contrary to the four preceding sections, accepts any appointment to or employment in any office, or holds or exercises, or attempts to hold or exercise, any such office or em-

ployment, shall be deemed guilty of a high misdemeanor, and shall be imprisoned not more than five years, or fined not more than ten thousand dollars, or both.

SEC. 1772. Every removal, appointment, or employment, made, had, or exercised, contrary to sections seventeen hundred and sixty-seven, to seventeen hundred and seventy, inclusive, and the making, signing, sealing, countersigning, or issuing of any commission or letter of authority for or in respect to any such appointment or employment, shall be deemed a high misdemeanor, and every person guilty thereof shall be imprisoned not more than five years, or fined not more than ten thousand dollars, or both.

SEC. 1773. The President is authorized to make out and deliver, after the adjournment of the Senate, commissions for all officers whose appointments have been advised and consented to by the Senate.

SEC. 1774. Whenever the President, without the advice and consent of the Senate, designates authorizes, or employs any person to perform the duties of any office, he shall forthwith notify the Secretary of the Treasury thereof, and the Secretary of the Treasury shall thereupon communicate such notice to all the proper accounting and disbursing officers of his Department.

SEC. 1775. The Secretary of the Senate shall, at the close of each session thereof, deliver to the Secretary of the Treasury, and to each of the Assistant Secretaries of the Treasury, and to each of the Auditors, and to each of the Comptrollers in the Treasury, and to the Treasurer, and to the Register of the Treasury, a full and complete list, duly certified, of all the persons who have been nominated to and rejected by the Senate during such session, and a like list of all the offices to which nominations have been made and not confirmed and filled at such session.

SEC. 1776. Whenever any public office is removed by reason of sickness which may prevail in the town or city where it is located, a particular account of the cost of such removal shall be laid before Congress. [See §§ 4797-4799.]

SEC. 1777. The various officers of the United States, to whom, in virtue of their offices and for the uses thereof, copies of the United States Statutes at Large, published by Little, Brown and Company, have been or may be distributed at the public expense, by authority of law, shall preserve such copies, and deliver them to their successors respectively as a part of the property appertaining to the office. A printed copy of this section shall be inserted in each volume of the Statutes distributed to any such officers.

SEC. 1778. In all cases in which, under the laws of the United States, oaths or acknowledgments may now be taken or made

before any justice of the peace of any State or Territory, or in the District of Columbia, they may hereafter be also taken or made by or before any notary public duly appointed in any State, district, or Territory, or any of the commissioners of the circuit courts, and, when certified under the hand and official seal of such notary or commissioner, shall have the same force and effect as if taken or made by or before such justice of the peace.

SEC. 1779. No executive officer, other than the heads of Departments, shall apply more than thirty dollars, annually, out of the contingent fund under his control, to pay for newspapers, pamphlets, periodicals, or other books or prints not necessary for the business of his office.

SEC. 1780. Every officer who neglects or refuses to make any return or report which he is required to make at stated times by any act of Congress or regulation of the Department of the Treasury, other than his accounts, within the time prescribed by such act or regulation, shall be fined not more than one thousand dollars and not less than one hundred.

SEC. 1781. Every member of Congress or any officer or agent of the Government who, directly or indirectly, takes, receives, or agrees to receive, any money, property, or other valuable consideration whatever, from any person for procuring, or aiding to procure, any contract, office, or place, from the Government or any Department thereof, or from any officer of the United States, for any person whatever, or for giving any such contract, office, or place to any person whomsoever, and every person who, directly or indirectly, offers or agrees to give, or gives, or bestows any money, property, or other valuable consideration whatever, for the procuring or aiding to procure any such contract, office, or place, and every member of Congress who, directly or indirectly, takes, receives, or agrees to receive any money, property, or other valuable consideration whatever after his election as such member, for his attention to, services, action, vote, or decision on any question, matter, cause, or proceeding which may then be pending, or may by law or under the Constitution be brought before him in his official capacity, or in his place as such member of Congress, shall be deemed guilty of a misdemeanor, and shall be imprisoned not more than two years and fined not more than ten thousand dollars. And any such contract or agreement may, at the option of the President, be declared absolutely null and void; and any member of Congress or officer convicted of a violation of this section, shall, moreover, be disqualified from holding any office of honor, profit, or trust under the Government of the United States.

SEC. 1782. No Senator, Representative, or Delegate, after his election and during his continuance in office, and no head of a Department, or other officer or clerk in the employ of the Government, shall receive or agree to receive any compensation whatever, directly or indirectly, for any services rendered, or to be rendered, to any person, either by himself or another, in relation to any proceeding, contract, claim, controversy, charge, accusation, arrest, or other matter or thing in which the United States is a party, or directly or indirectly interested, before any Department, court-martial, Bureau, officer, or any civil, military, or naval commission whatever. Every person offending against this section shall be deemed guilty of a misdemeanor, and shall be imprisoned not more than two years, and fined not more than ten thousand dollars, and shall, moreover, by conviction therefor, be rendered forever thereafter incapable of holding any office of honor, trust, or profit under the Government of the United States.

SEC. 1783. No officer or agent of any banking or other commercial corporation, and no member of any mercantile or trading firm, or person directly or indirectly interested in the pecuniary profits or contracts of such corporation or firm, shall be employed or shall act as an officer or agent of the United States for the transaction of business with such corporation or firm; and every such officer, agent, or member, or person, so interested, who so acts, shall be imprisoned not more than two years, and fined not more than two thousand dollars nor less than five hundred dollars.

SEC. 1784. No officer, clerk, or employé in the United States Government employ shall at any time solicit contributions from other officers, clerks, or employés in the Government service for a gift or present to those in a superior official position; nor shall any such officials or clerical superiors receive any gift or present offered or presented to them as a contribution from persons in Government employ receiving a less salary than themselves; nor shall any officer or clerk make any donation as a gift or present to any official superior. Every person who violates this section shall be summarily discharged from the Government employ.

SEC. 1785. Whoever, being an officer, agent, or employé of the Government of the United States, shall knowingly aid or abet any person engaged in any violation of any of the provisions of law prohibiting importing, advertising, dealing in, exhibiting, or sending or receiving by mail, obscene or indecent publications, or representations, or means for preventing conception or procuring abortion, or other articles of indecent or immoral use or tendency, shall be deemed guilty of a misde-

meanor, and shall for every offense be punishable by a fine of not less than one hundred dollars and not more than five thousand, or by imprisonment at hard labor for not less than one year nor more than ten, or both. [Sec §§ 2491, 3893.]

SEC. 1786. Whenever any person holds office, except as a member of Congress or of some State legislature, contrary to the provisions of the third section of the fourteenth article of amendment of the Constitution, the district attorney for the district in which such person holds office shall proceed against him by writ of quo warranto, returnable to the circuit or district court of the United States in such district, and prosecute the same to the removal of such person from office.

SEC. 1787. Every person who knowingly accepts or holds any office under the United States, or any State, to which he is ineligible under the third section of the fourteenth article of amendment of the Constitution, or who attempts to hold or exercise the duties of any such office, shall be deemed guilty of a misdemeanor, and shall be imprisoned not more than one year, or fined not more than one thousand dollars, or both.

SEC. 1788. Every officer of the United States concerned in the disbursement of the revenues thereof who carries on any trade or business in the funds or debts of the United States, or of any State, or in any public property of either, shall be deemed guilty of a misdemeanor, and punished by a fine of three thousand dollars, and shall, upon conviction, be removed from office, and forever thereafter be incapable of holding any office under the United States.

SEC. 1789. Every officer concerned in the collection of the revenues of the United States who carries on any trade or business in any public property of the United States, or of any State, shall be deemed guilty of a misdemeanor, and punished by a fine of three thousand dollars, and shall, upon conviction, be removed from office, and forever thereafter be incapable of holding any office under the United States.

SEC. 1790. No officer or clerk whose duty it is to make payments on account of the salary or wages of any officer or person employed in connection with the customs or the internal-revenue service, shall make any payment to any officer or person so employed on account of services rendered, or of salary, unless such officer or person so to be paid has made and subscribed an oath that, during the period for which he is to receive pay, neither he, nor any member of his family, has received, either personally or by the intervention of another party, any money or compensation of any description whatever, nor any prom-

ises for the same, either directly or indirectly, for services rendered or to be rendered, or acts performed or to be performed, in connection with the customs or internal revenue; or has purchased, for like services or acts, from any importer, if affiant is connected with the customs, or manufacturer, if affiant is connected with the internal-revenue service, consignee, agent, or custom-house broker, or other person whomsoever, any merchandise, at less than regular retail market prices therefor.

**Crimes against the Elective Franchise and Civil Rights of Citizens.**

- SEC.  
 5506. Preventing, &c., citizens from voting.  
 5507. Intimidating voters by bribery or threats.  
 5508. Conspiracy to injure or intimidate citizens in the exercise of civil rights.  
 5509. Other crimes committed while violating the preceding sections.  
 5510. Depriving citizens of civil rights under color of State laws.  
 5511. Fraudulent voting, &c., at elections for Representative to Congress.  
 5512. Fraudulent registration, &c.  
 5513. What deemed a registration under last section.  
 5514. Voting or offering to vote in certain cases prima-facie evidence, &c.  
 5515. Violation of duty by officers of election.  
 5516. Obstructing execution of process in civil-rights cases, &c.  
 5517. Marshal refusing to receive or execute process.  
 5518. Conspiracy to prevent accepting or holding office under United States, &c.  
 5519. Conspiracy to deprive any person of the equal protection of the laws.  
 5520. Conspiracy to prevent the support of any candidate, &c.  
 5521. Supervisor of election, &c., neglecting to discharge duties.  
 5522. Interfering with supervisor of election, marshals or deputies.  
 5523. Obstructing verification of registration-lists, &c.  
 5524. Receiving or carrying away any person to be sold or held as a slave.  
 5525. Kidnapping.  
 5526. Holding or returning persons to peonage.  
 5527. Obstructing execution of laws prohibiting peonage.  
 5528. Unlawful presence of troops at elections.  
 5529. Intimidation of voters by officers, &c., of Army or Navy.  
 5530. Officers of Army or Navy prescribing qualifications of voters.  
 5531. Officers, &c., of Army or Navy interfering with officers of election, &c.  
 5532. Disqualification for holding office.

SEC. 5506. Every person who, by any unlawful means, hinders, delays, prevents, or obstructs, or combines and confederates with others to hinder, delay, prevent, or obstruct, any citizen from doing any act required to be done to qualify him to vote, or from voting at any election in any State, Territory, district, county, city, parish, township, school-district, municipality, or other territorial subdivision, shall be fined not less than five hundred dollars, or be imprisoned not less than one month nor more than one year, or be punished by both such fine and imprisonment. [See §§ 2004-2010.]

SEC. 5507. Every person who prevents, hinders, controls, or intimidates another from exercising the right of suffrage, to whom that right is guaranteed by the fif-

teenth amendment to the Constitution of the United States, by means of bribery or threats of depriving such person of employment or occupation, or of ejecting such person from a rented house, lands, or other property, or by threats of refusing to renew leases or contracts for labor, or by threats of violence to himself or family, shall be punished as provided in the preceding section.

SEC. 5508. If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or if two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured, they shall be fined not more than five thousand dollars and imprisoned not more than ten years; and shall, moreover, be thereafter ineligible to any office, or place of honor, profit, or trust created by the Constitution or laws of the United States. [See § 5407.]

SEC. 5509. If in the act of violating any provision in either of the two preceding sections any other felony or misdemeanor be committed, the offender shall be punished for the same with such punishment as is attached to such felony or misdemeanor by the laws of the State in which the offense is committed.

SEC. 5510. Every person who, under color of any law, statute, ordinance, regulation, or custom, subjects, or causes to be subjected, any inhabitant of any State or Territory to the deprivation of any rights, privileges or immunities, secured or protected by the Constitution and laws of the United States, or to different punishments, pains, or penalties, on account of such inhabitant being an alien, or by reason of his color or race, than are prescribed for the punishment of citizens, shall be punished by a fine of not more than one thousand dollars, or by imprisonment not more than one year, or by both.

SEC. 5511. If, at any election for Representative or Delegate in Congress, any person knowingly personates and votes, or attempts to vote, in the name of any other person, whether living, dead, or fictitious; or votes more than once at the same election for any candidate for the same office; or votes at a place where he may not be lawfully entitled to vote; or votes without having a lawful right to vote; or does any unlawful act to secure an opportunity to vote for himself, or any other person; or by force, threat, intimidation, bribery, reward, or offer thereof, unlawfully prevents any qualified voter of any State, or of any Territory, from freely exercising the

right of suffrage, or by any such means induces any voter to refuse to exercise such right, or compels, or induces, by any such means, any officer of an election in any such State or Territory to receive a vote from a person not legally qualified or entitled to vote; or interferes in any manner with any officer of such election in the discharge of his duties; or by any such means, or other unlawful means, induces any officer of an election or officer whose duty it is to ascertain, announce, or declare the result of any such election, or give or make any certificate, document, or evidence in relation thereto, to violate or refuse to comply with his duty or any law regulating the same; or knowingly receives the vote of any person not entitled to vote, or refuses to receive the vote of any person entitled to vote, or aids, counsels, procures, or advises any such voter, person, or officer to do any act hereby made a crime, or omit to do any duty the omission of which is hereby made a crime, or attempt to do so, he shall be punished by a fine of not more than five hundred dollars, or by imprisonment not more than three years, or by both, and shall pay the costs of the prosecution.

SEC. 5512. If, at any registration of voters for an election for Representative or Delegate in the Congress of the United States, any person knowingly personates and registers, or attempts to register, in the name of any other person, whether living, dead, or fictitious, or fraudulently registers, or fraudulently attempts to register, not having a lawful right so to do; or does any unlawful act to secure registration for himself or any other person; or by force, threat, menace, intimidation, bribery, reward, or offer, or promise thereof, or other unlawful means, prevents or hinders any person having a lawful right to register from duly exercising such right; or compels or induces by any of such means, or other unlawful means, any officer of registration to admit to registration any person not legally entitled thereto, or interferes in any manner with any officer of registration in the discharge of his duties, or by any such means, or other unlawful means, induces any officer of registration to violate or refuse to comply with his duty or any law regulating the same; or if any such officer knowingly and willfully registers as a voter any person not entitled to be registered, or refuses to so register any person entitled to be registered; or if any such officer or other person who has any duty to perform in relation to such registration or election, in ascertaining, announcing or declaring the result thereof, or in giving or making any certificate, document, or evidence in relation thereto, knowingly neglects or refuses to perform any duty required by law, or violates any duty imposed by law,

or does any act unauthorized by law relating to or affecting such registration or election, or the result thereof, or any certificate, document, or evidence in relation thereto, or if any person aids, counsels, procures, or advises, any such voter, person, or officer to do any act hereby made a crime, or to omit any act the omission of which is hereby made a crime, every such person shall be punishable as prescribed in the preceding section.

SEC. 5513. Every registration made under the laws of any State or Territory, for any State or other election at which such Representative or Delegate in Congress may be chosen, shall be deemed to be a registration within the meaning of the preceding section, notwithstanding such registration is also made for the purposes of any State, territorial, or municipal election.

SEC. 5514. Whenever the laws of any State or Territory require that the name of a candidate or person to be voted for as Representative or Delegate in Congress shall be printed, written, or contained, on any ticket or ballot with the names of other candidates or persons to be voted for at the same election as State, territorial, municipal, or local officers, it shall be deemed sufficient prima-facie evidence to convict any person charged with voting, or offering to vote, unlawfully, under the provisions of this chapter, to prove that the person so charged cast or offered to cast such a ticket or ballot whereon the name of such Representative or Delegate might by law be printed, written, or contained, or that the person so charged committed any of the offenses denounced in this chapter with reference to such ticket or ballot.

SEC. 5515. Every officer of an election at which any Representative or Delegate in Congress is voted for, whether such officer of election be appointed or created by or under any law or authority of the United States, or by or under any State, territorial, district, or municipal law or authority, who neglects or refuses to perform any duty in regard to such election required of him by any law of the United States, or of any State or Territory thereof; or who violates any duty so imposed; or who knowingly does any acts thereby unauthorized, with intent to affect any such election, or the result thereof; or who fraudulently makes any false certificate of the result of such election in regard to such Representative or Delegate; or who withholds, conceals, or destroys any certificate of record so required by law respecting the election of any such Representative or Delegate; or who neglects or refuses to make and return such certificate as required by law; or who aids, counsels, procures, or advises any voter, person, or officer to do any act by this or any of the preceding sections made a crime, or to omit to do any duty

the omission of which is by this or any of such sections made a crime, or attempts to do so, shall be punished as prescribed in section fifty-five hundred and [ten] [eleven.] [See § 5511.]

SEC. 5516. Every person who willfully obstructs, hinders, or prevents any officer or other person charged with the execution of any warrant or process issued under the provisions of sections nineteen hundred and eighty-four and nineteen hundred and eighty-five, Title "CIVIL RIGHTS," or any person lawfully assisting him, from arresting any person for whose apprehension such warrant or process may have been issued; or rescues, or attempts to rescue, such person from the custody of the officer or other person lawfully assisting when so arrested, pursuant to the authority herein given; or aids, abets, or assists any person so arrested, directly or indirectly, to escape from the custody of the officer or other person legally authorized to arrest the party; or harbors or conceals any person for whose arrest a warrant or process has been issued, so as to prevent his discovery and arrest, after notice or knowledge of the fact that a warrant has been issued for the apprehension of such persons, shall, for any of such offenses, be subject to a fine of not more than one thousand dollars, or imprisonment not more than six months, or both.

SEC. 5517. Every marshal and deputy marshal who refuses to receive any warrant or other process when tendered to him, issued in pursuance of the provisions of section nineteen hundred and eighty-five, Title "CIVIL RIGHTS," or refuses or neglects to use all proper means diligently to execute the same, shall be liable to a fine in the sum of one thousand dollars, for the benefit of the party aggrieved thereby.

SEC. 5518. If two or more persons in any State or Territory conspire to prevent, by force, intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof; or to induce by like means any officer of the United States to leave any State, district, or place, where his duties as an officer are required to be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties; each of such persons shall be punished by a fine of not less than five hundred nor more than five thousand dollars, or by imprisonment, with or without hard labor, not less than six months nor more than six years, or by both such fine and imprisonment. [See § 5407.]

SEC. 5519. If two or more persons in any State or Territory conspire, or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; each of such persons shall be punished by a fine of not less than five hundred nor more than five thousand dollars, or by imprisonment, with or without hard labor, not less than six months nor more than six years, or by both such fine and imprisonment. [See § 5336.]

SEC. 5520. If two or more persons in any State or Territory conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy, in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice-President, or as a member of the Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy; each of such persons shall be punished by a fine of not less than five hundred nor more than five thousand dollars, or by imprisonment, with or without hard labor, not less than six months nor more than six years, or by both such fine and imprisonment.

SEC. 5521. If any person be appointed a supervisor of election or a special deputy marshal under the provisions of Title "THE ELECTIVE FRANCHISE," and has taken the oath of office as such supervisor of election or such special deputy marshal, and thereafter neglects or refuses, without good and lawful excuse, to perform and discharge fully the duties, obligations, and requirements of such office until the expiration of the term for which he was appointed, he shall not only be subject to removal from office with loss of all pay or emoluments, but shall be punished by imprisonment for not less than six months nor more than one year, or by a fine of not less than two hundred dollars and not more than five hundred dollars, or by both fine and imprisonment, and shall pay the costs of prosecution. [See §§ 2011-2031.]

SEC. 5522. Every person, whether with or without any authority, power, or process, or pretended authority, power, or process, of any State, Territory, or municipality, who obstructs, hinders, assaults, or by bribery, solicitation, or otherwise, interferes with or prevents the supervisors of election, or either of them, or the marshal or his general or special deputies, or either of them, in the performance of any

duty required of them, or either of them, or which he or they, or either of them, may be authorized to perform by any law of the United States, in the execution of process or otherwise, or who by any of the means before mentioned hinders or perverts the free attendance and presence at such places of registration or at such polls of election, or full and free access and egress to and from any such place of registration or poll of election, or in going to and from any such place of registration or poll of election, or to and from any room, where any such registration or election or canvass of votes, or of making any returns or certificates thereof, may be had, or who molests, interferes with, removes, or ejects from any such place of registration or poll of election, or of canvassing votes cast thereat, or of making returns or certificates thereof, any supervisor of election, the marshal, or his general or special deputies, or either of them; or who threatens, or attempts, or offers so to do, or refuses or neglects to aid and assist any supervisor of election, or the marshal or his general or special deputies, or either of them, in the performance of his or their duties, when required by him or them, or either of them, to give such aid and assistance, shall be liable to instant arrest without process, and shall be punished by imprisonment not more than two years, or by a fine of not more than three thousand dollars, or by both such fine and imprisonment, and shall pay the cost of the prosecution.

SEC. 5523. Every person who, during the progress of any verification of any list of the persons who may have registered or voted, which is had or made under any of the provisions of Title "THE ELECTIVE FRANCHISE," refuses to answer, or refrains from answering, or, answering, knowingly gives false information in respect to any inquiry lawfully made, shall be punishable by imprisonment for not more than thirty days, or by a fine of not more than one hundred dollars, or by both, and shall pay the costs of the prosecution. [See §§ 2016, 2026.]

SEC. 5524. Every master or owner or person having charge of any vessel who receives on board any other person, with the knowledge or intent that such person is to be carried from any State, Territory, or district of the United States to a foreign country, state, or place, to be held or sold as a slave, or carries away from any State, Territory, or district of the United States any such person, with the intent that he may be so held or sold as a slave, shall be punished by a fine of not more than five thousand nor less than five hundred dollars, or by imprisonment not more than five years, or by both. [See § 5379.]

SEC. 5525. Every person who kidnaps or carries away any other person, with the

intent that such other person be sold into involuntary servitude, or held as a slave; or who entices, persuades, or induces any other person to go on board any vessel or to any other place with the intent that he may be made or held as a slave, or sent out of the country to be so made or held; or who in any way knowingly aids in causing any other person to be held, sold, or carried away to be held or sold as a slave, shall be punished by a fine of not less than five hundred nor more than five thousand dollars, or by imprisonment not more than five years, or by both. [See § 5375.]

SEC. 5526. Every person who holds, arrests, returns, or causes to be held, arrested, or returned, or in any manner aids in the arrest or return of any person to a condition of peonage, shall be punished by a fine of not less than one thousand nor more than five thousand dollars, or by imprisonment not less than one year nor more than five years, or by both. [See § 1990.]

SEC. 5527. Every person who obstructs or attempts to obstruct, or in any way interferes with, or prevents the enforcement of, the preceding section, shall be liable to the pains and penalties therein prescribed. [See § 1991.]

SEC. 5528. Every officer of the Army or Navy, or other person in the civil, military, or naval service of the United States, who orders, brings, keeps, or has under his authority or control, any troops or armed men at any place where a general or special election is held in any State, unless such force be necessary to repel armed enemies of the United States or to keep the peace at the polls, shall be fined not more than five thousand dollars, and suffer imprisonment at hard labor not less than three months nor more than five years. [See § 2002.]

SEC. 5529. Every officer or other person in the military or naval service who, by force, threat, intimidation, order, advice, or otherwise, prevents, or attempts to prevent, any qualified voter of any State from freely exercising the right of suffrage at any general or special election in such State, shall be fined not more than five thousand dollars, and imprisoned at hard labor not more than five years. [See § 2003.]

SEC. 5530. Every officer of the Army or Navy who prescribes or fixes, or attempts to prescribe or fix, whether by proclamation, order, or otherwise, the qualifications of voters at any election in any State, shall be punished as provided in the preceding section. [See § 2003.]

SEC. 5531. Every officer or other person in the military or naval service who, by force, threat, intimidation, order, or otherwise, compels, or attempts to compel, any officer holding an election in any State to

receive a vote from a person not legally qualified to vote, or who imposes, or attempts to impose, any regulations for conducting any general or special election in a State different from those prescribed by law, or who interferes in any manner with any officer of an election in the discharge of his duty, shall be punished as provided in section fifty-five hundred and twenty-nine.

SEC. 5532. Every person convicted of any of the offences specified in the five preceding sections, shall, in addition to the punishments therein severally prescribed, be disqualified from holding any office of honor, profit, or trust under the United States; but nothing in those sections shall be construed to prevent any officer, soldier, sailor, or marine from exercising the right of suffrage in any election district to which he may belong, if otherwise qualified according to the laws of the State in which he offers to vote.

#### Immigration.

Sec.

2158. Cooly-trade prohibited.

2159. Vessels employed in cooly-trade shall be forfeited.

2160. Building vessels to engage in cooly-trade, how punished.

2161. Punishment for violation of section 2158.

2162. This Title not to interfere with voluntary emigration.

2163. Examination of vessels.

2164. No charge upon particular persons immigrating, &c.

SEC. 2158. No citizen of the United States, or foreigner coming into or residing within the same, shall, for himself or for any other person, either as master, factor, owner, or otherwise, build, equip, load, or otherwise prepare, any vessel, registered, enrolled, or licensed, in the United States, for the purpose of procuring from any port or place the subjects of China, Japan, or of any other oriental country, known as "coolies," to be transported to any foreign port, or place, to be disposed of, or sold, or transferred, for any time, as servants or apprentices, or to be held to service or labor.

SEC. 2159. If any vessel, belonging in whole or in part to a citizen of the United States, and registered, enrolled, or otherwise licensed therein, be employed in the "cooly-trade," so called, contrary to the provisions of the preceding section, such vessel, her tackle, apparel, furniture, and other appurtenances, shall be forfeited to the United States, and shall be liable to be seized, prosecuted, and condemned in any of the circuit courts or district courts of the United States for the district where the vessel may be found, seized, or carried.

SEC. 2160. Every person who so builds, fits out, equips, loads, or otherwise prepares, or who sends to sea, or navigates, as owner, master, factor, agent, or otherwise, any vessel, belonging in whole or in part to a citizen of the United States, or regis-

tered, enrolled, or licensed within the same, knowing or intending that such vessel is to be or may be employed in that trade, contrary to the provisions of section twenty-one hundred and fifty-eight, shall be liable to a fine not exceeding two thousand dollars, and be imprisoned not exceeding one year.

SEC. 2161. Every citizen of the United States who, contrary to the provisions of section twenty-one hundred and fifty-eight, takes on board of any vessel, or receives or transports any such subjects as are described in that section, for the purpose of disposing of them in any way as therein prohibited, shall be liable to a fine not exceeding two thousand dollars and be imprisoned not exceeding one year.

SEC. 2162. Nothing herein contained shall be deemed to apply to any voluntary emigration of the subjects specified in section twenty-one hundred and fifty-eight, or to any vessel carrying such person as passenger on board the same, but a certificate shall be prepared and signed by the consul or consular agent of the United States residing at the port from which such vessel may take her departure, containing the name of such person, and setting forth the fact of his voluntary emigration from such port, which certificate shall be given to the master of such vessel; and the same shall not be given until such consul or consular agent is first personally satisfied by evidence of the truth of the facts therein contained.

SEC. 2163. The President is empowered, in such way and at such time as he may judge proper, to direct the vessels of the United States, and the masters and commanders thereof, to examine all vessels navigated or owned in whole or in part by citizens of the United States, and registered, enrolled, or licensed under the laws thereof, whenever, in the judgment of such master or commanding officer, reasonable cause exists to believe that such vessel has on board any subjects of China, Japan, or other oriental country, known as "coolies;" and, upon sufficient proof that such vessel is employed in violation of the preceding provisions, to cause her to be carried, with her officers and crew, into any port or district within the United States, and delivered to the marshal of such district, to be held and disposed of according to law.

SEC. 2164. No tax or charge shall be imposed or enforced by any State upon any person immigrating thereto from a foreign country, which is not equally imposed and enforced upon every person immigrating to such State from any other foreign country.

#### Naturalization.

Sec.

2165. Aliens, how naturalized.

2166. Aliens honorably discharged from military service.



2167. Minor residents.  
 2168. Widow and children of declarants.  
 2169. Aliens of African nativity and descent.  
 2170. Residence of five years in United States.  
 2171. Alien enemies not admitted.  
 2172. Children of persons naturalized under certain laws to be citizens.  
 2173. Police court of District of Columbia has no power to naturalize foreigners  
 2174. Naturalization of seamen.

Sec. 2165. An alien may be admitted to become a citizen of the United States in the following manner, and not otherwise:

First. He shall declare on oath, before a circuit or district court of the United States, or a district or supreme court of the Territories, or a court of record of any of the States having common-law jurisdiction, and a seal and clerk, two years, at least, prior to his admission, that it is bona fide his intention to become a citizen of the United States, and to renounce forever all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, and, particularly, by name, to the prince, potentate, state, or sovereignty of which the alien may be at the time a citizen or subject.

Second. He shall, at the time of his application to be admitted, declare, on oath, before some one of the courts above specified, that he will support the Constitution of the United States, and that he absolutely and entirely renounces and abjures all allegiance and fidelity to every foreign prince, potentate, state, or sovereignty; and, particularly, by name, to the prince, potentate, state, or sovereignty of which he was before a citizen or subject; which proceedings shall be recorded by the clerk of the court.

Third. It shall be made to appear to the satisfaction of the court admitting such alien that he has resided within the United States five years at least, and within the State or Territory where such court is at the time held, one year at least; and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same; but the oath of the applicant shall in no case be allowed to prove his residence.

Fourth. In case the alien applying to be admitted to citizenship has borne any hereditary title, or been of any of the orders of nobility in the kingdom or state from which he came, he shall, in addition to the above requisites, make an express renunciation of his title or order of nobility in the court to which his application is made, and his renunciation shall be recorded in the court.

Fifth. Any alien who was residing within the limits and under the jurisdiction of the United States before the twenty-ninth day of January, one thousand seven hundred and ninety-five, may be admitted to

become a citizen, on due proof made to some one of the courts above specified, that he has resided two years, at least, within the jurisdiction of the United States, and one year, at least, immediately preceding his application, within the State or Territory where such court is at the time held; and on his declaring on oath that he will support the Constitution of the United States, and that he absolutely and entirely renounces and abjures all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, and, particularly, by name, to the prince, potentate, state, or sovereignty whereof he was before a citizen or subject; and, also, on its appearing to the satisfaction of the court, that during such term of two years he has behaved as a man of good moral character, attached to the Constitution of the United States, and well disposed to the good order and happiness of the same; and where the alien, applying for admission to citizenship, has borne any hereditary title, or been of any of the orders of nobility in the kingdom or state from which he came, on his, moreover, making in the court an express renunciation of his title or order of nobility. All of the proceedings, required in this condition to be performed in the court, shall be recorded by the clerk thereof.

Sixth. Any alien who was residing within the limits and under the jurisdiction of the United States, between the eighteenth day of June, one thousand seven hundred and ninety-eight, and the eighteenth day of June, one thousand eight hundred and twelve, and who has continued to reside within the same, may be admitted to become a citizen of the United States without having made any previous declaration of his intention to become such; but whenever any person, without a certificate of such declaration of intention, makes application to be admitted a citizen, it must be proved to the satisfaction of the court, that the applicant was residing within the limits and under the jurisdiction of the United States before the eighteenth day of June, one thousand eight hundred and twelve, and has continued to reside within the same; and the residence of the applicant within the limits and under the jurisdiction of the United States, for at least five years immediately preceding the time of such application, must be proved by the oath of citizens of the United States, which citizens shall be named in the record as witnesses; and such continued residence within the limits and under the jurisdiction of the United States, when satisfactorily proved, and the place where the applicant has resided for at least five years, shall be stated and set forth, together with the names of such citizens, in the record

of the court admitting the applicant; otherwise the same shall not entitle him to be considered and deemed a citizen of the United States. [Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the declaration of intention to become a citizen of the United States, required by section two thousand one hundred and sixty-five of the Revised Statutes of the United States, may be made by an alien before the clerk of any of the courts named in said section two thousand one hundred and sixty-five; and all such declarations heretofore made before any such clerk are hereby declared as legal and valid as if made before one of the courts named in said section.]

SEC. 2166. Any alien, of the age of twenty-one years and upward, who has enlisted, or may enlist, in the armies of the United States, either the regular or the volunteer forces, and has been, or may be hereafter, honorably discharged, shall be admitted to become a citizen of the United States, upon his petition, without any previous declaration of his intention to become such; and he shall not be required to prove more than one year's residence within the United States previous to his application to become such citizen; and the court admitting such alien shall, in addition to such proof of residence and good moral character, as now provided by law, be satisfied by competent proof of such person's having been honorably discharged from the service of the United States.

SEC. 2167. Any alien, being under the age of twenty-one years, who has resided in the United States three years next preceding his arriving at that age, and who has continued to reside therein to the time he may make application to be admitted a citizen thereof, may, after he arrives at the age of twenty-one years, and after he has resided five years within the United States, including the three years of his minority, be admitted a citizen of the United States, without having made the declaration required in the first condition of section twenty-one hundred and sixty-five; but such alien shall make the declaration required therein at the time of his admission; and shall further declare, on oath, and prove to the satisfaction of the court, that, for two years next preceding, it has been his bona-fide intention to become a citizen of the United States; and he shall in all other respects comply with the laws in regard to naturalization.

SEC. 2168. When any alien, who has complied with the first condition specified in section twenty-one hundred and sixty-five, dies before he is actually naturalized, the widow and the children of such alien shall be considered as citizens of the

United States, and shall be entitled to all rights and privileges as such, upon taking the oaths prescribed by law.

SEC. 2169. The provisions of this Title shall apply to aliens [being free white persons, and to aliens] of African nativity and to persons of African descent.

SEC. 2170. No alien shall be admitted to become a citizen who has not for the continued term of five years next preceding his admission resided within the United States.

SEC. 2171. No alien who is a native citizen or subject, or a denizen of any country, state, or sovereignty with which the United States are at war, at the time of his application, shall be then admitted to become a citizen of the United States; but persons resident within the United States, or the Territories thereof, on the eighteenth day of June, in the year one thousand eight hundred and twelve, who had before that day made a declaration, according to law, of their intention to become citizens of the United States, or who were on that day entitled to become citizens without making such declaration, may be admitted to become citizens thereof, notwithstanding they were alien enemies at the time and in the manner prescribed by the laws heretofore passed on that subject; nor shall anything herein contained be taken or construed to interfere with or prevent the apprehension and removal, agreeably to law, of any alien enemy at any time previous to the actual naturalization of such alien.

SEC. 2172. The children of persons who have been duly naturalized under any law of the United States, or who, previous to the passing of any law on that subject, by the Government of the United States, may have become citizens of any one of the States, under the laws thereof, being under the age of twenty-one years at the time of the naturalization of their parents, shall, if dwelling in the United States be considered as citizens thereof; and the children of persons who now are, or have been, citizens of the United States, shall, though born out of the limits and jurisdiction of the United States, be considered as citizens thereof; but no person heretofore proscribed by any State, or who has been legally convicted of having joined the army of Great Britain during the Revolutionary War, shall be admitted to become a citizen without the consent of the legislature of the State in which such person was proscribed.

SEC. 2173. The police court of the District of Columbia shall have no power to naturalize foreigners.

SEC. 2174. Every seaman, being a foreigner, who declares his intention of becoming a citizen of the United States in any competent court, and shall have served three years on board of a merchant-vessel of the United States subsequent to

the date of such declaration, may, on his application to any competent court, and the production of his certificate of discharge and good conduct during that time, together with the certificate of his declaration of intention to become a citizen, be admitted a citizen of the United States; and every seaman, being a foreigner, shall, after his declaration of intention to become a citizen of the United States, and after he shall have served such three years, be deemed a citizen of the United States for the purpose of manning and serving on board any merchant-vessel of the United States, anything to the contrary in any act of Congress notwithstanding; but such seaman shall, for all purposes of protection as an American citizen, be deemed such, after the filing of his declaration of intention to become such citizen.

**An Act to Amend the Revised Statutes Relating to Naturalization.**

Declaration of intention, &c., for naturalization may be made before clerks of certain courts.

*Be it enacted, &c.,* That the declaration of intention to become a citizen of the United States, required by section two thousand one hundred and sixty-five of the Revised Statutes of the United States, may be made by an alien before the clerk of any of the courts named in said section two thousand one hundred and sixty-five; and all such declarations heretofore made before any such clerk are hereby declared as legal and valid as if made before one of the courts named in said section. [February 1, 1876.]

NOTE.—This act is in the second edition of R. S., § 2165. Passed Feb. 1, 1876.

**Homesteads.**

- SEC.  
2289. Who may enter certain unappropriated public lands.  
2290. Mode of procedure.  
2291. Certificate and patent, when given and issued.  
Proof of residence.  
False swearing, penalty for.  
2292. When rights inure to the benefit of infant children.  
2293. Persons in military or naval service, when and before whom to make affidavit.  
2294. When persons may make affidavit before clerk of court.  
2295. Record of applications.  
2296. Homestead lands not to be subject to prior debts.  
2297. When lands entered for homestead revert to Government.  
2298. Limitation of amount entered for homestead.  
2299. Existing pre-emption rights not impaired.  
2300. What minors may have the privileges of this chapter.  
2301. Payment before expiration of five years, rights of applicant.  
2302. No distinction on account of race or color, &c.  
2303. What lands disposed of only as homesteads.  
2303. Repeal of section and further disposition of lands.  
2304. Soldiers' and sailors' homestead.  
2305. Deduction of military and naval service from time, &c.  
2306. Persons who have entered less than 160 acres, rights of.  
2307. Widows and minor children of persons entitled to homestead, &c.  
2308. Actual service in the Army or Navy equivalent to residence, &c.  
2309. Who may enter by agent.

2310. Chiefs, &c., of Stockbridge Munsees, homestead rights of.  
2311. Exemptions of homestead of Stockbridge Munsees.  
2312. Stockbridge Munsees becoming citizens.  
2313. Unsold lands of the Ottawa and Chippewa Indians, how opened for homestead.  
2314. Selection for minors under preceding section.  
2315. Bona-fide settlers on above lands prior to, &c.  
2316. Certain lands to be patented to Indians making selection.  
2317. Cultivation of trees on homestead tracts.

SEC. 2289. Every person who is the head of a family, or who has arrived at the age of twenty-one years, and is a citizen of the United States, or who has filed his declaration of intention to become such, as required by the naturalization laws, shall be entitled to enter one quarter-section or a less quantity of unappropriated public lands, upon which such person may have filed a pre-emption claim, or which may, at the time the application is made, be subject to pre-emption at one dollar and twenty-five cents per acre; or eighty acres or less of such unappropriated lands, at two dollars and fifty cents per acre, to be located in a body, in conformity to the legal subdivisions of the public lands, and after the same have been surveyed. And every person owning and residing on land may, under the provisions of this section, enter other land lying contiguous to his land, which shall not, with the land so already owned and occupied, exceed in the aggregate one hundred and sixty acres.

SEC. 2290. The person applying for the benefit of the preceding section shall, upon application to the register of the land-office in which he is about to make such entry, make affidavit before the register or receiver that he is the head of a family, or is twenty-one years or more of age, or has performed service in the Army or Navy of the United States, and that such application is made for his exclusive use and benefit, and that his entry is made for the purpose of actual settlement and cultivation, and not either directly or indirectly for the use or benefit of any other person; and upon filing such affidavit with the register or receiver, on payment of five dollars when the entry is of not more than eighty acres, and on payment of ten dollars when the entry is for more than eighty acres, he shall thereupon be permitted to enter the amount of land specified.

SEC. 2291. No certificate, however, shall be given, or patent issued therefor, until the expiration of five years from the date of such entry; and if at the expiration of such time, or at any time within two years thereafter, the person making such entry; or if he be dead, his widow; or in case of her death, his heirs or devisee; or in case of a widow making such entry, her heirs or devisee, in case of her death, proves by two credible witnesses that he, she, or they have resided upon or cultivated the same for the term of five years

immediately succeeding the time of filing the affidavit, and makes affidavit that no part of such land has been alienated, except as provided in section twenty-two hundred and eighty-eight, and that he, she, or they will bear true allegiance to the Government of the United States; then, in such case, he, she, or they, if at that time citizens of the United States, shall be entitled to a patent, as in other cases provided by law. [That the proof of residence, occupation, or cultivation, the affidavit of non-alienation, and the oath of allegiance, required to be made by section twenty-two hundred and ninety-one of the Revised Statutes, may be made before the judge, or, in his absence, before the clerk, of any court of record of the county and State, or district and Territory, in which the lands are situated; and if said lands are situated in any unorganized county, such proof may be made in a similar manner in any adjacent county in said State or Territory; and the proof, affidavit, and oath, when so made and duly subscribed, shall have the same force and effect as if made before the register or receiver of the proper land-district; and the same shall be transmitted by such judge, or the clerk of his court, to the register and the receiver, with the fee and charges allowed by law to him; and the register and receiver shall be entitled to the same fees for examining and approving said testimony as are now allowed by law for taking the same. That if any witness making such proof, or the said applicant making such affidavit or oath, swears falsely as to any material matter contained in said proof, affidavits, or oaths, the said false swearing being willful and corrupt, he shall be deemed guilty of perjury, and shall be liable to the same pains and penalties as if he had sworn falsely before the register.]

SEC. 2292. In case of the death of both father and mother, leaving an infant child or children under twenty-one years of age, the right and fee shall inure to the benefit of such infant child or children; and the executor, administrator, or guardian may, at any time within two years after the death of the surviving parent, and in accordance with the laws of the State in which such children, for the time being, have their domicile, sell the land for the benefit of such infants, but for no other purpose; and the purchaser shall acquire the absolute title by the purchase, and be entitled to a patent from the United States on the payment of the office-fees and sum of money above specified.

SEC. 2293. In case of any person desirous of availing himself of the benefits of this chapter; but who, by reason of actual service in the military or naval service of the United States, is unable to do

the personal preliminary acts at the district land-office which the preceding sections require; and whose family, or some member thereof, is residing on the land which he desires to enter, and upon which a bona-fide improvement and settlement have been made, such person may make the affidavit required by law before the officer commanding in the branch of the service in which the party is engaged, which affidavit shall be as binding in law, and with like penalties, as if taken before the register or receiver; and upon such affidavit being filed with the register by the wife or other representative of the party, the same shall become effective from the date of such filing, provided the application and affidavit are accompanied by the fee and commissions as required by law.

SEC. 2294. In any case in which the applicant for the benefit of the homestead, and whose family or some member thereof, is residing on the land which he desires to enter, and upon which a bona-fide improvement and settlement have been made, is prevented, by reason of distance, bodily infirmity, or other good cause, from personal attendance at the district land-office, it may be lawful for him to make the affidavit required by law before the clerk of the court for the county in which the applicant is an actual resident, and to transmit the same, with the fee and commissions, to the register and receiver.

SEC. 2295. The register of the land-office shall note all applications under the provisions of this chapter, on the tract-books and plats of his office, and keep a register of all such entries, and make return thereof to the General Land Office, together with the proof upon which they have been founded.

SEC. 2296. No lands required under the provisions of this chapter shall in any event become liable to the satisfaction of any debt contracted prior to the issuing of the patent therefor.

SEC. 2297. If, at any time after the filing of the affidavit, as required in section twenty-two hundred and ninety, and before the expiration of the five years mentioned in section twenty-two hundred and ninety-one, it is proved, after due notice to the settler, to the satisfaction of the register of the land-office, that the person having filed such affidavit has actually changed his residence, or abandoned the land for more than six months at any time, then and in that event the land so entered shall revert to the Government.

SEC. 2298. No person shall be permitted to acquire title to more than one quarter-section under the provisions of this chapter.

SEC. 2299. Nothing contained in this chapter shall be so construed as to impair

or interfere in any manner with existing pre-emption rights; and all persons who may have filed their applications for a pre-emption right prior to the twentieth day of May, eighteen hundred and sixty-two, shall be entitled to all the privileges of this chapter.

SEC. 2300. No person who has served, or may hereafter serve, for a period not less than fourteen days in the Army or Navy of the United States, either regular or volunteer, under the laws thereof, during the existence of an actual war, domestic or foreign, shall be deprived of the benefits of this chapter on account of not having attained the age of twenty-one years.

SEC. 2301. Nothing in this chapter shall be so construed as to prevent any person who has availed himself of the benefits of section twenty-two hundred and eighty-nine, from paying the minimum price for the quantity of land so entered, at any time before the expiration of the five years, and obtaining a patent therefor from the Government, as in other cases directed by law, on making proof of settlement and cultivation as provided by law, granting pre-emption rights.

SEC. 2302. No distinction shall be made in the construction or execution of this chapter, on account of race or color; nor shall any mineral lands be liable to entry and settlement under its provisions.

SEC. 2303. [*All the public lands in the States of Alabama, Mississippi, Louisiana, Arkansas, and Florida, shall be disposed of in no other manner than according to the terms and stipulations contained in the preceding provisions of this chapter.*]

[That section two thousand three hundred and three of the Revised Statutes of the United States, confining the disposal of the public lands in the States of Alabama, Mississippi, Louisiana, Arkansas, and Florida to the provisions of the homestead law, be, and the same is hereby, repealed: *Provided*, That the repeal of said section shall not have the effect to impair the right, complete or inchoate, of any homestead settler, and no land occupied by such settler at the time this act shall take effect, shall be subject to entry, pre-emption, or sale: *And provided*, That the public lands affected by this act, shall be offered at public sale, as soon as practicable from time to time, and according to the provisions of existing law, and shall not be subject to private entry until they are so offered.]

SEC. 2304. Every private soldier and officer who has served in the Army of the United States during the recent rebellion, for ninety days, and who was honorably discharged, and has remained loyal to the Government, including the troops mustered into the service of the United States by virtue of the third section of an act

approved February thirteen, eighteen hundred and sixty-two, and every seaman, marine, and officer who has served in the Navy of the United States, or in the Marine Corps, during the rebellion, for ninety days, and who was honorably discharged, and has remained loyal to the Government, shall, on compliance with the provisions of this chapter, as hereinafter modified, be entitled to enter upon and receive patents for a quantity of public lands not exceeding one hundred and sixty acres, or one quarter section, to be taken in compact form, according to legal subdivisions, including the alternate reserved sections of public lands along the line of any railroad or other public work, not otherwise reserved or appropriated, and other lands subject to entry under the homestead laws of the United States; but such homestead settler shall be allowed six months after locating his homestead, and filing his declaratory statement, within which to make his entry and commence his settlement and improvement.

SEC. 2305. The time which the homestead settler has served in the Army, Navy, or Marine Corps shall be deducted from the time heretofore required to perfect title, or if discharged on account of wounds received or disability incurred in the line of duty, then the term of enlistment shall be deducted from the time heretofore required to perfect title, without reference to the length of time he may have served; but no patent shall issue to any homestead settler who has not resided upon, improved, and cultivated his homestead for a period of at least one year after he shall have commenced his improvements.

SEC. 2306. Every person entitled, under the provisions of section twenty-three hundred and four, to enter a homestead who may have heretofore entered, under the homestead laws, a quantity of land less than one hundred and sixty acres, shall be permitted to enter so much land as, when added to the quantity previously entered, shall not exceed one hundred and sixty acres.

SEC. 2307. In case of the death of any person who would be entitled to a homestead under the provisions of section twenty-three hundred and four, his widow, if unmarried, or in case of her death or marriage, then his minor orphan children, by a guardian duly appointed and officially accredited at the Department of the Interior, shall be entitled to all the benefits enumerated in this chapter, subject to all the provisions as to settlement and improvements therein contained; but if such person died during his term of enlistment, the whole term of his enlistment shall be deducted from the time heretofore required to perfect the title.

SEC. 2308. Where a party at the date of his entry of a tract of land under the homestead laws, or subsequently thereto, was actually enlisted and employed in the Army or Navy of the United States, his services therein shall, in the administration of such homestead laws, be construed to be equivalent, to all intents and purposes, to a residence for the same length of time upon the tract so entered. And if his entry has been canceled by reason of his absence from such tract while in the military or naval service of the United States, and such tract has not been disposed of, his entry shall be restored; but if such tract has been disposed of, the party may enter another tract subject to entry under the homestead laws, and his right to a patent therefor may be determined by the proofs touching his residence and cultivation of the first tract and his absence therefrom in such service.

SEC. 2309. Every soldier, sailor, marine, officer, or other person coming within the provisions of section twenty-three hundred and four, may, as well by an agent as in person, enter upon such homestead by filing a declaratory statement, as in pre-emption cases; but such claimant in person shall within the time prescribed make his actual entry, commence settlements and improvements on the same, and thereafter fulfill all the requirements of law.

SEC. 2310. Each of the chiefs, warriors, and heads of families of the Stockbridge Munsee tribes of Indians, residing in the county of Shawana, State of Wisconsin, may, under the direction of the Secretary of the Interior, enter a homestead and become entitled to all the benefits of this chapter, free from any fee or charge; and any part of their present reservation, which is abandoned for that purpose, may be sold, under the direction of the Secretary of the Interior, and the proceeds applied for the benefit of such Indians as may settle on homesteads, to aid them in improving the same.

SEC. 2311. The homestead secured, by virtue of the preceding section, shall not be subject to any tax, levy, or sale; nor shall it be sold, conveyed, mortgaged, or in any manner incumbered, except upon the decree of the district court of the United States, as provided in the following section.

SEC. 2312. Whenever any of the chiefs, warriors, or heads of families of the tribes mentioned in section twenty-three hundred and ten, having filed with the clerk of the district court of the United States a declaration of his intention to become a citizen of the United States, and to dissolve all relations with any Indian tribe, two years previous thereto, appears in such court, and proves to the satisfaction thereof, by the testimony of two citizens, that

for five years last past he has adopted the habits of civilized life; that he has maintained himself and family by his own industry; that he reads and speaks the English language; that he is well disposed to become a peaceable and orderly citizen; and that he has sufficient capacity to manage his own affairs; the court may enter a decree admitting him to all the rights of a citizen of the United States, and thenceforth he shall be no longer held or treated as a member of any Indian tribe, but shall be entitled to all the rights and privileges, and be subject to all the duties and liabilities to taxation of other citizens of the United States. But nothing herein contained shall be construed to deprive such chiefs, warriors, or heads of families of annuities to which they are or may be entitled.

SEC. 2313. The unoccupied lands in the reservation made for the Ottawa and Chippewa Indians, of Michigan, by the treaty of July thirty-one, eighteen hundred and fifty-five, shall be open to homestead entry for six months from the tenth day of June, eighteen hundred and seventy-two, by Indians only of those tribes, who have not made selections of purchases under the treaty, including such members of the tribes as have become of age since the expiration of the ten years named in the treaty; and every Indian so entitled shall be permitted to make his homestead entry, at the local land-office, within such six months, of not exceeding one hundred and sixty acres, or one quarter-section of minimum, or eighty acres of double minimum land, on making proper proof of his right, under such rules as may be prescribed by the Secretary of the Interior.

SEC. 2314. The collector of customs for the district in which such land is situated, is authorized, and it is made his duty, to select for such minor children as would be entitled, under the preceding section, as the heirs of any Indian.

SEC. 2315. All actual, permanent, bona-fide settlers on any of such lands who settled prior to the first day of January, eighteen hundred and seventy-two, shall be entitled to enter either under the homestead laws or to pay for at the minimum or double minimum price, as the case may be, not exceeding one hundred and sixty acres of the former or eighty acres of the latter class of land on making proof of his settlement and continued residence before the expiration of six months from the tenth day of June, eighteen hundred and seventy-two.

SEC. 2316. All selections of such lands by Indians heretofore made and regularly reported and recognized as valid and proper by the Secretary of the Interior and Commissioner of Indian Affairs, shall be patented to the respective Indians making

the same; and all sales heretofore made and reported, where the same are regular and not in conflict with such selections, or with any other valid adverse right, except of the United States, are confirmed, and patents shall issue thereon as in other cases according to law.

SEC. 2317. Every person having a homestead on the public domain, under the provisions of this chapter, who, at the end of the third year of his residence thereon, shall have had under cultivation, for two years, one acre of timber, the trees thereon not being more than twelve feet apart each way, and in a good, thrifty condition, for each and every sixteen acres of such homestead, shall, upon due proof of the fact by two credible witnesses, receive his patent for such homestead.

#### From Supplement Revised Statutes.

CHAP. II.—That the sixth paragraph of section 2,238 of the Revised Statutes of the United States be, and the same is hereby, repealed, and that in lieu thereof the following paragraph be substituted:

“A fee in donation cases of \$2.50 for each final certificate of 160 acres of land, \$5 for 320 acres, and \$7.50 for 640 acres.”  
—[Approved December 17, 1880.]

CHAP. XIX.—That all persons who shall have settled and made valuable and permanent improvements upon any odd numbered section of land within any railroad withdrawal in good faith, and with the permission or license of the railroad company for whose benefit the same shall have been made, and with the expectation of purchasing of such company the land so settled upon, which land so settled upon and improved may, for any cause, be restored to the public domain, and who, at the time of such restoration, may not be entitled to enter and acquire title to such land under the pre-emption, homestead or timber-culture acts of the United States, shall be permitted, at any time within three months after such restoration, and under such rules and regulations as the Commissioner of the General Land Office may prescribe, to purchase not to exceed 160 acres in extent of the same legal subdivisions, at the price of \$2.50 per acre, and to receive patents therefor.—[Approved January 13, 1881]

CHAP. CLIII.—That section numbered 2,297, of title numbered 32, be amended by adding thereto the following proviso, namely: “*Provided*, That where there may be climatic reasons the Commissioner of the General Land Office may, in his discretion, allow the settler twelve months from the time of filing in which to commence his residence on said land under such rules and regulations as he may prescribe.—[Approved March 3, 1881.]

#### Complete List of U. S. Land Offices.

ALABAMA—Huntsville, Montgomery.

ARKANSAS—Little Rock, Camden, Harrison, Dardanelle.

ARIZONA TERRITORY—Prescott, Florence.

CALIFORNIA—San Francisco, Marysville, Humboldt, Stockton, Visalia, Sacramento, Los Angeles, Shasta, Susanville, Bodie.

COLORADO—Denver City, Fair Play, Central City, Pueblo, Del Norte, Lake City.

DAKOTA TERRITORY—Sioux Falls, Springfield, Fargo, Yankton, Bismarck, Deadwood.

FLORIDA—Gainesville.

IDAHO TERRITORY—Boise City, Lewiston.

IOWA—Fort Des Moines.

KANSAS—Topeka, Salina, Independence, Wichita, Kirwin, Concordia, Larned, Hays City.

LOUISIANA—New Orleans, Monroe, Natchitoches.

MICHIGAN—Detroit, East Saginaw, Reed City, Marquette.

MINNESOTA—Taylor's Falls, Saint Cloud, Du Luth, Fergus Falls, Worthington, New Ulm, Benson, Detroit, Redwood Falls.

MISSISSIPPI—Jackson.

MISSOURI—Boonville, Ironton, Springfield.

MONTANA TERRITORY—Helena, Bozeman.

NEBRASKA—Norfolk, Beatrice, Lincoln, Niobrara, Grand Island, North Platte, Bloomington.

NEVADA—Carson City, Eureka.

NEW MEXICO TERRITORY—Santa Fé, La Mesilla.

OREGON—Oregon City, Roseburg, Le Grand, Lakeview, The Dalles.

UTAH TERRITORY—Salt Lake City.

WASHINGTON TERRITORY—Olympia, Vancouver, Walla Walla, Colfax.

WISCONSIN—Menasha, Falls of St. Croix, Wausau, La Crosse, Bayfield, Eau Claire.

WYOMING TERRITORY—Cheyenne, Evanston.

#### Civil Rights.

Sec.

1977. Equal rights under the law.

1978. Rights of citizens in respect to real and personal property.

1979. Civil action for deprivation of rights.

1980. Conspiracy

1981. Action for neglect to prevent conspiracy.

1982. District attorney, &c., to prosecute.

1983. Commissioners.

1984. They may appoint persons to execute warrants, &c.

1985. Marshals to obey precepts, &c.

1986. Fees of district attorney, &c.

1987. Of persons appointed to execute process, &c.

1988. Speedy trial.

1989. Aid of the military and naval forces.

1990. Peonage abolished.

1991. Foregoing section, how enforced.

SEC. 1977. All persons within the jurisdiction of the United States shall have the

same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other. [See § 858.]

SEC. 1978. All citizens of the United States shall have the same right, in every State and Territory, as is enjoyed by white citizens thereof to inherit, purchase, lease, sell, hold, and convey real and personal property.

SEC. 1979. Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress. [See §§ 563, 629.]

SEC. 1980. First. If two or more persons in any State or Territory conspire to prevent, by force, intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof; or to induce by like means any officer of the United States to leave any State, district, or place, where his duties as an officer are required to be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties;

Second. If two or more persons in any State or Territory conspire to deter, by force, intimidation, or threat, any party or witness in any court of the United States from attending such court, or from testifying to any matter pending therein, freely, fully, and truthfully, or to injure such party or witness in his person or property on account of his having so attended or testified, or to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or of his being or having been such juror; or if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to en-

force, the right of any person, or class of persons, to the equal protection of the laws;

Third. If two or more persons in any State or Territory conspire, or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; or if two or more persons conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice-President, or as a member of Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy; in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages, occasioned by such injury or deprivation, against any one or more of the conspirators.

SEC. 1981. Every person who, having knowledge that any of the wrongs conspired to be done, and mentioned in the preceding section, are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, if such wrongful act be committed, shall be liable to the party injured, or his legal representatives, for all damages caused by such wrongful act, which such person by reasonable diligence could have prevented; and such damages may be recovered in an action on the case; and any number of persons guilty of such wrongful neglect or refusal may be joined as defendants in the action; and if the death of any party be caused by any such wrongful act and neglect, the legal representatives of the deceased shall have such action therefor, and may recover not exceeding five thousand dollars damages therein, for the benefit of the widow of the deceased, if there be one, and if there be no widow, then for the benefit of the next of kin of the deceased. But no action under the provisions of this section shall be sustained which is not commenced within one year after the cause of action has accrued.



SEC. 1982. The district attorneys, marshals, and deputy marshals, the commissioners appointed by the circuit and territorial courts, with power to arrest, imprison, or bail offenders, and every other officer who is especially empowered by the President, are authorized and required, at the expense of the United States, to institute prosecutions against all persons violating any of the provisions of chapter seven of the Title "CRIMES," and to cause such persons to be arrested, and imprisoned or bailed, for trial before the court of the United States or the territorial court having cognizance of the offense.

SEC. 1983. The circuit courts of the United States and the district courts of the Territories, from time to time, shall increase the number of commissioners, so as to afford a speedy and convenient means for the arrest and examination of persons charged with the crimes referred to in the preceding section; and such commissioners are authorized and required to exercise all the powers and duties conferred on them herein with regard to such offenses in like manner as they are authorized by law to exercise with regard to other offenses against the laws of the United States.

SEC. 1984. The commissioners authorized to be appointed by the preceding section are empowered, within their respective counties, to appoint, in writing, under their hands, one or more suitable persons, from time to time, who shall execute all such warrants or other process as the commissioners may issue in the lawful performance of their duties, and the persons so appointed shall have authority to summon and call to their aid the bystanders or posse comitatus of the proper county, or such portion of the land or naval forces of the United States, or of the militia, as may be necessary to the performance of the duty with which they are charged; and such warrants shall run and be executed anywhere in the State or Territory within which they are issued. [See § 5516.]

SEC. 1985. Every marshal and deputy marshal shall obey and execute all warrants or other process, when directed to him, issued under the provisions hereof. [See § 5516.]

SEC. 1986. The district attorneys, marshals, their deputies, and the clerks of the courts of the United States and territorial courts shall be paid for their services, in cases under the foregoing provisions, the same fees as are allowed to them for like services in other cases; and where the proceedings are before a commissioner he shall be entitled to a fee of ten dollars for his services in each case, inclusive of all services incident to the arrest and examination.

SEC. 1987. Every person appointed to execute process under section nineteen

hundred and eighty-four shall be entitled to a fee of five dollars for each party he may arrest and take before any commissioner, with such other fees as may be deemed reasonable by the commissioner for any additional services necessarily performed by him, such as attending at the examination, keeping the prisoner in custody, and providing him with food and lodging during his detention, and until the final determination of the commissioner; such fees to be made up in conformity with the fees usually charged by the officers of the courts of justice within the proper district or county, as near as may be practicable, and paid out of the Treasury of the United States on the certificate of the judge of the district within which the arrest is made, and to be recoverable from the defendant as part of the judgment in case of conviction.

SEC. 1988. Whenever the President has reason to believe that offenses have been, or are likely to be committed against the provisions of chapter seven of the Title CRIMES, within any judicial district, it shall be lawful for him, in his discretion, to direct the judge, marshal, and district attorney of such district to attend at such place within the district, and for such time as he may designate, for the purpose of the more speedy arrest and trial of persons so charged, and it shall be the duty of every judge or other officer, when any such requisition is received by him to attend at the place and for the time therein designated.

SEC. 1989. It shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as may be necessary to aid in the execution of judicial process issued under any of the preceding provisions, or as shall be necessary to prevent the violation and enforce the due execution of the provisions of this Title.

SEC. 1990. The holding of any person to service or labor under the system known as peonage is abolished and forever prohibited in the Territory of New Mexico, or in any other Territory or State of the United States; and all acts, laws, resolutions, orders, regulations, or usages of the Territory of New Mexico, or of any other Territory or State, which have heretofore established, maintained, or enforced, or by virtue of which any attempt shall hereafter be made to establish, maintain, or enforce, directly or indirectly, the voluntary or involuntary service or labor of any persons as peons, in liquidation, of any debt or obligation, or otherwise, are declared null and void.

SEC. 1991. Every person in the military or civil service in the Territory of New

Mexico shall aid in the enforcement of the preceding section.

SEC. 1860. At all subsequent elections, however, in any Territory hereafter organized by Congress, as well as at all elections in Territories already organized, the qualifications of voters and of holding office shall be such as may be prescribed by the legislative assembly of each Territory; subject, nevertheless, to the following restrictions on the power of the legislative assembly, namely:

First. The right of suffrage and of holding office shall be exercised only by citizens of the United States above the age of twenty-one years, and by those above that age who have declared on oath, before a competent court of record, their intention to become such, and have taken an oath to support the Constitution and Government of the United States.

Second. There shall be no denial of the elective franchise or of holding office to a citizen on account of race, color, or previous condition of servitude.

Third. No officer, soldier, seaman, mariner, or other person in the Army or Navy, or attached to troops in the service of the United States, shall be allowed to vote in any Territory, by reason of being on service therein, unless such Territory is, and has been for the period of six months, his permanent domicile.

Fourth. No person belonging to the Army or Navy shall be elected to or hold any civil office or appointment in any Territory.

#### Citizenship.

SEC.

1992. Who are citizens.

1993. Citizenship of children of citizens born abroad.

1994. Citizenship of married women.

1995. Of persons born in Oregon.

1996. Rights as citizens forfeited for desertion, &c.

1997. Certain soldiers and sailors not to incur the forfeitures of the last section.

1998. Avoiding the draft.

1999. Right of expatriation declared.

2000. Protection to naturalized citizens in foreign states.

2001. Release of citizens imprisoned by foreign governments to be demanded.

SEC. 1992. All persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are declared to be citizens of the United States.

SEC. 1993. All children heretofore born or hereafter born out of the limits and jurisdiction of the United States, whose fathers were or may be at the time of their birth citizens thereof, are declared to be citizens of the United States; but the rights of citizenship shall not descend to children whose fathers never resided in the United States.

SEC. 1994. Any woman who is now or may hereafter be married to a citizen of the United States, and who might herself be lawfully naturalized, shall be deemed a citizen.

SEC. 1995. All persons born in the district of country formerly known as the Territory of Oregon, and subject to the jurisdiction of the United States on the 18th May, 1872, are citizens in the same manner as if born elsewhere in the United States.

SEC. 1996. All persons who deserted the military or naval service of the United States and did not return thereto or report themselves to a provost-marshal within sixty days after the issuance of the proclamation by the President, dated the 11th day of March, 1865, are deemed to have voluntarily relinquished and forfeited their rights of citizenship, as well as their right to become citizens; and such deserters shall be forever incapable of holding any office of trust or profit under the United States, or of exercising any rights of citizens thereof.

SEC. 1997. No soldier or sailor, however, who faithfully served according to his enlistment until the 19th day of April, 1865, and who, without proper authority or leave first obtained, quit his command or refused to serve after that date, shall be held to be a deserter from the Army or Navy; but this section shall be construed solely as a removal of any disability such soldier or sailor may have incurred, under the preceding section, by the loss of citizenship and of the right to hold office, in consequence of his desertion.

SEC. 1998. Every person who hereafter deserts the military or naval service of the United States, or who, being duly enrolled, departs the jurisdiction of the district in which he is enrolled, or goes beyond the limits of the United States, with intent to avoid any draft into the military or naval service, lawfully ordered, shall be liable to all the penalties and forfeitures of section nineteen hundred and ninety-six.

SEC. 1999. Whereas the right of expatriation is a natural and inherent right of all people, indispensable to the enjoyment of the rights of life, liberty, and the pursuit of happiness; and whereas in the recognition of this principle this Government has freely received emigrants from all nations, and invested them with the rights of citizenship; and whereas it is claimed that such American citizens, with their descendants, are subjects of foreign states, owing allegiance to the governments thereof; and whereas it is necessary to the maintenance of public peace that this claim of foreign allegiance should be promptly and finally disavowed: Therefore any declaration, instruction, opinion, order, or decision of any officer of the United States which denies, restricts, impairs, or questions the right of expatriation, is declared inconsistent with the fundamental principles of the Republic.

SEC. 2000. All naturalized citizens of

the United States, while in foreign countries, are entitled to and shall receive from this Government the same protection of persons and property which is accorded to native-born citizens.

SEC. 2001. Whenever it is made known to the President that any citizen of the United States has been unjustly deprived of his liberty by or under the authority of any foreign government, it shall be the duty of the President forthwith to demand of that government the reasons of such imprisonment; and if it appears to be wrongful and in violation of the rights of American citizenship, the President shall forthwith demand the release of such citizen, and if the release so demanded is unreasonably delayed or refused, the President shall use such means, not amounting to acts of war, as he may think necessary and proper to obtain or effectuate the release; and all the facts and proceedings relative thereto shall as soon as practicable be communicated by the President to Congress.

#### The Elective Franchise.

- Sec.  
2002. Bringing armed troops to places of election.  
2003. Interference with freedom of election by officers of Army or Navy.  
2004. Race, color, or previous condition not to affect the right to vote.  
2005. Nor the performance of any pre-requisite.  
2006. Penalty for refusing to give full effect to preceding section.  
2007. What shall entitle a person to vote.  
2008. Penalty for wrongfully refusing to receive a vote.  
2009. For unlawfully hindering a person from voting.  
2010. Remedy for deprivation of office.  
2011. In cities or towns of over 20,000 inhabitants upon written application of two citizens, the circuit judge to open court.  
2012. Supervisors of election.  
2013. Court to be kept open.  
2014. District judge may perform duties of circuit judge.  
2015. Construction of preceding section.  
2016. Duties of supervisors of elections.  
2017. Attendance at elections.  
2018. To personally scrutinize and count each ballot.  
2019. Their positions.  
2020. When molested.  
2021. Special deputies.  
2022. Duties of marshals.  
2023. Persons arrested to be taken forthwith before a judge, &c.  
2024. Assistance of by-standers.  
2025. Chief supervisors of elections.  
2026. Their duties.  
2027. Marshals to forward complaint to chief supervisors.  
2028. Supervisors and deputy marshals to be qualified voters, &c.  
2029. Certain supervisors not to make arrests, &c.  
2030. No more marshals or deputy marshals to be appointed than now authorized.  
2031. Pay of supervisors.

SEC. 2002. No military or naval officer, or other person engaged in the civil, military, or naval service of the United States, shall order, bring, keep, or have under his authority or control, any troops or armed men at the place where any general or special election is held in any State, unless it be necessary to repel the armed enemies of the United States, or to keep the peace at the polls. [See §§ 5528, 5529, 5532.]

SEC. 2003. No officer of the Army or Navy of the United States shall prescribe or fix, or attempt to prescribe or fix, by proclamation, order, or otherwise, the qualifications of voters in any State, or in any manner interfere with the freedom of any election in any State, or with the exercise of the free right of suffrage in any State. [See §§ 5530-5532.]

SEC. 2004. All citizens of the United States who are otherwise qualified by law to vote at any election by the people in any State, Territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision, shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage, or regulation of any State or Territory, or by or under its authority, to the contrary notwithstanding.

SEC. 2005. When, under the authority of the constitution or laws of any State, or the laws of any Territory, any act is required to be done as a prerequisite or qualification for voting, and by such constitution or laws persons or officers are charged with the duty of furnishing to citizens an opportunity to perform such prerequisite, or to become qualified to vote, every such person and officer shall give to all citizens of the United States the same and equal opportunity to perform such prerequisite, and to become qualified to vote.

SEC. 2006. Every person or officer charged with the duty specified in the preceding section, who refuses or knowingly omits to give full effect to that section, shall forfeit the sum of five hundred dollars to the party aggrieved by such refusal or omission, to be recovered by an action on the case, with costs, and such allowance for counsel fees as the court may deem just.

SEC. 2007. Whenever under the authority of the constitution or laws of any State, or the laws of any Territory, any act is required to be done by a citizen as a prerequisite to qualify or entitle him to vote, the offer of such citizen to perform the act required to be done shall, if it fail to be carried into execution by reason of the wrongful act or omission of the person or officer charged with the duty of receiving or permitting such performance or offer to perform, or acting thereon, be deemed and held as a performance in law of such act; and the person so offering and failing to vote, and being otherwise qualified, shall be entitled to vote in the same manner and to the same extent as if he had in fact performed such act.

SEC. 2008. Every judge, inspector, or other officer of election whose duty it is to receive, count, certify, register, report, or give effect

to the vote of such citizen, who wrongfully refuses or omits to receive, count, register, report, or give effect to the vote of such citizen upon the presentation by him of his affidavit, stating such offer and the time and place thereof, and the name of the officer or person whose duty it was to act thereon, and that he was wrongfully prevented by such person or officer from performing such act, shall forfeit the sum of five hundred dollars to the party aggrieved by such refusal or omission, to be recovered by an action on the case, with costs, and such allowance for counsel fees as court may deem just.

SEC. 2009. Every officer or other person, having powers or duties of an official character to discharge under any of the provisions of this Title, who by threats, or any unlawful means, hinders, delays, prevents, or obstruct or combines and confederates with others to hinder, delay, prevent or obstructs any citizen from doing any act required to be done to qualify him to vote, or from voting at any election in any State, Territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision, shall forfeit the sum of five hundred dollars to the person aggrieved thereby, to be recovered by an action on the case, with costs, and such allowance for counsel fees as the court may deem just.

SEC. 2010. Whenever any person is defeated or deprived of his election to any office, except elector of President or Vice-President, Representative or Delegate in Congress, or member of a State legislature, by reason of the denial to any citizen who may offer to vote, of the right to vote, on account of race, color, or previous condition of servitude, his right to hold and enjoy such office, and the emoluments thereof, shall not be impaired by such denial; and the person so defeated or deprived may bring any appropriate suit or proceeding to recover possession of such office, and in cases where it appears that the sole question touching the title to such office arises out of the denial of the right to vote to citizens who so offered to vote, on account of race, color, or previous condition of servitude, such suit or proceeding may be instituted in the circuit or district court of the United States of the circuit or district in which such person resides. And the circuit or district court shall have, concurrently with the State courts, jurisdiction thereof, so far as to determine the rights of the parties to such office by reason of the denial of the right guaranteed by the fifteenth article of amendment to the Constitution of the United States, and secured therein. [See §§ 563, 629.]

SEC. 2011. Whenever, in any city or town having upward of twenty thousand

inhabitants, there are two citizens thereof, or whenever, in any county or parish, in any congressional district, there are ten citizens thereof, of good standing, who, prior to any registration of voters for an election for Representative or Delegate in the Congress of the United States, or prior to any election at which a Representative or Delegate in Congress is to be voted for, may make known, in writing, to the judge of the circuit court of the United States for the circuit wherein such city or town, county or parish, is situated, their desire to have such registration, or such election, or both, guarded and scrutinized, the judge, within not less than ten days prior to the registration, if one there be, or, if no registration be required, within not less than ten days prior to the election, shall open the circuit court at the most convenient point in the circuit.

SEC. 2012. The court, when so opened by the judge, shall proceed to appoint and commission, from day to day and from time to time, and under the hand of the judge, and under the seal of the court, for each election district or voting precinct in such city or town, or for such election district or voting precinct in the congressional district, as may have applied in the manner hereinbefore prescribed, and to revoke, change, or renew such appointment from time to time, two citizens, residents of the city or town, or of the election district or voting precinct in the county or parish, who shall be of different political parties, and able to read and write the English language, and who shall be known and designated as supervisors of election. [See §§ 5521, 5522.]

SEC. 2013. The circuit court, when opened by the judge as required in the two preceding sections, shall therefrom and thereafter, and up to and including the day following the day of election, be always open for the transaction of business under this Title, and the powers and jurisdiction hereby granted and conferred shall be exercised as well in vacation as in term time; and a judge sitting at chambers shall have the same powers and jurisdiction, including the power of keeping order and of punishing any contempt of his authority, as when sitting in court.

SEC. 2014. Whenever, from any cause, the judge of the circuit court in any judicial circuit is unable to perform and discharge the duties herein imposed, he is required to select and assign to the performance thereof, in his place, such one of the judges of the district courts within his circuit as he may deem best; and upon such selection and assignment being made, the district judge so designated shall perform and discharge, in the place of the circuit judge, all the duties, powers, and obligations imposed and conferred

upon the circuit judge by the provisions hereof.

SEC. 2015. The preceding section shall be construed to authorize each of the judges of the circuit courts of the United States to designate one or more of the judges of the district courts within his circuit to discharge the duties arising under this Title.

SEC. 2016. The supervisors of election, so appointed, are authorized and required to attend at all times and places fixed for the registration of voters, who, being registered, would be entitled to vote for a Representative or Delegate in Congress, and to challenge any person offering to register; to attend at all times and places when the names of registered voters may be marked for challenge, and to cause such names registered as they may deem proper to be so marked; to make, when required, the lists, or either of them, provided for in section two thousand and twenty-six, and verify the same; and upon any occasion, and at any time when in attendance upon the duty herein prescribed, to personally inspect and scrutinize such registry, and for purposes of identification to affix their signature to each page of the original list, and of each copy of any such list of registered voters, at such times, upon each day when any name may be received, entered, or registered, and in such manner as will, in their judgment, detect and expose the improper or wrongful removal therefrom, or addition thereto, of any name.

SEC. 2017. The supervisors of election are authorized and required to attend at all times and places for holding elections of Representatives or Delegates in Congress, and for counting the votes cast at such elections; to challenge any vote offered by any person whose legal qualifications the supervisors, or either of them, may doubt; to be and remain where the ballot-boxes are kept at all times after the polls are open until every vote cast at such time and place has been counted, the canvass of all votes polled wholly completed, and the proper and requisite certificates or returns made, whether the certificates or returns be required under any law of the United States, or any State, territorial, or municipal law, and to personally inspect and scrutinize, from time to time, and at all times, on the day of election, the manner in which the voting is done, and the way and method in which the poll-books, registry-lists, and tallies or check-books, whether the same are required by any law of the United States, or any State, territorial, or municipal law, are kept.

SEC. 2018. To the end that each candidate for the office of Representative or Delegate in Congress may obtain the benefit of every vote for him cast, the super-

visors of election are, and each of them is, required to personally scrutinize, count, and canvass each ballot in their election district or voting precinct cast, whatever may be the indorsement on the ballot, or in whatever box it may have been placed or be found; to make and forward to the officer who, in accordance with the provisions of section two thousand and twenty-five, has been designated as the chief supervisor of the judicial district in which the city or town wherein they may serve, acts, such certificates and returns of all such ballots as such officer may direct and require, and to attach to the registry-list, and any and all copies thereof and to any certificate, statement, or return, whether the same, or any part or portion thereof, be required by any law of the United States, or of any State, territorial, or municipal law, any statement touching the truth or accuracy of the registry, or the truth or fairness of the election and canvass, which the supervisors of the election, or either of them, may desire to make or attach, or which should properly and honestly be made or attached, in order that the facts may become known.

SEC. 2019. The better to enable the supervisors of election to discharge their duties, they are authorized and directed, in their respective election districts or voting precincts, on the day of registration, on the day when registered voters may be marked to be challenged, and on the day of election, to take, occupy, and remain in such position, from time to time, whether before or behind the ballot boxes, as will, in their judgment, best enable them to see each person offering himself for registration or offering to vote, and as will best conduce to their scrutinizing the manner in which the registration or voting is being conducted; and at the closing of the polls for the reception of votes, they are required to place themselves in such position, in relation to the ballot-boxes, for the purpose of engaging in the work of canvassing the ballots, as will enable them to fully perform the duties in respect to such canvass provided herein, and shall there remain until every duty in respect to such canvass, certificates, returns, and statements has been wholly completed. [See § 5521.]

SEC. 2020. When in any election district or voting precinct in any city or town, for which there have been appointed supervisors of election for any election at which a Representative or Delegate in Congress is voted for, the supervisors of election are not allowed to exercise and discharge, fully and freely, and without bribery, solicitation, interference, hinderance, molestation, violence, or threats thereof, on the part of any person, all the duties, obligations, and powers conferred upon them by law, the supervisors of election shall make

prompt report, under oath, within ten days after the day of election to the officer who, in accordance with the provisions of section two thousand and twenty-five, has been designated as the chief supervisor of the judicial district in which the city or town wherein they served, acts, of the manner and means by which they were not so allowed to fully and freely exercise and discharge the duties and obligations required and imposed herein. And upon receiving any such report, the chief supervisor, acting both in such capacity and officially as a commissioner of the circuit court, shall forthwith examine into all the facts; and he shall have power to subpoena and compel the attendance before him of any witness, and to administer oaths and take testimony in respect to the charges made; and, prior to the assembling of the Congress for which any such Representative or Delegate was voted for, he shall file with the Clerk of the House of Representatives all the evidence by him taken, all information by him obtained, and all reports to him made. [See § 5522.]

SEC. 2021. Whenever an election at which Representatives or Delegates in Congress are to be chosen is held in any city or town of twenty thousand inhabitants or upward, the marshal for the district in which the city or town is situated shall, on the application, in writing, of at least two citizens residing in such city or town, appoint special deputy marshals, whose duty it shall be, when required thereto, to aid and assist the supervisors of election in the verification of any list of persons who may have registered or voted; to attend in each election district or voting precinct at the times and places fixed for the registration of voters, and at all times or places when and where the registration may by law be scrutinized, and the names of registered voters be marked for challenge; and also to attend, at all times for holding elections, the polls in such district or precinct.

SEC. 2022. The marshal and his general deputies, and such special deputies, shall keep the peace, and support and protect the supervisors of election in the discharge of their duties, preserve order at such places of registration and at such polls, prevent fraudulent registration and fraudulent voting thereat, or fraudulent conduct on the part of any officer of election, and immediately, either at the place of registration or polling place, or elsewhere, and either before or after registering or voting, to arrest and take into custody, with or without process, any person who commits, or attempts or offers to commit, any of the acts or offenses prohibited herein, or who commits any offense against the laws of the United States; but no person shall be arrested without process for any offense not

committed in the presence of the marshal or his general or special deputies, or either of them, or of the supervisors of election, or either of them, and, for the purposes of arrest or the preservation of the peace, the supervisors of election shall, in the absence of the marshal's deputies, or if required to assist such deputies, have the same duties and powers as deputy marshals; nor shall any person, on the day of such election, be arrested without process for any offense committed on the day of registration. [See §§ 5521, 5522.]

SEC. 2023. Whenever any arrest is made under any provision of this Title, the person so arrested shall forthwith be brought before a commissioner, judge, or court of the United States for examination of the offenses alleged against him; and such commissioner, judge, or court shall proceed in respect thereto as authorized by law in case of crimes against the United States.

SEC. 2024. The marshal or his general deputies, or such special deputies as are thereto specially empowered by him, in writing and under his hand and seal, whenever he or either or any of them is forcibly resisted in executing their duties under this Title, or shall, by violence, threats, or menaces, be prevented from executing such duties, or from arresting any person who has committed any offense for which the marshal or his general or his special deputies are authorized to make such arrest, are, and each of them is, empowered to summon and call to his aid the bystanders or posse comitatus of his district.

SEC. 2025. The circuit courts of the United States for each judicial circuit shall name and appoint, on or before the first day of May, in the year eighteen hundred and seventy-one, and thereafter as vacancies may from any cause arise, from among the circuit court commissioners for each judicial district in each judicial circuit, one of such officers, who shall be known for the duties required of him under this Title as the chief supervisor of elections of the judicial district for which he is a commissioner, and shall, so long as faithful and capable, discharge the duties in this Title imposed. [See § 627.]

SEC. 2026. The chief supervisor shall prepare and furnish all necessary books, forms, blanks, and instructions for the use and direction of the supervisors of election in the several cities and towns in their respective districts; he shall receive the applications of all parties for appointment to such positions; upon the opening, as contemplated in section two thousand and twelve, of the circuit court for the judicial circuit in which the commissioner so designated acts, he shall present such applications to the judge thereof, and furnish information to him in respect to the ap-

pointment by the court of such supervisors of election; he shall require of the supervisors of election, when necessary, lists of the persons who may register and vote, or either, in their respective election districts or voting precincts, and cause the names of those upon any such list whose right to register or vote is honestly doubted to be verified by proper inquiry and examination at the respective places by them assigned as their residences; and he shall receive, preserve, and file all oaths of office of supervisors of election, and of all special deputy marshals appointed under the provisions of this Title, and all certificates, returns, reports, and records of every kind and nature contemplated or made requisite by the provisions hereof, save where otherwise herein specially directed. [See § 627.]

SEC. 2027. All United States marshals and commissioners who in any judicial district perform any duties under the preceding provisions relating to, concerning, or affecting the election of Representatives or Delegates in the Congress of the United States, from time to time, and, with all due diligence, shall forward to the chief supervisor in and for their judicial district, all complaints, examinations, and records pertaining thereto, and all oaths of office by them administered to any supervisor of election or special deputy marshal, in order that the same may be properly preserved and filed.

SEC. 2028. No person shall be appointed a supervisor of election or a deputy marshal, under the preceding provisions, who is not, at the time of his appointment, a qualified voter of the city, town, county, parish, election district, or voting precinct in which his duties are to be performed.

SEC. 2029. The supervisors of election appointed for any county or parish in any congressional district, at the instance of ten citizens, as provided in section two thousand and eleven, shall have no authority to make arrests, or to perform other duties than to be in the immediate presence of the officers holding the election, and to witness all their proceedings, including the counting of the votes and the making of a return thereof.

SEC. 2030. Nothing in this Title shall be construed to authorize the appointment of any marshals or deputy marshals in addition to those authorized by law, prior to the tenth day of June, eighteen hundred and seventy-two.

SEC. 2031. There shall be allowed and paid to the chief supervisor, for his services as such officer, the following compensation, apart from and in excess of all fees allowed by law for the performance of any duty as circuit court commissioner: For filing and caring for every return, report, record, document, or other paper required

to be filed by him under any of the preceding provisions, ten cents; for affixing a seal to any paper, record, report, or instrument, twenty cents; for entering and indexing the records of his office, fifteen cents per folio; and for arranging and transmitting to Congress, as provided for in section two thousand and twenty, any report, statement, record, return, or examination, for each folio, fifteen cents; and for any copy thereof, or of any paper on file, a like sum. And there shall be allowed and paid to each supervisor of election, and each special deputy marshal who is appointed and performs his duty under the preceding provisions, compensation at the rate of five dollars per day for each day he is actually on duty, not exceeding ten days; but no compensation shall be allowed, in any case, to supervisors of election, except to those appointed in cities or towns of twenty thousand or more inhabitants. And the fees of the chief supervisors shall be paid at the Treasury of the United States, such accounts to be made out, verified, examined, and certified as in the case of accounts of commissioners, save that the examination or certificate required may be made by either the circuit or district judge.

#### The Freemen.

SEC.

2032. Certain acts continued in force.

2033. Such laws to be enforced by Secretary of War.

2034. Accounts for expenditures, &c., to be paid from what fund, and how.

2035. Secretary of War appointed trustee of a retained-bounty fund, &c.

2036. May invest the fund, and for what purpose.

2037. Who to be deemed wife and children of colored Soldiers.

2038. Freemen's Hospital in District of Columbia, continued, &c.

SEC. 2032. All laws and parts of laws pertaining to the collection and payment of bounty, prize money, and other legitimate claims of colored soldiers, sailors, and marines, or their heirs, shall remain in force until otherwise ordered by Congress.

SEC. 2033. The Secretary of War is authorized to carry into effect all laws and parts of laws referred to in the preceding section, and to this end he may employ such clerical force as he deems necessary.

SEC. 2034. Where accounts have been rendered for necessary expenditures incurred for refugees or freemen, under the sanction of the proper officers, but which cannot be settled for want of specific appropriations, the same may be paid out of the fund for the relief of refugees and freedmen, on the approval of the Secretary [of] War.

SEC. 2035. The Secretary of War is constituted the lawful custodian of a retained bounty fund, which has been derived from a portion of the State bounties of certain colored soldiers enlisted in Virginia and North Carolina, during the years 1864 and 1865, and which, by virtue of General Or-

ders No. 90, Department of Virginia and North Carolina, was held by the Superintendent of Freedmen's Affairs, but was turned over to the Bureau upon its organization; and the Secretary of War shall hold the fund as trustee for the benefit of such colored soldiers or their legal representatives, to whom the same shall be paid upon their application or discovery.

SEC. 2036. The Secretary of War is empowered to invest the fund, or any portion thereof, in bonds of the United States, for the exclusive benefit of such colored soldiers or their legal representatives; but a sufficient amount of the same in cash may be retained uninvested to meet all lawful claims thereupon that will probably be presented for payment.

SEC. 2037. In determining who is the wife or child of any colored soldier, within the meaning of this Title, evidence that the soldier and the woman claimed to be his wife cohabited or associated as husband and wife, and so continued to cohabit or associate at the time of enlistment, or evidence that a form of marriage, whether such marriage was authorized or recognized by law or not, was entered into by them, and that the parties thereafter lived together as husband and wife, and so continued to live together at the time of the enlistment, shall be deemed sufficient proof of marriage; and the children born of any such marriage shall be taken to be the children embraced within the provisions of this Title, whether such marriage was or was not dissolved at the time of the enlistment.

SEC. 2038. The Freedmen's Hospital and Asylum in the District of Columbia is, until otherwise ordered by Congress, continued under the control and supervision of the Secretary of War, who shall make all estimates, pass all accounts, and be responsible to the Treasury for all expenditures; but no part of any appropriation shall be used in support of, or to pay the expenses on account of, any person hereafter to be admitted to such Hospital and Asylum, unless persons removed thither from some other Government hospital.

#### **An Act to Protect all Citizens in their Civil and Legal Rights.\***

##### SECTIONS

- Preamble; equity of rights.
1. All persons to have equal rights in inns, public conveyances, theaters, and place of public amusement.
  2. Persons violating provisions liable to penalty. Election of remedies by persons aggrieved. Judgment on one bars both remedies.
  3. Jurisdiction of courts. District attorneys, marshals, and commissioners to institute proceedings against persons violating act. Rights of civil actions not affected. Failure of district attorney to prosecute. Effect of judgment against district attorney.

\* Act of March 1, 1875, with amendments of Revised Statutes Supplement, 1882.

4. Jurors not to be excluded on account of race or color.
5. Supreme Court may review all cases under this act.

*Whereas, it is essential to just government we recognize the equality of all men before the law, and hold it is the duty of government in its dealings with the people to mete out equal and exact justice to all, of whatever nativity, race, color, or persuasion, religious or political; and it being the appropriate object of legislation to enact great fundamental principles into law: Therefore,*

*Be it enacted, etc.*

SECTION 1. That all persons within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of inns, public conveyances on land or water, theaters, and other places of public amusement; subject only to the conditions and limitations established by law, and applicable alike to citizens of every race and color, regardless of any previous condition of servitude.

SEC. 2. That any person who shall violate the foregoing section by denying to any citizen, except for reasons by law applicable to citizens of every race and color, and regardless of any previous condition of servitude, the full enjoyment of any of the accommodations, advantages, facilities, or privileges in said section enumerated, or by aiding or inciting such denial, shall, for every such offense, forfeit and pay the sum of five hundred dollars to the person aggrieved thereby, to be recovered in an action of debt, with full costs; and shall also, for every such offense, be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than five hundred nor more than one thousand dollars, or shall be imprisoned not less than thirty days nor more than one year:

*Provided*, That all persons may elect to sue for the penalty aforesaid, or to proceed under their rights at common law and by State statutes; and having so elected to proceed in the one mode or the other, their right to proceed in the other jurisdiction shall be barred. But this proviso shall not apply to criminal proceedings, either under this act or the criminal law of any State.

*And provided further*, That a judgment for the penalty in favor of the party aggrieved, or a judgment upon an indictment, shall be a bar to either prosecution respectively.

SEC. 3. That the district and circuit courts of the United States shall have, exclusively of the courts of the several States, cognizance of all crimes and offenses against, and violations of, the provisions of this act; and actions for the penalty given by the preceding section



may be prosecuted in the territorial, district, or circuit courts of the United States wherever the defendant may be found, without regard to the other party.

And the district attorneys, marshals, and deputy marshals of the United States, and commissioners appointed by the circuit and territorial courts of the United States, with powers of arresting and imprisoning or bailing offenders against the laws of the United States, are hereby specially authorized and required to institute proceedings against every person who shall violate the provisions of this act, and cause him to be arrested and imprisoned or bailed, as the case may be, for trial before such court of the United States, or territorial court, as by law has cognizance of the offense, except in respect of the right of action accruing to the person aggrieved; and such district attorneys shall cause such proceedings to be prosecuted to their termination as in other cases:

*Provided*, That nothing contained in this section shall be construed to deny or defeat any right of civil action accruing to any person, whether by reason of this act or otherwise;

And any district attorney who shall willfully fail to institute and prosecute the proceedings herein required, shall, for every such offense, forfeit and pay the sum of five hundred dollars to the person aggrieved thereby, to be recovered by an action of debt, with full costs, and shall, on conviction thereof, be deemed guilty of a misdemeanor, and be fined not less than one thousand nor more than five thousand dollars:

*And provided further*, That a judgment for the penalty in favor of the party aggrieved against any such district attorney, or a judgment upon an indictment against any such district attorney, shall be a bar to either prosecution respectively.

SEC. 4. That no citizen possessing all other qualifications which are or may be prescribed by law shall be disqualified for service as grand or petit juror in any court of the United States, or of any State, on account of race, color, or previous condition of servitude; and any officer or other person charged with any duty in the selection or summoning of jurors who shall exclude or fail to summon any citizen for the cause aforesaid shall, on conviction thereof, be deemed guilty of a misdemeanor, and be fined not more than five thousand dollars.

SEC. 5. That all cases arising under the provisions of this act in the courts of the United States shall be reviewable by the Supreme Court of the United States, without regard to the sum in controversy, under the same provisions and regulations as are now provided by law for the review

of other causes in said court. [March 1, 1875.]

#### Allen Enemies.

SEC. 4067. Whenever there is a declared war between the United States and any foreign nation or government, or any invasion or predatory incursion is perpetrated, attempted, or threatened against the territory of the United States, by any foreign nation or government, and the President makes public proclamation of the event, all natives, citizens, denizens, or subjects of the hostile nation or government, being males of the age of fourteen years and upward, who shall be within the United States, and not actually naturalized, shall be liable to be apprehended, restrained, secured, and removed, as alien enemies. The President is authorized, in any such event, by his proclamation thereof, or other public act, to direct the conduct to be observed, on the part of the United States, towards the aliens who become so liable; the manner and degree of the restraint to which they shall be subject, and in what cases, and upon what security their residence shall be permitted, and to provide for the removal of those who, not being permitted to reside within the United States, refuse or neglect to depart therefrom; and to establish any other regulations which are found necessary in the premises and for the public safety.

SEC. 4068. When an alien who becomes liable as an enemy, in the manner prescribed in the preceding section, is not chargeable with actual hostility, or other crime against the public safety, he shall be allowed, for the recovery, disposal, and removal of his goods and effects, and for his departure, the full time which is or shall be stipulated by any treaty then in force between the United States and the hostile nation or government of which he is a native citizen, denizen, or subject; and where no such treaty exists, or is in force, the President may ascertain and declare such reasonable time as may be consistent with the public safety, and according to the dictates of humanity and national hospitality.

SEC. 4069. After any such proclamation has been made, the several courts of the United States, having criminal jurisdiction, and the several justices and judges of the courts of the United States, are authorized, and it shall be their duty, upon complaint against any alien enemy resident and at large within such jurisdiction or district, to the danger of the public peace or safety, and contrary to the tenor or intent of such proclamation, or other regulations which the President may have established, to cause such alien to be duly apprehended and conveyed before such court, judge, or justice; and after a full

examination and hearing on such complaint, and sufficient cause appearing, to order such alien to be removed out of the territory of the United States, or to give sureties for his good behavior, or to be otherwise restrained, conformably to the proclamation or regulations established as aforesaid, and to imprison, or otherwise secure such alien, until the order which may be so made shall be performed.

SEC. 4070. When an alien enemy is required by the President, or by order of any court, judge, or justice, to depart and to be removed, it shall be the duty of the marshal of the district in which he shall be apprehended to provide therefor, and to execute such order in person, or by his deputy, or other discreet person to be employed by him, by causing a removal of such alien out of the territory of the United States; and for such removal the marshal shall have the warrant of the President, or of the court, judge, or justice, ordering the same, as the case may be.

#### Bounty-Lands.

- Sec.  
 2414. Military bounty-land warrants and locations assignable.  
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 2433. Allowance of time of service for distance from home to place of muster or discharge.  
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 2436. Sales, mortgages, letters of attorney, &c., made before issue of warrant to be void.  
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 2438. Deserters not entitled to bounty-land.  
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 2444. Death of claimant after establishing right, and before issuing of warrant.  
 2445. When proofs may be filed by legal representatives.  
 2446. Relocation of military bounty-land warrants in cases of error.

SEC. 2414. All warrants for military bounty-lands which have been or may hereafter be issued under any law of the United States, and all valid locations of the same which have been or may hereafter be made, are declared to be assignable

by deed or instrument of writing, made and executed according to such form and pursuant to such regulations as may be prescribed by the Commissioner of the General Land-Office, so as to vest the assignee with all the rights of the original owner of the warrant or location.

SEC. 2415. The warrants which have been or may hereafter be issued in pursuance of law may be located according to the legal subdivisions of the public lands in one body upon any lands of the United States subject to private entry at the time of such location at the minimum price. When such warrant is located on lands which are subject to entry at a greater minimum than one dollar and twenty-five cents per acre, the locator shall pay to the United States in cash the difference between the value of such warrants at one dollar and twenty-five cents per acre and the tract of land located on. But where such tract is rated at one dollar and twenty-five cents per acre, and does not exceed the area specified in the warrant, it must be taken in full satisfaction thereof.

SEC. 2416. In all cases of warrants for bounty lands, issued by virtue of an act approved July twenty-seven, one thousand eight hundred and forty-two, and of two acts approved January twenty-seven, one thousand eight hundred and thirty-five, therein and thereby revised, and of two acts to the same intent, respectively, approved June twenty-six, eighteen hundred and forty-eight, and February eight, eighteen hundred and fifty-four, for military services in the revolutionary war, or in the war of eighteen hundred and twelve with Great Britain, which remained unsatisfied on the second day of July, eighteen hundred and sixty-four, it is lawful for the person in whose name such warrant issued, his heirs or legal representatives, to enter in quarter-sections, at the proper local land-office in any of the States or Territories, the quantity of the public lands subject to private entry which he is entitled to under such warrant.

SEC. 2417. All warrants for bounty-lands referred to in the preceding section may be located at any time, in conformity with the general laws in force at the time of such location.

SEC. 2418. Each of the surviving, or the widow or minor children of deceased commissioned and non-commissioned officers, musicians, or privates, whether of regulars, volunteers, rangers, or militia, who perform military service in any regiment, company, or detachment, in the service of the United States, in the war with Great Britain, declared on the eighteenth day of June, eighteen hundred and twelve, or in any of the Indian wars since seventeen hundred and ninety, and prior to the third of March, eighteen hundred

and fifty, and each of the commissioned officers who was engaged in the military service of the United States in the war with Mexico, shall be entitled to lands as follows: Those who engaged to serve twelve months or during the war, and actually served nine months, shall receive one hundred and sixty acres, and those who engaged to serve six months, and actually served four months, shall receive eighty acres, and those who engaged to serve for any or an indefinite period, and actually served one month, shall receive forty acres; but wherever any officer or soldier was honorably discharged in consequence of disability contracted in the service, before the expiration of his period of service, he shall receive the amount to which he would have been entitled if he had served the full period for which he had engaged to serve. All the persons enumerated in this section who enlisted in the regular army, or were mustered in any volunteer company for a period of not less than twelve months, and who served in the war with Mexico and received an honorable discharge, or who were killed or died of wounds received or sickness incurred in the course of such service, or were discharged before the expiration of the term of service in consequence of wounds received or sickness incurred in the course of such service, shall be entitled to receive a certificate or warrant for one hundred and sixty acres of land: or at option Treasury scrip for one hundred dollars bearing interest at six per cent. per annum, payable semi-annually, at the pleasure of the Government. In the event of the death of any one of the persons mentioned in this section during service, or after his discharge, and before the issuing of a certificate or warrant, the warrant or scrip shall be issued in favor of his family or relatives; first, to the widow and his children; second, his father; third, his mother; fourth, his brothers and sisters.

SEC. 2419. The persons enumerated in the preceding section received into service after the commencement of the war with Mexico, for less than twelve months, and who served such term, or were honorably discharged are entitled to receive a certificate or warrant for forty acres, or scrip for twenty-five dollars if preferred, and in the event of the death of such person during service, or after honorable discharge before the eleventh of February, eighteen hundred and forty-seven, the warrant or scrip shall issue to the wife, child, or children, if there be any, and if none, to the father, and if no father, to the mother of such soldier.

SEC. 2420. Where the militia, or volunteers, or State troops of any State or Territory, subsequent to the eighteenth day of June, eighteen hundred and twelve, and

prior to March twenty-second, eighteen hundred and fifty-two, were called into service, the officers and soldiers thereof shall be entitled to all the benefits of section two thousand four hundred and eighteen upon proof of length of service as therein required.

SEC. 2421. No person shall take any benefit under the provisions of the three preceding sections, if he has received, or is entitled to receive, any military land-bounty under any act of Congress passed prior to the twenty-second March, eighteen hundred and fifty-two.

SEC. 2422. The period during which any officer or soldier remained in captivity with the enemy shall be estimated and added to the period of his actual service, and the person so retained in captivity shall receive land under the provisions of sections twenty-four hundred and eighteen and twenty-four hundred and twenty, in the same manner that he would be entitled in case he had entered the service for the whole term made up by the addition of the time of his captivity, and had served during such term.

SEC. 2423. Every person for whom provision is made by sections twenty-four hundred and eighteen and twenty-four hundred and twenty shall receive a warrant from the Department of the Interior for the quantity of land to which he is entitled; and, upon the return of such warrant, with evidence of the location thereof having been legally made to the General Land-Office, a patent shall be issued therefor.

SEC. 2424. In the event of the death of any person, for whom provision is made by sections twenty-four hundred and eighteen and twenty-four hundred and twenty, and who did not receive bounty-land for his services, a like warrant shall issue in favour of his widow, who shall be entitled to one hundred and sixty acres of land in case her husband was killed in battle; nor shall a subsequent marriage impair the right of any widow to such warrant, if she be a widow at the time of making her application.

SEC. 2425. Each of the surviving persons specified in the classes enumerated in the following section, who has served for a period of not less than fourteen days, in any of the wars in which the United States have been engaged since the year seventeen hundred and ninety, and prior to the third day of March, eighteen hundred and fifty-five, shall be entitled to receive a warrant from the Department of the Interior, for one hundred and sixty acres of land; and, where any person so entitled has, prior to the third day of March, eighteen hundred and fifty-five, received a warrant for any number of acres less than one hundred and sixty,

he shall be allowed a warrant for such quantity of land only as will make, in the whole, with what he may have received prior to that date, one hundred and sixty acres.

SEC. 2426. The classes of persons embraced as beneficiaries under the preceding section, are as follows, namely:

First. Commissioned and non-commissioned officers, musicians, and privates, whether of the regulars, volunteers, rangers, or militia, who were regularly mustered into the service of the United States.

Second. Commissioned and non-commissioned officers, seamen, ordinary seamen, flotilla-men, marines, clerks, and landsmen in the Navy.

Third. Militia, volunteers, and State troops of any State or Territory, called into military service, and regularly mustered therein, and whose services have been paid by the United States.

Fourth. Wagon-masters and teamsters who have been employed under the direction of competent authority, in time of war, in the transportation of military stores and supplies.

Fifth. Officers and soldiers of the revolutionary war, and marines, seamen, and other persons in the naval service of the United States during that war.

Sixth. Chaplains who served with the Army.

Seventh. Volunteers who served with the armed forces of the United States in any of the wars mentioned, subject to military orders, whether regularly mustered into the service of the United States or not.

SEC. 2427. The following class of persons are included as beneficiaries under section twenty-four hundred and twenty-five, without regard to the length of service rendered.

First. Any of the classes of persons mentioned in section twenty-four hundred and twenty-six who have been actually engaged in any battle in any of the wars in which this country has been engaged since seventeen hundred and ninety, and prior to March third, eighteen hundred and fifty-five.

Second. Those volunteers who served at the invasion of Plattsburgh, in September, eighteen hundred and fourteen.

Third. The volunteers who served at the battle of King's Mountain in the revolutionary war.

Fourth. The volunteers who served at the battle of Nickojack against the confederate savages of the South.

Fifth. The volunteers who served at the attack on Lewistown, in Delaware, by the British fleet, in the war of eighteen hundred and twelve.

SEC. 2428. In the event of the death of any person who would be entitled to a

warrant, as provided in section twenty-four hundred and twenty-five, leaving a widow, or, if no widow, a minor child, such widow or such minor child shall receive a warrant for the same quantity of land that the decedent would be entitled to receive, if living on the third day of March, eighteen hundred and fifty-five.

SEC. 2429. A subsequent marriage shall not impair the right of any widow, under the preceding section, if she be a widow at the time of her application.

SEC. 2430. Persons within the age of twenty-one years on the third day of March, eighteen hundred and fifty-five, shall be considered minors within the intent of section twenty-four hundred and twenty-eight.

SEC. 2431. Where no record evidence of the service for which a warrant is claimed exists, parol evidence may be admitted to prove the service performed, under such regulations as the Commissioner of Pensions may prescribe.

SEC. 2432. Where certificate or a warrant for bounty-land for any less quantity than one hundred and sixty acres has been issued to any officer or soldier, or to the widow or minor child of any officer or soldier, the evidence upon which such certificate or warrant was issued shall be received to establish the service of such officer or soldier in the application of himself, or of his widow or minor child, for a warrant for so much land as may be required to make up the full sum of one hundred and sixty acres, to which he may be entitled under the preceding section, on proof of the identity of such officer or soldier, or, in case of his death, of the marriage and identity of his widow, or, in case of her death, of the identity of his minor child. But if, upon a review of such evidence, the Commissioner of Pensions is not satisfied that the former warrant was properly granted, he may require additional evidence, as well of the term as of the fact of service.

SEC. 2433. When any company, battalion, or regiment, in an organized form, marched more than twenty miles to the place where they were mustered into the service of the United States, or were discharged more than twenty miles from the place where such company, battalion, or regiment was organized, in all such cases, in computing the length of service of the officers and soldiers of any such company, battalion, or regiment, there shall be allowed one day for every twenty miles from the place where the company, battalion, or regiment was organized to the place where the same was mustered into the service of the United States, and one day for every twenty miles from the place where such company, battalion, or regiment was discharged, to the place where

it was organized, and from whence it marched to enter the service, provided that such march was in obedience to the command or direction of the President, or some general officer of the United States, commanding an army or department, or the chief executive officer of the State or Territory by which such company, battalion, or regiment was called into service.

SEC. 2434. The provisions of all the bounty-land laws shall be extended to Indians, in the same manner and to the same extent as to white persons.

SEC. 2435. Where a pension has been granted to any officer or soldier, the evidence upon which such pension was granted shall be received to establish the service of such officer or soldier in his application for bounty-land; and upon proof of his identity as such pensioner, a warrant may be issued to him for the quantity of land to which he is entitled; and in case of the death of such pensioned officer or soldier, his widow shall be entitled to a warrant for the same quantity of land to which her husband would have been entitled, if living, upon proof that she is such widow; and in case of the death of such officer or soldier, leaving a minor child and no widow, or where the widow may have deceased before the issuing of any warrant, such minor child shall be entitled to a warrant for the same quantity of land as the father would have been entitled to receive if living, upon proof of the decease of father and mother. But if, upon a review of such evidence, the Commissioner of Pensions is not satisfied that the pension was properly granted, he may require additional evidence, as well of the term as of the fact of service.

SEC. 2436. All sales, mortgages, letters of attorney, or other instruments of writing, going to affect the title or claim to any warrant issued, or to be issued, or any land granted, or to be granted, under the preceding provisions of this chapter, made or executed prior to the issue of such warrant, shall be null and void to all intents and purposes whatsoever; nor shall such warrant, or the land obtained thereby, be in anywise affected by, or charged with, or subject to, the payment of any debt or claim incurred by any officer or soldier, prior to the issuing of the patent.

SEC. 2437. It shall be the duty of the Commissioner of the General Land-Office, under such regulations as may be prescribed by the Secretary of the Interior, to cause to be located, free of expense, any warrant which the holder may transmit to the General Land-Office for that purpose, in such State or land-district as the holder or warrantee may designate, and upon good farming-land, so far as the same can be ascertained from the maps, plats, and

field-notes of the surveyor, or from any other information in the possession of the local office, and, upon the location being made, the Secretary shall cause a patent to be transmitted to such warrantee or holder.

SEC. 2438. No person who has been in the military service of the United States shall, in any case, receive a bounty-land warrant if it appears by the muster-rolls of his regiment or corps that he deserted or was dishonorably discharged from service.

SEC. 2439. When a soldier of the Regular Army, who has obtained a military land-warrant, loses the same, or such warrant is destroyed by accident, he shall, upon proof thereof to the satisfaction of the Secretary of the Interior, be entitled to a patent in like manner as if the warrant was produced.

SEC. 2440. In all cases of discharge from the military service of the United States of any soldier of the Regular Army, when it appears to the satisfaction of the Secretary of War that a certificate of faithful services has been omitted by the neglect of the discharging officer, by misconstruction of the law, or by any other neglect or casualty, such omission shall not prevent the issuing of the warrant and patent as in other cases. And when it is proved that any soldier of the Regular Army has lost his discharge and certificate of faithful service, the Secretary of War shall cause such papers to be furnished such soldier as will entitle him to his land-warrant and patent, provided such measure is justified by the time of his enlistment, the period of service, and the report of some officer of the corps to which he was attached.

SEC. 2441. Whenever it appears that any certificate or warrant, issued in pursuance of any law granting bounty-land, has been lost or destroyed, whether the same has been sold and assigned by the warrantee or not, the Secretary of the Interior is required to cause a new certificate or warrant of like tenor to be issued in lieu thereof; which new certificate or warrant may be assigned, located, and patented in like manner as other certificates or warrants for bounty-land are now authorized by law to be assigned, located, and patented; and in all cases where warrants have been, or may be, re-issued, the original warrant, in whosoever hands it may be, shall be deemed and held to be null and void, and the assignment thereof, if any there be, fraudulent; and no patent shall ever issue for any land located therewith, unless such presumption of fraud in the assignment be removed by due proof that the same was executed by the warrantee in good faith and for a valuable consideration.

SEC. 2442. The Secretary of the Interior is required to prescribe such regulations for carrying the preceding section

into effect as he may deem necessary and proper in order to protect the Government against imposition and fraud by persons claiming the benefit thereof; and all laws and parts of laws for the punishment of frauds against the United States are made applicable to frauds under that section.

SEC. 2443. In all cases where an officer or soldier of the revolutionary war, or a soldier of the war of eighteen hundred and twelve, was entitled to bounty-land, has died before obtaining a patent for the land, and where application is made by a part only of the heirs of such deceased officer or soldier for such bounty-land, it shall be the duty of the Secretary of the Interior to issue the patent in the name of the heirs of such deceased officer or soldier, without specifying each; and the patent so issued in the name of the heirs, generally, shall inure to the benefit of the whole, in such portions as they are severally entitled to by the laws of descent in the State or Territory where the officer or soldier belonged at the time of his death.

SEC. 2444. When proof has been or hereafter is filed in the Pension Office, during the life-time of a claimant, establishing, to the satisfaction of that office, his right to a warrant for military services, and such warrant has not been, or may not be, issued until after the death of the claimant, and all such warrants as have been hitherto issued subsequent to the death of the claimant, the title to such warrants shall vest in his widow, if there be one, and if there be no widow, then in the heirs or legatees of the claimant; and all military bounty-land warrants issued pursuant to law shall be treated as personal chattels, and may be conveyed by assignment of such widow, heirs, or legatees, or by the legal representatives of the deceased claimant, for the use of such heirs or legatees only.

SEC. 2445. The legal representatives of a deceased claimant for a bounty-land warrant, whose claim was filed prior to his death, may file the proofs necessary to perfect such claim.

SEC. 2446. Where an actual settler on the public lands has sought, or hereafter attempts, to locate the land settled on and improved by him, with a military bounty-land warrant, and where, from any cause, an error has occurred in making such location, he is authorized to relinquish the land so erroneously located, and to locate such warrant upon the land so settled upon and improved by him, if the same then be vacant, and if not, upon any other vacant land, on making proof of those facts to the satisfaction of the land-officers, according to such rules and regulations as may be prescribed by the Commissioner of the General Land-Office, and subject to his final adjudication.

### An Act to Extend the Time for Filing Claims for Additional Bounty

*Under the Act of July Twenty-eighth, Eighteen Hundred and Sixty six, which Expired, by Limitation, on January Thirtieth, Eighteen Hundred and Seventy-five, until July First, Eighteen Hundred and Eighty.*

Time for filing claims for additional bounty extended to July, 1880, according to statute of 1866, printed in note.

*Be it enacted, &c.,* That the time for filing claims for additional bounty under the act of July twenty-eighth, eighteen hundred and sixty-six, (1) and which expired by limitation on the thirtieth day of January, eighteen hundred and seventy-five, be, and the same is hereby, revived and extended until the first day of July, eighteen hundred and eighty; and that all claims for such bounty filed in the proper department after the thirtieth day of January, eighteen hundred and seventy-five, and before the passage of this act, shall be, and the same are hereby declared to have been, filed in due time, and shall be considered and decided without refiling. [July 5, 1876.]

NOTE.—(1) By act of 1869, ch. 133, § 4 (15 Stat. L., 334), it was enacted that all claims for bounty under the provisions of the act of 1866, ch. 296 (14 Stat. L., 323), here referred to, should be void unless presented prior to December, 1869.

By act of 1870, ch. 253 (16 Stat. L., 254), the time for presenting claims was extended to January 13, 1871; by act of 1873, ch. 281 (17 Stat. L., 608), to January 13, 1874, and by act of 1874, ch. 303 (18 Stat. L., 79), to January 13, 1875.

The provisions of the act of 1866, ch. 296, extended by the above-mentioned acts and by this act, until July 1, 1880, are as follows:

SEC. 12. That each and every soldier who enlisted into the army of the United States, after the nineteenth day of April, eighteen hundred and sixty-one, for a period of not less than three years, and having served the time of his enlistment has been honorably discharged, and who has received or who is entitled to receive from the United States under existing laws, a bounty of one hundred dollars and no more, and any such soldier enlisted for not less than three years, who has been honorably discharged on account of wounds received in the line of duty, and the widow, minor children or parents in the order named, of any such soldier who died in the service of the United States or of disease or wounds contracted while in the service, and in the line of duty, shall be paid the additional bounty of one hundred dollars hereby authorized.

SEC. 13. That to each and every soldier who enlisted into the army of the United States, after the fourteenth day of April, eighteen hundred and sixty-one, for a period of not less than two years and who is not included in the foregoing section, and has been honorably discharged after serving two years, and who has received or is entitled to receive from the United States, under existing laws, a bounty of one hundred dollars and no more, shall be paid an additional bounty of fifty dollars, and any such soldier enlisted for not less than two years who has been honorably discharged on account of wounds received in the line of duty, and the widow, minor children, or parents, in the order named, of any such soldier who died in the service of the United States, or of disease, or wounds contracted while in the service, and in the line of duty, shall be paid the additional bounty of fifty dollars hereby authorized.

SEC. 14. That any soldier who shall have bartered, sold, assigned, transferred, loaned, exchanged, or given away his final discharge papers, or any interest in the bounty provided by this or any other act of Congress, shall not be entitled to receive any additional bounty whatever; and when application is made by any soldier for said bounty, he shall be required under the pains and penalties of perjury, to make oath or affirmation of his identity, and that he has not so bartered, sold as-

signed, transferred, exchanged, loaned, or given away either his discharge papers, or any interest in any bounty as aforesaid.

And no claim for such bounty shall be entertained by the paymaster general or other accounting or disbursing officer except upon receipt of the claimant's discharge papers, accompanied by the statement under oath, as by this section provided.

SEC. 15. That in the payment of the additional bounty herein provided for, it shall be the duty of the paymaster-general, under such rules and regulations as may be prescribed by the Secretary of War, to cause to be examined the accounts of each and every soldier who makes application therefor, and if found entitled thereto shall pay said bounties.

SEC. 16. That in the reception, examination, settlement, and payment of claims for said additional bounty due the widows or heirs of deceased soldiers, the accounting officers of the Treasury shall be governed by the restrictions prescribed for the paymaster-general by the Secretary of War, and the payment shall be made in like manner under the direction of the Secretary of the Treasury.

July 5, 1876.—Supplement of Revised Statutes, 1882.

### An Act for the Relief of Settlers on Railroad Lands.

Railroad companies relinquishing lands in their grants entered for pre-emption or homestead may select other lands in lieu thereof.

Title of settlers may be perfected.

Grants to companies not enlarged.

Act not to be construed as confirming certain decisions of Interior Department.

*Be it enacted, &c.,* That in the adjustment of all railroad land grants, whether made directly to any railroad company or to any State for railroad purposes, if any of the lands granted be found in the possession of an actual settler whose entry or filing has been allowed under the pre-emption or homestead laws of the United States subsequent to the time at which, by the decision of the land-office, the right of said road was declared to have attached to such lands, the grantees, upon a proper relinquishment of the lands so entered or filed for, shall be entitled to select an equal quantity of other lands in lieu thereof from any of the public lands not mineral and within the limits of the grant not otherwise appropriated at the date of selection, to which they shall receive title the same as though originally granted.

And any such entries or filings thus relieved from conflict may be perfected into complete title as if such lands had not been granted:

*Provided,* That nothing herein contained shall in any manner be so construed as to enlarge or extend any grant to any such railroad or to extend to lands reserved in any land-grant made for railroad purposes:

*And provided further,* That this act shall not be construed so as in any manner to confirm or legalize any decision or ruling of the Interior Department under which lands have been certified to any railroad company when such lands have been entered by a pre-emption or homestead settler after the location of the line of the road and prior to the notice to the

local land-office of the withdrawal of such lands from market. [June 22, 1874.]

### The Slave Trade.

- SEC.
- 5551. Equipping, &c., vessel for slave-trade; forfeiture of vessel.
  - 5552. Penalty on persons building, equipping, &c.
  - 5553. Forfeiture of vessel transporting slaves.
  - 5554. Penalty for receiving persons on board to be sold as slaves.
  - 5555. Forfeiture of vessel found hovering on coast, &c.
  - 5556. Forfeiture of interest in vessels transporting slaves.
  - 5557. Seizure of vessels engaged in the slave-trade.
  - 5558. Proceeds of condemned vessels, how distributed.
  - 5559. Disposal of persons found on board seized vessels.
  - 5560. Apprehension of officers and crew.
  - 5561. Removal of persons delivered from seized vessels.
  - 5562. Bounty.
  - 5563. To what port captured vessels sent.
  - 5564. When owners of foreign vessels shall give bond.
  - 5565. Distribution of penalties.
  - 5566. Contracts for reception in Africa of persons delivered from seized vessels.
  - 5567. Instructions to commanders of armed vessels.
  - 5568. Contracts for reception, &c., in West Indies of persons delivered from seized vessels.
  - 5569. Instructions to commanders of armed vessels.

SEC. 5551. No person shall, for himself, or for another, as master, factor, or owner, build, fit, equip, load, or otherwise prepare any vessel, in any port or place within the jurisdiction of the United States, or cause any vessel to sail from any port or place within the jurisdiction of the same, for the purpose of procuring any negro, mulatto, or person of color, from any foreign kingdom, place, or country, to be transported to any port or place whatsoever, to be held, sold, or otherwise disposed of, as a slave, or to be held to service or labor; and every vessel so built, fitted out, equipped, laden, or otherwise prepared, with her tackle, apparel, furniture, and lading, shall be forfeited, one moiety to the use of the United States, and the other to the use of the person who sues for the forfeiture, and prosecutes the same to effect. [See §§ 5375-5382.]

SEC. 5552. Every person so building, fitting out, equipping, loading or otherwise preparing or sending away any vessel, knowing or intending that the same shall be employed in such trade or business, contrary to the provisions of the preceding section, or any ways aiding or abetting therein, shall, besides the forfeiture of the vessel, pay the sum of two thousand dollars; one moiety thereof to the use of the United States, and the other moiety thereof to the use of the person who sues for and prosecutes the same to effect. [See § 5378.]

SEC. 5553. Every vessel employed in carrying on the slave-trade, or on which is received or transported any negro, mulatto, or person of color, from any foreign kingdom or country, or from sea, for the purpose of holding, selling, or otherwise disposing of such person as a slave, or of holding such person to service or labor, shall, together with her tackle, apparel, furniture, and the goods and effects which

may be found on board, or which may have been imported thereon in the same voyage, be forfeited; one moiety to the United States, and the other to the use of the person who sues for and prosecutes the forfeiture to effect. [See §§ 5378, 5379.]

SEC. 5554. If any citizen of the United States takes on board, receives, or transports any negro, mulatto, or person of color, for the purpose of selling such person as a slave, he shall, in addition to the forfeiture of the vessel, pay to each person, so received on board or transported, the sum of two hundred dollars, to be recovered in any court of the United States; the one moiety thereof to the use of the United States, and the other moiety to the use of the person who sues for and prosecutes the same to effect. [See §§ 5379, 5524, 5526.]

SEC. 5555. Every vessel which is found in any river, port, bay, or harbor, or on the high seas, within the jurisdictional limits of the United States, or hovering on the coasts thereof, and having on board any negro, mulatto, or person of color, with intent to sell such person as a slave, or with intent to land the same for that purpose, either in the United States or elsewhere, shall, together with her tackle, apparel, furniture, and the goods or effects on board of her, be forfeited to the United States. [See § 5380.]

SEC. 5556. It shall be unlawful for any citizen of the United States, or other person residing within them, directly or indirectly to hold or have any right or property in any vessel employed or made use of in the transportation or carrying of slaves from one foreign country or place to another, and any such right or property shall be forfeited, and may be libeled and condemned for the use of the person suing for the same; and every person transgressing the prohibition of this section shall also forfeit and pay a sum of money equal to double the value of his right or property in such vessel; and shall also forfeit a sum of money equal to double the value of the interest he had in the slaves, which at any time may be transported or carried in such vessel.

SEC. 5557. The President is authorized, when he deems it expedient, to man and employ any of the armed vessels of the United States to cruise wherever he may judge attempts are making to carry on the slave-trade, by citizens or residents of the United States, in contravention of laws prohibitory of the same; and, in such case, he shall instruct the commanders of such armed vessels to seize, take, and bring into any port of the United States, to be proceeded against according to law, all American vessels, wheresoever found, which may have on board, or which may be intended for the purpose of taking on

board, or of transporting, or may have transported any negro, mulatto, or person of color, in violation of the provisions of any act of Congress prohibiting the traffic in slaves. [See § 2163.]

SEC. 5558. The proceeds of all vessels, their tackle, apparel, and furniture, and the goods and effects on board of them, which are so seized, prosecuted and condemned, shall be divided equally between the United States and the officers and men who seize, take, or bring the same into port for condemnation, whether such seizure be made by an armed vessel of the United States or revenue cutter thereof; and the same shall be distributed as is provided by law for the distribution of prizes taken from an enemy.

SEC. 5559. The officers and men, to be entitled to one-half of the proceeds mentioned in the last section, shall safely keep every negro, mulatto, or person of color, found on board of any vessel so seized, taken, or brought into port, for condemnation, and shall deliver every such negro, mulatto, or person of color, to the marshal of the district into which he may be brought, if into a port of the United States, or if elsewhere, to such persons as may be lawfully appointed by the President, in the manner directed by law; transmitting to the President, as soon as may be after such delivery, a descriptive list of such negroes, mulattoes, or persons of color, in order that he may give directions for the disposal of them.

SEC. 5560. The commanders of such commissioned vessels shall cause to be apprehended, and taken into custody, every person found on board of such offending vessel, so seized and taken, being of the officers or crew thereof, and him convey, as soon as conveniently may be, to the civil authority of the United States, to be proceeded against in due course of law. [See §§ 5381, 5382.]

SEC. 5561. The President is authorized to make such regulations and arrangements as he may deem expedient for the safe-keeping, support, and removal beyond the limits of the United States, of all such negroes, mulattoes, or persons of color, as may be delivered and brought within their jurisdiction; and to appoint a proper person residing upon the coast of Africa as agent, for receiving the negroes, mulattoes, or persons of color delivered from on board vessels seized in the prosecution of the slave-trade, by commanders of United States armed vessels.

SEC. 5562. A bounty of twenty-five dollars shall be paid to the officers and crews of the commissioned vessels of the United States, or revenue-cutters, for each negro, mulatto, or person of color, who may be, as hereinbefore provided, delivered to the marshal or agent duly appointed to receive



such person; and the Secretary of the Treasury is required to pay, or cause to be paid, to such officers and crews, or their agent, such bounty for each person so delivered.

SEC. 5563. It shall be the duty of the commander of any armed vessel of the United States, whenever he makes any capture under the preceding provisions, to bring the vessel and her cargo, for adjudication, into some of the ports of the State or Territory to which such vessels so captured may belong, if he can ascertain the same; if not, then to be sent into any convenient port of the United States.

SEC. 5564. Every owner, master, or factor of any foreign vessel, clearing out for any of the coasts or kingdoms of Africa, or suspected to be intended for the slave-trade, and the suspicion being declared to the officer of the customs by any citizen, on oath, and such information being to the satisfaction of the officer, shall first give bond, with sufficient sureties, to the Treasurer of the United States, that none of the natives of Africa, or any other foreign country or place, shall be taken on board such vessel, to be transported or sold as slaves, in any other foreign port or place whatever, within nine months thereafter.

SEC. 5565. The forfeitures which may hereafter be incurred under any of the preceding provisions, and which are not otherwise expressly disposed of, shall accrue and be one moiety thereof to the use of the informer, and the other moiety to the use of the United States, except where the prosecution is first instituted on behalf of the United States, in which case the whole shall be to their use.

SEC. 5566. It may be lawful for the President to enter into contract with any person, society, or body corporate, for a term not exceeding five years, to receive from the United States, through their duly constituted agent upon the coast of Africa, all negroes, mulattoes, or persons of color, delivered from on board vessels seized in the prosecution of the slave-trade, by commanders of the United States armed vessels, and to provide such negroes, mulattoes, and persons of color with comfortable clothing, shelter, and provisions, for a period not exceeding one year from the date of their being landed on the coast of Africa, at a price in no case to exceed one hundred dollars for each person so clothed, sheltered, and provided with food; and any contract so made may be renewed by the President from time to time as found necessary, for periods not to exceed five years on each renewal.

SEC. 5567. The President is authorized to issue instructions to the commanders of the armed vessels of the United States, directing them, whenever it is practicable,

and under such rules and regulations as he may prescribe, to proceed directly to the coast of Africa, and there hand over to the agent of the United States all negroes, mulattoes, and persons of color delivered from on board vessels seized in the prosecution of the slave-trade; and they shall afterward bring the captured vessels and persons engaged in prosecuting such trade to the United States for trial and adjudication.

SEC. 5568. It may be lawful for the President to enter into arrangement, by contract or otherwise, with one or more foreign governments having possessions in the West Indies or other tropical regions, or with their duly constituted agent, to receive from the United States, for a term not exceeding five years, at such place as may be agreed upon, all negroes, mulattoes, or persons of color, delivered from on board vessels seized in the prosecution of the slave-trade, by commanders of United States armed vessels, and to provide them with suitable instruction, and with comfortable clothing and shelter, and to employ them, at wages, under such regulations as may be agreed upon, for a period not exceeding five years from the date of their being landed at the place agreed upon. But the United States shall incur no expenses on account of such negroes, mulattoes, or persons of color, after having landed them at the place agreed upon. And any arrangement so made may be renewed by the President from time to time, as may be found necessary, for periods not exceeding five years on each renewal.

SEC. 5569. The President is authorized to issue instructions to the commanders of the armed vessels of the United States, directing them, whenever it is practicable, and under such regulations as he may prescribe, to proceed directly to such place as shall have been agreed upon with any foreign government, or its duly constituted agent, under the provisions of the preceding section, and there deliver to the duly constituted authorities or agents of such foreign government all negroes, mulattoes, or persons of color, taken from on board vessels seized in the prosecution of the slave trade; and they shall afterward bring the vessel and persons engaged in prosecuting such trade to the United States for trial and adjudication. [See §§ 2158-2164.]

#### Crimes—General Provisions.

- Sec.  
5323. Accessory before the fact to piracy, &c.  
5324. Accessory after the fact to robbery or piracy.  
5325. Punishment of death by hanging.  
5326. No conviction to work corruption of blood or forfeiture of estate.  
5327. Whipping and the pillory abolished.  
5328. Jurisdiction of State courts.  
5329. Benefit of clergy.  
5330. Pardoning power.

SEC. 5323. Every person who knowing-

ly aids, abets, causes, procures, commands, or counsels another to commit any murder, robbery, or other piracy upon the seas, is an accessory before the fact to such piracies, and every such person being thereof convicted shall suffer death.

SEC. 5324. Every person who receives or takes into custody any vessel, goods, or other property feloniously taken by any robber or pirate against the laws of the United States, knowing the same to have been feloniously taken, and every person who, knowing that such pirate or robber has done or committed any such piracy or robbery, on the land or at sea, receives, entertains, or conceals any such pirate or robber, is an accessory after the fact to such robbery or piracy. [See § 5533.]

SEC. 5325. The manner of inflicting the punishment of death shall be by hanging. [See §§ 5340, 5400.]

SEC. 5326. No conviction or judgment shall work corruption of blood or any forfeiture of estate.

SEC. 5327. The punishment of whipping and of standing in the pillory shall not be inflicted.

SEC. 5328. Nothing in this Title shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof.

SEC. 5329. The benefit of clergy shall not be used or allowed, upon conviction of any crime for which the punishment is death.

SEC. 5330. Whenever, by the judgment of any court or judicial officer of the United States, in any criminal proceeding, any person is sentenced to two kinds of punishment, the one pecuniary and the other corporal, the President shall have full discretionary power to pardon or remit, in whole or in part, either one of the two kinds, without, in any manner, impairing the legal validity of the other kind, or of any portion of either kind, not pardoned or remitted.

#### **Crimes against the existence of the Government.**

Sec.

5331. Treason.

5332. Punishment of treason.

5333. Misprision of treason.

5334. Inciting or engaging in rebellion or insurrection.

5335. Criminal correspondence with foreign governments.

5336. Seditious conspiracy.

5337. Recruiting soldiers or sailors to serve against the United States.

5338. Enlistment to serve against the United States.

SEC. 5331. Every person owing allegiance to the United States who levies war against them, or adheres to their enemies, giving them aid and comfort within the United States or elsewhere, is guilty of treason.

SEC. 5332. Every person guilty of treason shall suffer death; or, at the discretion of the court, shall be imprisoned at hard labor for not less than five years, and fined

not less than ten thousand dollars, to be levied on and collected out of any or all of his property, real and personal, of which he was the owner at the time of committing such treason, any sale or conveyance to the contrary notwithstanding; and every person so convicted of treason shall, moreover, be incapable of holding any office under the United States.

SEC. 5333. Every person, owing allegiance to the United States and having knowledge of the commission of any treason against them, who conceals, and does not, as soon as may be, disclose and make known the same to the President or to some judge of the United States, or to the governor, or to some judge or justice of a particular State, is guilty of misprision of treason, and shall be imprisoned not more than seven years, and fined not more than one thousand dollars.

SEC. 5334. Every person who incites, sets, on foot, assists, or engages in any rebellion or insurrection against the authority of the United States, or the laws thereof, or gives aid or comfort thereto, shall be punished by imprisonment not more than ten years, or by a fine of not more than ten thousand dollars, or by both of such punishments; and shall, moreover, be incapable of holding any office under the United States.

SEC. 5335. Every citizen of the United States, whether actually resident or abiding within the same, or in any foreign country, who, without the permission or authority of the Government, directly or indirectly, commences or carries on any verbal or written correspondence or intercourse with any foreign government, or any officer or agent thereof, with an intent to influence the measures or conduct of any foreign government, or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of the Government of the United States; and every person, being a citizen of, or resident within, the United States, and not duly authorized, who counsels, advises, or assists in any such correspondence, with such intent, shall be punished by a fine of not more than five thousand dollars, and by imprisonment during a term not less than six months, nor more than three years; but nothing in this section shall be construed to abridge the right of a citizen to apply, himself or his agent, to any foreign government or the agents thereof for redress of any injury which he may have sustained from such government, or any of its agents or subjects.

SEC. 5336. If two or more persons in any State or Territory conspire to overthrow, put down, or to destroy by force the Government of the United States, or to levy war against them, or to oppose by force the

authority thereof; or by force to prevent, hinder, or delay the execution of any law of the United States; or by force to seize, take, or possess any property of the United States contrary to the authority thereof; each of them shall be punished by a fine of not less than five hundred dollars and not more than five thousand dollars; or by imprisonment, with or without hard labor, for a period not less than six months, nor more than six years, or by both such fine and imprisonment. [See §§ 5518-5520.]

SEC. 5337. Every person who recruits soldiers or sailors within the United States to engage in armed hostility against the same, or who opens within the United States a recruiting station for the enlistment of such soldiers or sailors, to serve in any manner in armed hostility against the United States, shall be fined not less than two hundred dollars, nor more than one thousand dollars, and imprisonment not less than one year, nor more than five years.

SEC. 5338. Every soldier or sailor enlisted or engaged within the United States, with intent to serve in armed hostility against the same, shall be punished by a fine of one hundred dollars, and by imprisonment not less than one year, nor more than three years.

SEC. 5308. Whenever during any insurrection against the Government of the United States, after the President shall have declared by proclamation that the laws of the United States are opposed, and the execution thereof obstructed, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the power vested in the marshals by law, any person, or his agent, attorney, or employé, purchases or acquires, sells or gives, any property of whatsoever kind or description, with the intent to use or employ the same, or suffers the same to be used or employed in aiding, abetting, or promoting such insurrection or resistance to the laws, or any person engaged therein; or being the owner of any such property, knowingly uses or employs, or consents to such use or employment of the same, all such property shall be lawful subject of prize and capture wherever found; and it shall be the duty of the President to cause the same to be seized, confiscated, and condemned.

SEC. 5309. Such prizes and capture shall be condemned in the district or circuit court of the United States having jurisdiction of the amount, or in admiralty in any district in which the same [may] be seized, or into which they may be taken and proceedings first instituted.

#### The Civil Service—Political Assessments.

(From Chapter 287 Supplement 1882 to Revised Statutes.)

SEC. 6. That all executive officers or

employees of the United States not appointed by the President, with the advice and consent of the Senate, are prohibited from requesting, giving to, or receiving from, any other officer or employee of the Government, any money or property or other thing of value for political purposes;

And any such officer or employee who shall offend against the provisions of this section shall be at once discharged from the service of the United States.

#### Funding the National Debt.

(From Chapter 24 Supplement to an Act to Facilitate the Refunding of the National Debt)

In refunding national debt, 4 per cent. bonds may be exchanged for 5-20 bonds, and for other bonds and refunding laws to apply to all 5 per cent. bonds.—interest on exchange; how allowed.

*Be it enacted, &c.,* That the Secretary of the Treasury is hereby authorized in the process of refunding the national debt under existing laws to exchange directly at par the bonds of the United States bearing interest at four per centum per annum authorized by law for the bonds of the United States commonly known as five-twenties outstanding and uncalled, and, whenever all such five-twenty bonds shall have been redeemed, the provisions of this section and all existing provisions of law authorizing the refunding of the national debt shall apply to any bonds of the United States bearing interest at five per centum per annum or a higher rate, which may be redeemable.

In any exchange made under the provisions of this section interest may be allowed, on the bonds redeemed, for a period of three months. [January 25, 1879.]

#### Amendments to the Constitution.

SEC. 205. Whenever official notice is received at the Department of State that any amendment proposed to the Constitution of the United States has been adopted, according to the provisions of the Constitution, the Secretary of State shall forthwith cause the amendment to be published in the newspapers authorized to promulgate the laws, with his certificate, specifying the States by which the same may have been adopted, and that the same has become valid, to all intents and purposes, as a part of the Constitution of the United States.

#### Uniform time for the election of Members of Congress not to apply to certain States.

(From Revised Statutes, Chapter 130, Supplement 1882.)

SEC. 6. That section twenty-five of the Revised Statutes prescribing the time for holding elections for Representatives to Congress, is hereby modified so as not to apply to any State that has not yet changed its day of election, and whose constitution

must be amended in order to effect a change in the day of the election of State officers in such State.

**AN ACT to modify the postal money-order system, and for other purposes.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That for the transmission of small sums under five dollars through the mails the Postmaster-General may authorize postmasters at money-order offices to issue money-orders, without corresponding advices, on an engraved form to be prescribed and furnished by him; and a money-order issued on such new form shall be designated and known as a "postal note," and a fee of three cents shall be charged for the issue thereof. Every postmaster who shall issue a postal note, under the authority of the Postmaster-General, shall make the same payable to bearer, when duly receipted, at any money-order office which the remitter thereof may select, and a postal note shall in like manner be payable to bearer when presented at the office of issue; and after a postal note has once been paid, to whomsoever it has been paid, the United States shall not be liable for any further claim for the amount thereof; but a postal note shall become invalid and not payable upon the expiration of three calendar months from the last day of the month during which the same was issued; and the holder, to obtain the amount of an invalid postal note, must forward it to the superintendent of the money-order system at Washington, District of Columbia, together with an application, in such manner and form as the Postmaster-General may prescribe, for a duplicate thereof, payable to such holder; and an additional fee of three cents shall be charged and exacted for the issue of the duplicate.

SEC. 2. That the provisions of section thirty-eight hundred and thirty-four, title forty-six, chapter one, and the provisions of sections four thousand and twenty-seven, four thousand and thirty, four thousand and thirty-nine, four thousand and forty-one, four thousand and forty-two, four thousand and forty-three, four thousand and forty-four, four thousand and forty-five, four thousand and forty-six, and four thousand and forty-eight, title forty-six, chapter thirteen, of the Revised Statutes, edition of eighteen hundred and seventy-eight, shall be deemed and taken to be applicable to postal notes as well as to money-orders; and that in addition to the authority granted by section four thousand and forty-eight of said Revised Statutes to the Postmaster-General to pay out of the proceeds of the money-order

business the cost of stationery and such incidental expenses as are necessary for the transaction of that business, he is hereby authorized to pay out of the proceeds of said business the compensation of an agent and the necessary assistants to distribute postal notes to postmasters, and also the necessary incidental expenses of the agency; and such agent shall, before entering upon his duties, give bond for the faithful performance thereof in such sum and form and with such security as the Postmaster-General may approve. And all blanks, blank-books, and printed or engraved matter supplied to postmasters by the Postmaster-General or used in his department for the transaction of the money-order-business shall be obtained from the lowest responsible bidders for furnishing printed and engraved matter, respectively, under separate advertisements calling for proposals to furnish the same for a period of four years, upon such conditions as the Postmaster-General may prescribe: *Provided*, That the Public Printer and the Chief of the Bureau of Engraving and Printing of the Treasury Department shall submit, respectively, estimates of the cost of furnishing such printed and engraved matter as may be required for use in the money-order business, and they shall furnish such printed and engraved matter whenever upon their estimates of cost the expenditure therefor will be less than upon proposals made as above provided for.

SEC. 3. That a money-order shall not be issued for more than one hundred dollars, and that the fees for money-orders shall be as follows, to wit:

For orders not exceeding ten dollars, eight cents.

For orders exceeding ten dollars and not exceeding fifteen dollars, ten cents.

For orders exceeding fifteen dollars and not exceeding thirty dollars, fifteen cents.

For orders exceeding thirty dollars and not exceeding forty dollars, twenty cents.

For orders exceeding forty dollars and not exceeding fifty dollars, twenty-five cents.

For orders exceeding fifty dollars and not exceeding sixty dollars, thirty cents.

For orders exceeding sixty dollars and not exceeding seventy dollars, thirty-five cents.

For orders exceeding seventy dollars and not exceeding eighty dollars, forty cents.

For orders exceeding eighty dollars and not exceeding one hundred dollars, forty-five cents.

SEC. 4. That postmasters at money-order post-offices whose annual salary is not less than three thousand dollars may be allowed by the Postmaster-General to employ such number of clerks in the transac-

tion of their money-order business, and at such rates of compensation, respectively, as he may deem expedient; and at all other money-order post-offices the compensation for the clerical labor employed in the money-order business, including the issue and payment of postal notes, shall be three and one-half cents for each domestic or international money-order issued, paid or repaid, and one cent for each postal note issued, and three-quarters of one cent for each postal note paid thereat, and in case any office is designated to receive on deposit surplus money-order funds from other post-offices, three and one-half cents for each certificate issued in acknowledgment of the receipt of such funds; but the total allowance made by the Postmaster-General for money-order clerks at any first-class office shall be based, as nearly as possible, upon the number of transactions, at the same rate for each transaction as is above fixed for the compensation of clerical labor at other post-offices, and the compensation of the postmasters and the clerks provided for in this section shall be paid out of the fees received for the issue of money-orders and postal notes: *Provided*, That in addition to an allowance for clerical service at the rates above mentioned, the Postmaster-General may allow to the postmaster at New York, New York, to the postmaster at San Francisco, California, to the postmaster at Portland, Oregon, and to the postmaster at each international exchange office, such amount in each case, out of the proceeds of the money-order business, as he may deem expedient to enable these postmasters to obtain the clerical labor necessary for the performance of such special duties as are imposed upon them by the operations of the money-order system, and are not required of other postmasters: *And provided further*, That credit shall not be allowed to a postmaster at a first-class office on account of any expenditure in payment of clerical service in the money-order business of his office except upon a voucher duly receipted by the person by whom such service shall have been performed: *And provided further*, That the salaries of postmasters, as fixed by law, shall be deemed and taken to be full compensation for the responsibility and risk incurred and for the personal services rendered by them as custodians of the money-order and other funds of the Post-Office Department.

SEC. 5. That the Auditor of the Treasury for the Post-Office Department shall, as soon as practicable after the close of the present fiscal year, transmit to the Postmaster-General a statement of the aggregate amount of all money-orders which at the beginning of said year shall have re-

mained unpaid for a period of seven years or more after the date of their issue; and as soon as practicable after the close of each fiscal year thereafter he shall transmit in like manner a statement of the aggregate amount of all money-orders and postal notes which at the commencement of such year shall have remained unpaid for less than eight and not less than seven years after the date of their issue; and the Postmaster-General shall cause the aggregate amount of such unpaid orders and postal notes as reported annually by the Auditor to be deposited in the Treasury, to the credit of the Treasurer of the United States, for the service of the Post-Office Department. But nothing contained in this act shall be so construed as to prevent the payment, out of current money-order funds, by duplicate issued under the authority of the Postmaster-General, of any lost or invalid money-order or of any invalid postal note more than seven years old, upon the presentation of satisfactory proof to the Postmaster-General of the ownership of such money-order or upon the production of such invalid postal note in accordance with the provisions of section one of this act; and the total amount of such lost or invalid money-orders and invalid postal notes more than seven years old paid during each year by duplicate shall be deducted from the aggregate amount of unpaid money-orders and postal notes to be deposited at the close thereof in the Treasury as hereinbefore provided.

SEC. 6. That all laws or parts of laws inconsistent with the provisions of this act shall be void in so far as they may apply to cases which may arise under this act: *Provided*, That the provisions of this act shall be put into operation by the Postmaster-General within six months after the date of its approval by the President.

Approved, March 3, 1883.

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**AN ACT to adjust the salaries of postmasters.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the respective compensation of postmasters of the first, second and third classes shall be annual salaries, assigned in even hundreds of dollars, and payable in quarterly payments, to be ascertained and fixed by the Postmaster General from their respective quarterly returns to the Auditor of the Treasury for the Post Office Department, or copies or duplicates thereof, to be forwarded to the First Assistant Postmaster-General, for four quarters immediately preceding the adjustment, at the following rates, namely:

## FIRST CLASS.

Gross receipts, forty thousand dollars, and not exceeding forty-five thousand dollars, salary, three thousand dollars.

Gross receipts, forty-five thousand dollars, and not exceeding sixty thousand dollars, salary, three thousand one hundred dollars.

Gross receipts, sixty thousand dollars, and not exceeding eighty thousand dollars, salary, three thousand two hundred dollars.

Gross receipts, eighty thousand dollars, and not exceeding one hundred and ten thousand dollars, salary, three thousand three hundred dollars.

Gross receipts, one hundred and ten thousand dollars, and not exceeding one hundred and fifty thousand dollars, salary, three thousand four hundred dollars.

Gross receipts, one hundred and fifty thousand dollars, and not exceeding two hundred thousand dollars, salary, three thousand five hundred dollars.

Gross receipts, two hundred thousand dollars, and not exceeding two hundred and sixty thousand dollars, salary, three thousand six hundred dollars.

Gross receipts, two hundred and sixty thousand dollars, and not exceeding three hundred and thirty thousand dollars, salary, three thousand seven hundred dollars.

Gross receipts, three hundred and thirty thousand dollars, and not exceeding four hundred thousand dollars, salary, three thousand eight hundred dollars.

Gross receipts, four hundred thousand dollars, and not exceeding four hundred and fifty thousand dollars, salary, three thousand nine hundred dollars.

Gross receipts, four hundred and fifty thousand dollars, and not exceeding five hundred thousand dollars, salary, four thousand dollars.

Gross receipts five hundred thousand dollars, and not exceeding six hundred thousand dollars, salary, five thousand dollars.

Gross receipts, six hundred thousand dollars and upwards, salary six thousand dollars.

## SECOND CLASS.

Gross receipts, eight thousand dollars, and not exceeding nine thousand dollars, salary, two thousand dollars.

Gross receipts, nine thousand dollars, and not exceeding ten thousand dollars, salary, two thousand one hundred dollars.

Gross receipts, ten thousand dollars, and not exceeding eleven thousand dollars, salary, two thousand two hundred dollars,

Gross receipts, eleven thousand dollars,

and not exceeding thirteen thousand dollars, salary, two thousand three hundred dollars.

Gross receipts, thirteen thousand dollars, and not exceeding sixteen thousand dollars, salary, two thousand four hundred dollars.

Gross receipts, sixteen thousand dollars, and not exceeding twenty thousand dollars, salary, two thousand five hundred dollars.

Gross receipts, twenty thousand dollars and not exceeding twenty-four thousand dollars, salary, two thousand five hundred dollars.

Gross receipts, twenty-four thousand dollars, and not exceeding thirty thousand dollars, salary, two thousand seven hundred dollars.

Gross receipts, thirty thousand dollars, and not exceeding thirty-five thousand dollars, salary, two thousand eight hundred dollars.

Gross receipts, thirty-five thousand dollars, and not exceeding forty thousand dollars, salary two thousand nine hundred dollars.

## THIRD CLASS.

Gross receipts, one thousand nine hundred dollars, and not exceeding two thousand and one hundred dollars, salary, one thousand dollars.

Gross receipts, two thousand one hundred dollars, and not exceeding two thousand and four hundred dollars, salary, one thousand and one hundred dollars.

Gross receipts, two thousand four hundred dollars, and not exceeding two thousand seven hundred dollars, salary, one thousand two hundred dollars.

Gross receipts, two thousand seven hundred dollars, and not exceeding three thousand dollars, salary, one thousand three hundred dollars.

Gross receipts, three thousand dollars, and not exceeding three thousand five hundred dollars, salary, one thousand four hundred dollars.

Gross receipts three thousand five hundred dollars, and not exceeding four thousand two hundred dollars, salary, one thousand five hundred dollars.

Gross receipts, four thousand two hundred dollars, and not exceeding five thousand dollars, salary, one thousand six hundred dollars.

Gross receipts, five thousand dollars, and not exceeding six thousand dollars, salary, one thousand seven hundred dollars.

Gross receipts, six thousand dollars, and not exceeding seven thousand dollars, salary, one thousand eight hundred dollars.

Gross receipts, seven thousand dollars,

and not exceeding eight thousand dollars, salary, one thousand nine hundred dollars.

And in order to ascertain the amount of the postal receipts of each office, the Postmaster-General may require postmasters to furnish the department with certified copies of their quarterly returns to the auditor at such times and at such periods as he may deem necessary in each case.

#### FOURTH CLASS.

SEC. 2. That the compensation of postmasters of the fourth class shall be fixed upon the basis of the whole of the box-rents collected at their offices and commissions upon the amount of canceled postage-due stamps (provided for in section two hundred and seventy of the Revised Laws and regulations, edition of eighteen hundred and seventy-nine), and on postage stamps, official stamps, stamped envelopes, postal cards, and newspapers and periodical stamps canceled on matter actually mailed at their offices, and on amounts received from waste paper, dead newspapers, printed matter, and twine sold, at the following rates, namely: On the first fifty dollars or less per quarter, one hundred per centum; on the next one hundred dollars or less per quarter sixty per centum; on the next two hundred dollars or less per quarter, fifty per centum; and on all the balance, forty per centum, the same to be ascertained and allowed by the Auditor of the Treasury for the Post-Office Department in the settlement of the accounts of such post masters upon their sworn quarterly returns: *Provided*, That when the compensation of any postmaster of this class shall reach two hundred and fifty dollars for four consecutive quarters each, exclusive of commissions on money-order business, and when the returns to the auditor for four consecutive quarters shall show him to be entitled to a compensation in excess of two hundred and fifty dollars per quarter, the auditor shall report such fact to the Postmaster-General, who shall assign the office to its proper class, and fix the salary of the postmaster as provided by section one of this act: *Provided further*, That in no case shall there be allowed to any postmaster of this class a compensation greater than two hundred and fifty dollars in any one of the first three quarters of any fiscal year, exclusive of money-order commissions, and in the last quarter of each fiscal year there shall be allowed such further sum as he may be entitled to under the provisions of this act, not exceeding for the whole fiscal year the sum of one thousand dollars exclusive of money-order commissions.

SEC. 3.—That the Postmaster-General shall make all orders relative to the salaries of postmasters; and any change made

in such salaries shall not take effect until the first day of the quarter next following the order; and the auditor shall be notified of any and all changes of salaries.

SEC. 4.—That the salaries of postmasters of the first, second and third classes shall be readjusted by the Postmaster-General, the first adjustment (under this act) to take effect simultaneously with the reduction of the rates of postage, and thereafter at the beginning of each fiscal year; and the salary of the postmaster at Washington City, District of Columbia, shall be five thousand dollars; and in no case shall the salary of any Postmaster exceed the sum of six thousand dollars, except in the city of New York, where the salary of the postmaster shall remain as now fixed by law, at eight thousand dollars per annum.

Approved March 3, 1883.

#### THE PRESENT TARIFF LAWS.

##### Duties upon Imports.

The Tariff and Internal Revenue Laws, found in sections 2491 to 2515 of the Revised Statutes of the United States, and the Acts of Congress approved February 8, 1875, and the supplements thereto, are omitted from this edition, as the 47th Congress repealed those laws by Act approved March 3, 1883, based on a Report of the Tariff Commission appointed at the last session. A condensed table of the repealed tariff rates and duties on imports authorized by the laws recently in force and above referred to, will be found in Book 7, pages 60, 61 and 62. The new Tariff and Internal Revenue Law now in force, is as follows:

An Act to reduce internal revenue taxation, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the taxes herein specified imposed by the laws now in force be, and the same are hereby repealed, as hereinafter provided, namely: On capital and deposits of banks, bankers, and national banking associations, except such taxes as are now due and payable; and on and after the first day of July, eighteen hundred and eighty three, the stamp tax on bank checks, drafts, orders, and vouchers, and the tax on matches, perfumery, medicinal preparations, and other articles imposed by Schedule A following section thirty-four hundred and thirty-seven of the Revised Statutes: *Provided*, That no drawback shall be allowed upon articles embraced in said schedule that shall be exported on and after the first day of July, eighteen hundred and eighty-three: *Provided further*, That on and after May fifteenth, eighteen hundred and eighty-three, matches may be removed by

manufacturers thereof from the place of manufacture to warehouses within the United States without attaching thereto the stamps required by law, under such regulations as may be prescribed by the Commissioner of Internal Revenue.

SEC. 2. That on and after the first day of May, eighteen hundred and eighty-three, dealers in leaf tobacco shall annually pay twelve dollars; dealers in manufactured tobacco shall pay two dollars and forty cents; all manufacturers of tobacco shall pay six dollars; manufacturers of cigars shall pay six dollars; peddlers of tobacco, snuff, and cigars shall pay special taxes, as follows: Peddlers of the first class, as now defined by law, shall pay thirty dollars; peddlers of the second class shall pay fifteen dollars; peddlers of the third class shall pay seven dollars and twenty cents; and peddlers of the fourth class shall pay three dollars and sixty cents. Retail dealers in leaf-tobacco shall pay two hundred and fifty dollars, and thirty cents for each dollar on the amount of their monthly sales in excess of the rate of five hundred dollars per annum: *Provided*, That farmers and producers of tobacco may sell at the place of production tobacco of their own growth and raising at retail directly to consumers, to an amount not exceeding one hundred dollars annually.

SEC. 3. That hereafter the special tax of a dealer in manufactured tobacco shall not be required from any farmer, planter, or lumberman who furnishes such tobacco only as rations or supplies to his laborers or employees in the same manner as other supplies are furnished by him to them: *Provided*, That the aggregate of the supplies of tobacco so by him furnished shall not exceed in quantity one hundred pounds in any one special tax year; that is, from the first day of May in any year until the thirtieth day of April in the next year: *And provided further*, That such farmer, planter, or lumberman shall not be, at the time he is furnishing such supplies, engaged in the general business of selling dry goods, groceries, or other similar supplies in the manner of a merchant or storekeeper to others than his own employees or laborers.

SEC. 4. That on and after May first, eighteen hundred and eighty-three, the internal taxes on snuff, smoking, and manufactured tobacco, shall be eight cents per pound; and on cigars which shall be manufactured and sold or removed for consumption or sale on and after the first day of May, eighteen hundred and eighty-three, there shall be assessed and collected the following taxes, to be paid by the manufacturer thereof: On cigars of all descriptions, made of tobacco or any substitute therefor, three dollars per thousand; on

cigarettes weighing not more than three pounds per thousand, fifty cents per thousand; on cigarettes weighing more than three pounds per thousand, three dollars per thousand: *Provided*, That on all original and unbroken factory packages of smoking and manufactured tobacco and snuff, cigars, cheroots, and cigarettes held by manufacturers or dealers at the time such reduction shall go into effect, upon which the tax has been paid, there shall be allowed a drawback or rebate of the full amount of the reduction, but the same shall not apply in any case where the claim has not been presented within sixty days following the date of the reduction; and such rebate to manufacturers may be paid in stamps at the reduced rate; and no claim shall be allowed or drawback paid for a less amount than ten dollars. It shall be the duty of the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, to adopt such rules and regulations and to prescribe and furnish such blanks and forms as may be necessary to carry this section into effect.

SEC. 5. That from and after the passage of this act every manufacturer of tobacco or snuff shall, in addition to all other requirements of law, print on each package, or securely affix by pasting on each package containing tobacco or snuff manufactured by or for him, a label on which shall be printed the number of the manufactory, the district and State in which it is situated, and these words.

#### NOTICE.

The manufacturer of this tobacco has complied with all requirements of law. Every person is cautioned, under penalties of law, not to use this package for tobacco again.

SEC. 6. That on and after the first day of July, eighteen hundred and eighty-three, the following sections shall constitute and be a substitute for Title thirty-three of the Revised Statutes of the United States.

### TITLE XXXIII.

#### Duties upon Imports.

SEC. 2491. All persons are prohibited from importing into the United States, from any foreign country, any obscene book, pamphlet, paper, writing, advertisement, circular, print, picture, drawing, or other representation, figure or image on or of paper or other material, or any cast, instrument, or other article of an immoral nature, or any drug or medicine, or any article whatever, for the prevention of conception, or for causing unlawful abortion. No invoice or package whatever, or any part of one, in which any such articles are contained shall be admitted to entry; and



all invoices and packages whereof any such articles shall compose a part are liable to be proceeded against, seized, and forfeited by due course of law. All such prohibited articles in the course of importation shall be detained by the officer of customs and proceedings taken against the same as prescribed in the following section: *Provided*, That the drugs hereinbefore mentioned, when imported in bulk and not put up for any of the purposes hereinbefore specified, are excepted from the operation of this section.

SEC. 2492. Whoever, being an officer, agent, or employee of the Government of the United States, shall knowingly aid or abet any person engaged in any violation of any of the provisions of law prohibiting importing, advertising, dealing in, exhibiting, or sending or receiving by mail obscene or indecent publications or representations, or means for preventing conception or procuring abortion, or other articles of indecent or immoral use or tendency, shall be deemed guilty of a misdemeanor and shall for every offence be punishable by a fine of not more than five thousand dollars or by imprisonment at hard labor for not more than ten years, or both.

SEC. 2493. Any judge of any district or circuit court of the United States, within the proper district, before whom complaint in writing of any violation of the preceding section is made, to the satisfaction of such judge, and founded on knowledge or belief, and, if upon belief, setting forth the grounds of such belief, and supported by oath or affirmation of the complainant, may issue, conformably, to the Constitution, a warrant directed to the marshal, or any deputy marshal, in the proper district, directing him to search for, seize, and take possession of any such article or thing hereinbefore mentioned, and to make due and immediate return thereof to the end that the same may be condemned and destroyed by proceedings, which shall be conducted in the same manner as other proceedings in the case of municipal seizure, with the same right of appeal or writ of error.

SEC. 2494. The importation of neat cattle and the hides of neat cattle from any foreign country into the United States is prohibited: *Provided*, That the operation of this section shall be suspended as to any foreign country or countries, or any parts of such country or countries, whenever the Secretary of the Treasury shall officially determine, and give public notice thereof, that such importation will not tend to the introduction or spread of contagious or infectious diseases among the cattle of the United States; and the Secretary of the Treasury is hereby authorized and empowered, and it shall be his duty, to make all necessary orders and regulations to carry

this law into effect, or to suspend the same as therein provided, and to send copies thereof to the proper officers in the United States, and to such officers or agents of the United States in foreign countries as he shall judge necessary.

SEC. 2495. Any person convicted of a willful violation of any of the provisions of the preceding section shall be fined not exceeding five hundred dollars, or imprisonment not exceeding one year, or both, in the discretion of the court.

SEC. 2496. No watches, watch-cases, watch movements, or parts of watch-movements, or any other articles of foreign manufacture, which shall copy or simulate the name or trade mark of any domestic manufacture, shall be admitted to entry at the custom houses of the United States, unless such domestic manufacturer is the importer of the same. And in order to aid the officers of the customs in enforcing this prohibition, any domestic manufacturer who has adopted trade-marks may require his name and residence and a description of his trade-marks to be recorded in books which shall be kept for that purpose in the Department of the Treasury, under such regulations as the Secretary of the Treasury shall prescribe, and may furnish to the department fac similes of such trade-marks; and thereupon the Secretary of the Treasury shall cause one or more copies of the same to be transmitted to each collector or other proper officer of the customs.

SEC. 2497. No goods, wares, or merchandise, unless in cases provided for by treaty shall be imported into the United States from any foreign port or place, except in vessels of the United States, or in such foreign vessels as truly and wholly belong to the citizens and subjects of that country of which the goods are the growth, production, or manufacture; or from which such goods, wares, or merchandise can only be, or most usually are, first shipped for transportation. All goods, wares, or merchandise imported contrary to this section, and the vessel wherein the same shall be imported, together with her cargo, tackle, apparel, and furniture, shall be forfeited to the United States; and such goods, wares, or merchandise, ship, or vessel, and cargo shall be liable to be seized, prosecuted and condemned, in like manner, and under the same regulations, restrictions, and provisions as have been heretofore established for the recovery, collection, distribution, and remission of forfeitures to the United States by the several Revenue laws.

SEC. 2498. The preceding section shall not apply to vessels, or goods, wares, or merchandise, imported in vessels of a foreign nation which does not maintain a similar regulation against vessels of the United States.

SEC. 2499. There shall be levied, collected, and paid on each and every non-enumerated article which bears a similitude, either in material, quality, texture, or the use to which it may be applied, to any article enumerated in this title as chargeable with duty, the same rate of duty which is levied and charged on the enumerated article which it most resembles in any of the particulars before mentioned; and if any non-enumerated article equally resembles two or more enumerated articles on which different rates are chargeable, there shall be levied, collected, and paid on such non-enumerated article the same rate of duty as is chargeable on the article which it resembles paying the highest duty; and on all articles manufactured from two or more materials the duty shall be assessed at the highest rates at which the component material of chief value may be chargeable. If two or more rates of duty should be applicable to any imported article, it shall be classified for duty under the highest of such rates: *Provided*, That non-enumerated articles similar in material and quality and texture, and the use to which they may be applied, to articles on the free list, and in the manufacture of which no dutiable materials are used, shall be free.

SEC. 2500. Upon the reimportation of articles once exported of the growth, product, or manufacture of the United States, upon which no internal tax has been assessed or paid, or upon which such tax has been paid and refunded by allowance or drawback, there shall be levied, collected and paid a duty equal to the tax imposed by the internal-revenue laws upon such articles.

SEC. 2501. A discriminating duty of ten per centum ad valorem, in addition to the duties imposed by law, shall be levied, collected, and paid on all goods, wares, and merchandise which shall be imported on vessels not of the United States; but this discriminating duty shall not apply to goods, wares, and merchandise which shall be imported in vessels not of the United States, entitled, by treaty or any act of Congress, to be entered in the ports of the United States on payment of the same duties as shall then be paid on goods, wares, and merchandise imported in vessels of the United States.

SEC. 2502. There shall be levied, collected, and paid upon all articles imported from foreign countries, and mentioned in the schedules herein contained, the rates of duty which are, by the schedules, respectively prescribed, namely:

**Schedule A.—Chemical Products.**

Glue, twenty per centum ad valorem.  
Beeswax, twenty per centum ad valorem.  
Gelatine and all similar preparations, thirty per centum ad valorem.

Glycerine, crude, brown or yellow, of the specific gravity of one and twenty-five hundredths or less at a temperature of sixty degrees Fahrenheit, not purified by refining or distilling, two cents per pound.

Glycerine refined, five cents per pound.

Fish-glue or isinglass, twenty-five per centum ad valorem.

Phosphorus, ten cents per pound.

Soap, hard and soft, all which are not otherwise specially enumerated or provided for in this act, and castile soap, twenty per centum ad valorem.

Fancy, perfumed, and all descriptions of toilet soap, fifteen cents per pound.

Sponges, twenty per centum ad valorem.

Sumac, ground, three-tenths of one cent per pound, and sumac extract, twenty per centum ad valorem.

Acid, acetic, acetous, or pyroligneous acid, not exceeding the specific gravity of one and forty-seven one-thousandths, two cents per pound; exceeding the specific gravity of one and forty-seven one-thousandths, ten cents per pound.

Acid, citric, ten cents per pound.

Acid, tartaric, ten cents per pound.

Camphor, refined, five cents per pound.

Castor beans, or seeds, fifty cents per bushel of fifty pounds.

Castor oil, eighty cents per gallon.

Cream of tartar, six cents per pound.

Dextrine, burnt starch, gum substitute, or British gum, one cent per pound.

Extract of hemlock, and other bark used for tanning, not otherwise enumerated or provided for in this act, twenty per centum ad valorem.

Glucose, or grape sugar, twenty per centum ad valorem.

Indigo, extracts of, and carmined, ten per centum ad valorem.

Iodine, resublimed, forty cents per pound.

Licorice, paste or roll, seven and one-half cents per pound; licorice juice, three cents per pound.

Oil of bay-leaves, essential, or bay rum essence or oil, two dollars and fifty cents per pound.

Oil, croton, fifty cents per pound.

Oil, flaxseed or linseed, and cotton-seed oil, twenty-five cents per gallon, seven and one-half pounds weight to be estimated as a gallon.

Hemp-seed oil and rape-seed oil, ten cents per gallon.

Soda and potassa tartrate, or rochelle salt, three cents per pound.

Strychnia, or strychnine, and all salts thereof, fifty cents per ounce.

Tartars, partly refined, including less crystals, four cents per pound.

Alumina, alum, patent alum, alum substitute, sulphate of alumina, and aluminous cake, and alum in crystals or ground, sixty cents per hundred pounds.

- Ammonia, anhydrous, liquified by pressure, twenty per centum ad valorem.
- Ammonia aqua, or water of ammonia, twenty per centum ad valorem.
- Ammonia, muriate of, or sal-ammoniac, ten per centum ad valorem.
- Ammonia, carbonate of, twenty per centum ad valorem.
- Ammonia, sulphate of, twenty per centum ad valorem.
- All imitation of natural mineral waters and all artificial mineral waters, thirty per centum ad valorem.
- Asbestos, manufactured, twenty-five per centum ad valorem.
- Baryta, sulphate of, or barytes, unmanufactured, ten per centum ad valorem.
- Baryta, sulphate of, or barytes, manufactured, one-fourth of one cent per pound.
- Refined borax, five cents per pound.
- Pure boracic acid, five cents per pound; commercial boracic acid, four cents per pound; borate of lime, three cents per pound; crude borax, three cents per pound.
- Cement, Roman, Portland, and all others, twenty per centum ad valorem.
- Whiting and Paris white, dry, one-half cent per pound; ground in oil, or putty, one cent per pound.
- Prepared chalk, precipitated chalk, French chalk, red chalk, and all other chalk preparations which are not specially enumerated or provided for in this act, twenty per centum ad valorem.
- Chromic acid, fifteen per centum ad valorem.
- Chromate of potash, three cents per pound.
- Bi-chromate of potash, three cents per pound.
- Cobalt, oxide of, twenty per centum ad valorem.
- Copper, sulphate of, or blue vitriol, three cents per pound.
- Iron, sulphate of, or copperas, three-tenths of one cent per pound.
- Acetate of lead, brown, four cents per pound.
- Acetate of lead, white, six cents per pound.
- White lead, when dry or in pulp, three cents per pound; when ground or mixed in oil, three cents per pound.
- Litharge, three cents per pound.
- Orange mineral, and red lead, three cents per pound.
- Nitrate of lead, three cents per pound.
- Magnesia, medicinal, carbonate of, five cents per pound.
- Magnesia, calcined, ten cents per pound.
- Magnesia, sulphate of, or Epsom salts, one-half of one cent per pound.
- Potash :
- Crude, carbonate of, or fused, and caustic potash, twenty per centum ad valorem.
- Chlorate of, three cents per pound.
- Hydriodate, iodide and iodate of, fifty cents per pound.
- Prussiate of, red, ten cents per pound.
- Prussiate of, yellow, five cents per pound.
- Nitrate of, or saltpeter, crude one cent per pound.
- Nitrate of, or refined saltpeter, one and one-half cent per pound.
- Sulphate of, twenty per centum ad valorem.
- Soda :
- Soda-ash, one-quarter of one cent per pound.
- Soda, sal, or soda crystals, one-quarter of one cent per pound.
- Bi-carbonate of, or super-carbonate of, and saleratus, calcined or pearl ash, one and one-half cent per pound.
- Hydrate or caustic, one cent per pound.
- Sulphate, known as salt cake, crude or refined, or niter cake, crude or refined, and Glauber's salt, twenty per centum ad valorem.
- Soda, silicate of, or other alkaline silicate, one-half of one cent per pound.
- Sulphur :
- Refined, in rolls, ten dollars per ton.
- Sublimed, or flowers of, twenty dollars per ton.
- Wood tar, ten per centum ad valorem.
- Coal-tar, crude, ten per centum ad valorem.
- Coal-tar, products of, such as naphtha, benzine, benzole, dead oil, and pitch, twenty per centum ad valorem.
- All coal-tar colors or dyes, by whatever name known and not specially enumerated or provided for in this act, thirty-five per centum ad valorem.
- All preparations of coal-tar, not colors or dyes, not specially enumerated or provided for in this act, twenty per centum ad valorem.
- Logwood and other dye-woods, extracts and decoctions of, ten per centum ad valorem.
- Ultramarine, five cents per pound.
- Turpentine, spirits of, twenty cents per gallon.
- Colors and paints, including lakes, whether dry or mixed, or ground with water or oil, and not specially enumerated or provided for in this act, twenty-five per centum ad valorem.
- The pigment known as bone black, and ivory-drop black, and bone char, twenty-five per centum ad valorem.
- Ocher and ochery earths, umber and umber earths, and sienna and sienna earths, when dry, one half of one cent per pound; when ground in oil, one and one-half cents per pound.
- Zinc, oxide of, when dry, one and one-fourth cent per pound.
- Zinc, oxide of, when ground in oil, one and three-fourths cent per pound.

All preparations known as essential oils, expressed oils, distilled oils, rendered oils, alkalis, alkaloids, and all combinations of any of the foregoing, and all chemical compounds and salts, by whatever name known, and not specially enumerated or provided for in this act, twenty-five per centum ad valorem.

Preparations: all medicinal preparations known as cerates, conserves, decoctions, emulsions, extracts, solid or fluid; infusions, juices, liniments, lozenges, mixtures, mucilages, ointments, oleo-resins, pills, plasters, powders, resins, suppositories, sirups, vinegars, and waters, of any of which alcohol is not a component part, and which are not specially enumerated or provided for in this act, twenty-five per centum ad valorem.

All barks, beans, berries, balsams, buds, bulbs, and bulbous roots, and excrescences, such as nutgalls, fruits, flowers, dried fibers, grains, gums, and gum-resins, herbs, leaves, lichens, mosses, nuts, roots, and stems, spices, vegetables, seeds, (aromatic, not garden seeds), and seeds of morbid growth, weeds, woods used expressly for dyeing, and dried insects, any of the foregoing of which are not edible, but which have been advanced in value or condition by refining or grinding, or by other process of manufacture, and not specially enumerated or provided for in this act, ten per centum ad valorem.

All non-dutiable crude minerals, but which have been advanced in value or condition by refining or grinding, or by other process of manufacture, not specially enumerated or provided for in this act, ten per centum ad valorem.

All ground or powdered spices not specially enumerated or provided for in this act, five cents per pound.

All earths or clays, unwrought or unmanufactured, not specially enumerated or provided for in this act, one dollar and fifty cents per ton.

All earths or clays, wrought or manufactured, not specially enumerated or provided for in this act, three dollars per ton; china clay, or kaolin three dollars per ton.

Proprietary preparations, to wit: All cosmetics, pills, powders, troches, or lozenges, sirups, cordials, bitters, anodynes, tonics, plasters, liniments, salves, ointments, pastes, drops, waters, essences, spirits, oils or preparations or compositions recommended to the public as proprietary articles, or prepared according to some private formula, as remedies or specifics for any disease or diseases, or affections whatever, affecting the human or animal body, including all toilet preparations whatever, used as applications, to the hair, mouth, teeth, or skin, not specially enumerated,

or provided for in this act, fifty per centum ad valorem.

Alcoholic preparations;

Alcoholic perfumery, including cologne water, two dollars per gallon and fifty per centum ad valorem.

Distilled spirits, containing fifty per centum of anhydrous alcohol, one dollar per gallon.

Alcohol, containing ninety-four per cent. anhydrous alcohol, two dollars per gallon.

Alcoholic compounds, not otherwise specially enumerated or provided for, two dollars per gallon for the alcohol contained and twenty-five per centum ad valorem.

Chloroform, fifty cents per pound.

Collodion, and all compounds of pyroxylene, by whatever name known, fifty cents per pound; rolled or in sheets, but not made up into articles, sixty cents per pound, and when in finished or partly finished articles, sixty cents per pound and twenty-five per centum ad valorem.

Ether, sulphuric, fifty cents per pound.

Hoffman's anodyne, thirty cents per pound.

Iodoform, two dollars per pound.

Acid, tannic, and tannin, one dollar per pound.

Ether, nitrous, spirits of, thirty cents per pound.

Santonine, three dollars per pound.

Amylic alcohol, or fusel oil, ten per centum ad valorem.

Oil of Cognac, or cenantic ether, four dollars per ounce.

Fruit ethers, oils, or essences, two dollars and fifty cents per pound.

Oil or essence of rum, fifty cents per ounce.

Ethers of all kinds, not specially enumerated or provided for in this act, one dollar per pound.

Coloring for brandy, fifty per centum ad valorem.

Preparations: All medicinal preparations known as essences, ethers, extracts, mixtures, spirits, tinctures, and medicated wines, of which alcohol is a component part, not specially enumerated or provided for in this act, fifty cents per pound.

Varnishes of all kinds, forty per centum ad valorem; and on spirit varnishes, one dollar and thirty-two cents additional per gallon.

Opium, crude, containing nine per cent. and over of morphia, one dollar per pound. The importation of opium, containing less than nine per cent. of morphia is hereby prohibited.

Opium prepared for smoking, and all other preparations of opium not specially enumerated or provided for in this act, ten dollars per pound: but opium prepared for smoking, and other preparations of

opium deposited in bonded warehouses shall not be removed therefrom for exportation without payment of duties, and such duties shall not be refunded.

Opium, aqueous extracts of, for medicinal uses, and tincture of, as laudanum, and all other liquid preparations of opium, not specially-enumerated or provided for in this act, forty per centum ad valorem.

Morphia or morphine, and all salts thereof, one dollar per ounce.

#### Schedule B.—Earthenware and Glassware.

Brown earthenware, common stoneware, gas-retorts, and stoneware not ornamented, twenty-five per centum ad valorem.

China, porcelain, parian, and bisque, earthen, stone, and crockery ware, including plaques, ornaments, charms, vases, and statuettes, painted, printed, or gilded, or otherwise decorated or ornamented in any manner, sixty per centum ad valorem.

China, porcelain, parian, and bisque ware, plain white, and not ornamented or decorated in any manner, fifty-five per centum ad valorem.

All other earthen, stone and crockery ware, white, glazed, or edged, composed of earthy or mineral substances, not specially enumerated or provided for in this act, fifty-five per centum ad valorem.

Stoneware, above the capacity of ten gallons twenty per centum ad valorem.

Encaustic tiles, thirty-five per centum ad valorem.

Brick, fire brick, and roofing and paving tile, not specially enumerated or provided for in this act, twenty per centum ad valorem.

Slates, slate pencils, slate chimney pieces, mantels, slabs for tables and all other manufactures of slate, thirty per centum ad valorem.

Roofing-slates, twenty-five per centum ad valorem.

Green and colored glass bottles, vials, demijohns and carboys (covered or uncovered), pickle or preserve jars, and other plain, molded, or pressed green and colored bottle glass, not cut, engraved, or painted, and not specially enumerated or provided for in this act, one cent per pound; if filled, and not otherwise in this act provided for, said articles shall pay thirty per centum ad valorem in addition to the duty on the contents.

Flint and lime glass bottles and vials, and other plain, molded, or pressed flint or lime glassware, not specially enumerated or provided for in this act, forty per centum ad valorem; if filled, and not otherwise in this act provided for, said articles shall pay, exclusive of contents, forty per centum ad valorem, in addition to the duty on the contents.

Articles of glass, cut, engraved, painted, colored, stained, silvered, or gilded, not including plate-glass, silvered, or looking-glass plates, forty-five per centum ad valorem.

All glass bottles, and decanters, and other like vessels of glass, shall, if filled, pay the same rates of duty, in addition to any duty chargeable on the contents, as if not filled, except as in this act otherwise specially provided for.

Cylinder and crown glass, polished, not exceeding ten by fifteen inches square, two and one half cents per square foot; above that, and not exceeding sixteen by twenty-four inches square, four cents per square foot; above that, and not exceeding twenty-four by thirty inches square, six cents per square foot; above that, and not exceeding twenty-four by sixty inches square, twenty cents per square foot; all above that, forty cents per square foot.

Unpolished cylinder, crown, and common window-glass, not exceeding ten by fifteen inches square, one and three-eighths cents per pound; above that, and not exceeding sixteen by twenty-four inches square, one and seven-eighths cents per pound; above that, and not exceeding twenty-four by thirty inches square, two and three-eighths cents per pound; all above that, two and seven eighths cents per pound: *Provided*, That unpolished cylinder, crown, and common window-glass, imported in boxes containing fifty square feet, as nearly as sizes will permit, now known and commercially designated as fifty feet of glass, single thick, and weighing not to exceed fifty-five pounds of glass per box, shall be entered and computed as fifty pounds of glass only; and that said kinds of glass imported in boxes containing, as nearly as sizes will permit, fifty feet of glass, now known and commercially designated as fifty feet of glass, double thick, and not exceeding ninety pounds in weight, shall be entered and computed as eighty pounds of glass only; but in all other cases the duty shall be computed according to the actual weight of glass.

Fluted, rolled, or rough plate-glass, not including crown, cylinder, or common window-glass, not exceeding ten by fifteen inches square, seventy-five cents per one hundred square feet; above that and not exceeding sixteen by twenty-four inches square, one cent per square foot; above that, and not exceeding twenty-four by thirty inches square, one cent and a half per square foot; all above that, two cents per square foot. And all fluted, rolled, or rough plate-glass, weighing over one hundred pounds per one hundred square feet, shall pay an additional duty on the excess at the same rates herein imposed.

Cast polished plate-glass, unsilvered, not

exceeding ten by fifteen inches square, three cents per square foot; above that, and not exceeding sixteen by twenty-four inches square, five cents per square foot; above that, and not exceeding twenty-four by thirty inches square, eight cents per square foot; above that, and not exceeding twenty-four by sixty inches square, twenty-five cents per square foot; all above that, fifty cents per square foot.

Cast polished plate-glass, silvered, or looking-glass plates, not exceeding ten by fifteen inches square, four cents per square foot; above that and not exceeding sixteen by twenty-four inches square, six cents per square foot; above that, and not exceeding twenty-four by thirty inches square, ten cents per square foot; above that, and not exceeding twenty-four by sixty inches square, thirty-five cents per square foot; all above that, sixty cents per square foot.

But no looking-glass plates or plate-glass, silvered, when framed, shall pay a less rate of duty than that imposed upon similar glass of like description not framed, but shall be liable to pay, in addition thereto, thirty per centum ad valorem upon such frames.

Porcelain and Bohemian glass, chemical glassware, painted glassware, stained glass, and all other manufactures of glass or of which glass shall be the component material of chief value, not specially enumerated or provided for in this act, forty-five per centum ad valorem.

#### Schedule C.—Metals.

Iron ore, including manganiferous iron ore, also the dross or residuum from burnt pyrites, seventy-five cents per ton. Sulphur ore, as pyrites, or sulphuret of iron in its natural state, containing not more than three and one-half per centum of copper, seventy-five cents per ton: *Provided*, That ore containing more than two per centum of copper, shall pay, in addition thereto, two and one-half cents per pound for the copper contained therein.

Iron in pigs, iron kentledge, spiegeleisen, wrought and cast scrap-iron, and scrap-steel, three-tenths of one cent per pound; but nothing shall be deemed scrap-iron or scrap-steel except waste or refuse iron or steel that has been in actual use and is fit only to be remanufactured.

Iron railway-bars, weighing more than twenty-five pounds to the yard, seven-tenths of one cent per pound.

Steel railway-bars, and railway-bars made in part of steel, weighing more than twenty-five pounds to the yard, seventeen dollars per ton.

Bar-iron, rolled or hammered, comprising flats not less than one inch wide, nor less than three-eighths of one inch thick,

eight-tenths of one cent per pound; comprising round iron not less than three-fourths of one inch in diameter, and square iron not less than three-fourths of one inch square, one cent per pound; comprising flats less than one inch wide, or less than three-eighths of one inch thick; round iron less than three-fourths of one inch and not less than seven-sixteenths of one inch in diameter, and square iron less than three-fourths of one inch square, one and one-tenth of one cent per pound: *Provided*, That all iron in slabs, blooms, loops, or other forms less finished than iron in bars, and more advanced than pig-iron, except castings, shall be rated as iron in bars, and pay a duty accordingly: and none of the above iron shall pay a less rate of duty than thirty-five per centum ad valorem: *Provided further*, That all iron bars, blooms, billets, or sizes or shapes of any kind, in the manufacture of which charcoal is used as fuel, shall be subject to a duty of twenty-two dollars per ton.

Iron or steel the rails, weighing not over twenty-five pounds to the yard, nine-tenths of one cent per pound; iron or steel flat rails, punched, eight-tenths of one cent per pound.

Round iron, in coils or rods, less than seven-sixteenths of one inch in diameter, and bars or shapes of rolled iron not specially enumerated or provided for in this act, one and two-tenths of one cent per pound.

Boiler or other plate iron, sheared or unsheared, skelp-iron, sheared or rolled in grooves, one and one-fourth cent per pound; sheet iron, common or black, thinner than one inch and one-half and not thinner than number twenty wire gauge, one and one-tenth of one cent per pound; thinner than number twenty wire gauge, and not thinner than number twenty-five wire gauge, one and two-tenths of one cent per pound; thinner than number twenty-five wire gauge and not thinner than number twenty-nine wire gauge, one and five-tenths of one cent per pound; thinner than number twenty-nine wire gauge, and all iron commercially known as common or black taggers iron, whether put up in boxes or bundles or not, thirty per centum ad valorem. *And Provided*, That on all such iron and steel sheets or plates aforesaid excepting on what are known commercially as tin-plates, terne-plates, and taggers-tin, and hereafter provided for, when galvanized or coated with zinc or spelter, or other metals, or any alloy of those metals, three-fourths of one cent per pound additional.

Polished, planished, or glanced sheet-iron or sheet steel by whatever name designated, two and one-half cents per pound: *Provided*, That sheet or plate or taggers

iron, by whatever name designated, other than the polished, planished, or glanced herein provided for, which has been pickled or cleaned by acid, or by any other material or process, and which is cold rolled, shall pay one-quarter cent per pound more duty than the corresponding gauges of common or black sheet or taggers iron.

Iron or steel sheets, or plates, or taggers iron, coated with tin or lead, or with a mixture of which these metals is a component part, by the dipping or any other process, and commercially known as tin plates, terne plates, and taggers tin, one cent per pound; corrugated or crimped sheet iron or steel, one and four-tenths of one cent per pound.

Hoop, or band, or scroll, or other iron, eight inches or less in width, and not thinner than number ten wire gauge, one cent per pound; thinner than number ten wire gauge and not thinner than number twenty wire gauge, one and two-tenths of one cent per pound; thinner than number twenty wire gauge, one and four-tenths of one cent per pound; *Provided*, That all articles not specially enumerated or provided for in this act, whether wholly or partly manufactured, made from sheet, plate hoop, band, or scroll iron herein provided for, or of which such sheet, plate, hoop, band, or scroll iron shall be the material of chief value, shall pay one-fourth of one cent per pound more duty than that imposed on the iron from which they are made, or which shall be such material of chief value.

Iron and steel cotton-ties, or hoops for bailing purposes, not thinner than number twenty wire gauge, thirty-five per centum ad valorem.

Cast-iron pipe of every description, one cent per pound.

Cast-iron vessels, plates stove-plates, andirons, sadirons, tailors' irons, hatters' irons, and castings of iron, not specially enumerated or provided for in this act, one and one-quarter of one cent per pound.

Cut nails and spikes, of iron or steel one and one quarter of one cent per pound.

Cut tax, brads, or sprigs, not exceeding sixteen ounces to the thousand, two and one-half cents per thousand; exceeding sixteen ounces to the thousand, three cents per pound.

Iron or steel railway fish-plates, or splice-bars, one and one-fourth of one cent per pound.

Malleable iron castings, not specially enumerated or provided for in this act, two cents per pound.

Wrought iron or steel spikes, nuts, and washers, and horse, and mule, or ox shoes, two cents per pound.

Anvils, anchors or parts thereof, mill-

irons and mill-cranks, of wrought-irons and wrought-iron for ships, and forging of iron and steel, for vessels, steam-engines and locomotives, for parts thereof, weighing each twenty-five pounds or more, two cents per pound.

Iron or steel rivets, bolts, with or without threads or nuts, or bolt-blanks, and finished hinges or hinge-blanks, two and one-half of one cent per pound.

Iron or steel blacksmiths' hammers and sledges, track-tools, wedges, and crow-bars, two and one-half of one cent per pound.

Iron or steel axles, parts thereof, axle-bars, axle-blanks, or forgings for axles, without reference to the stage or state of manufacture, two and one-half of one cent per pound.

Forgings of iron and steel, or forged iron, of whatever shape, or in whatever stage of manufacture, not specially enumerated or provided for in this act, two and one-half cents per pound.

Horseshoe-nails, hob-nails, and wire-nails, and all other wrought-iron or steel nails, not specially enumerated or provided for in this act, four cents per pound.

Boiler tubes, or flues, or stays, of wrought iron or steel, three cents per pound.

Other wrought iron or steel tubes or pipes, two and one-quarter cents per pound.

Chain or chains of all kinds, made of iron or steel, not less than three-fourths of one inch in diameter, one and three quarter cents per pound; less than three-fourths of one inch and not less than three-eighths of one inch in diameter, two cents per pound; less than three-eighths of one inch in diameter, two and one-half cents per pound.

Cross-cut saws, eight cents per linear foot.

Mill, pit, and drag saws, not over nine inches wide, ten cents per linear foot; over nine inches wide, fifteen cents per linear foot.

Circular saws, thirty per centum ad valorem.

Hand, back, and all other saws, not specially enumerated or provided for in this act, forty per centum ad valorem.

Files, file blanks, rasps, and floats of all cuts and kinds, four inches in length and under, thirty-five cents per dozen; over four inches in length and under nine inches, seventy-five cents per dozen; nine inches in length and under fourteen inches, one dollar and fifty cents per dozen; fourteen inches in length and over, two dollars and fifty cents per dozen.

Steel ingots, cogged ingots, blooms, and slabs, by whatever process made; die blocks or blanks; billets and bars and tapered or

beveled bars; bands, hoops, strips, and sheets of all gauges and widths; plates of all thicknesses and widths; steamer, crank, and other shafts; wrist or crank pins; connecting-rods and piston-rods; pressed, sheared, or stamped shapes, or blanks of sheet or plate steel, or combination of steel and iron, punched or not punched; hammer-molds, or swaged steel; gun-molds, not in bars; alloys used as substitutes for steel tools; all descriptions and shapes of dry sand, loam, or iron molded steel castings, all of the above classes of steel not otherwise specially provided for in this act, valued at four cents a pound or less, forty-five per centum ad valorem; above four cents a pound and not above seven cents per pound, two cents per pound; valued above seven cents and not above ten cents per pound, two and three-fourths cents per pound; valued at above ten cents per pound, three and one-fourth cents per pound: *Provided*, That on all iron or steel bars, rods, strips, or steel sheets, of whatever shape, and on all iron or steel bars of irregular shape or section, cold-rolled, cold-hammered, or polished in any way in addition to the ordinary process of hot-rolling or hammering, there shall be paid one-fourth cent per pound, in addition to the rates provided in this act; and on steel circular saw plates there shall be paid one cent per pound in addition to the rate provided in this act.

Iron or steel beams, girders, joists, angles, channels, car-truck channels, **TT**, columns and posts, or parts or sections of columns and posts, deck and bulb beams, and building forms, together with all other structural shapes of iron or steel, one and one-fourth of one cent per pound.

Steel wheels and steel-tired wheels for railway purposes, whether wholly or partly finished, and iron or steel locomotive, car, and other railway tires, or parts thereof, wholly or partly manufactured, two and one-half of one cent per pound; iron or steel ingots, cogged ingots, blooms or blanks for the same, without regard to the degree of manufacture, two cents per pound.

Iron or steel rivet, screw, nail, and fence, wire rods, round, in coils and loops, not lighter than number five wire gauge, valued at three and one-half cents or less per pound, six-tenths of one cent per pound. Iron or steel, flat with longitudinal ribs for the manufacture of fencing, six-tenths of a cent per pound.

Screws, commonly called wood screws, two inches or over in length, six cents per pound; one inch and less than two inches in length, eight cents per pound; over one-half inch and less than one inch in length, ten cents per pound; one-half inch and less in length, twelve cents per pound.

Iron or steel wire, smaller than number

five and not smaller than number ten wire gauge, one and one-half cents per pound; smaller than number ten and not smaller than number sixteen wire gauge, two cents per pound; smaller than number sixteen and not smaller than number twenty-six wire gauge, two and one-half cents per pound; smaller than number twenty-six wire gauge, three cents per pound: *Provided*, That iron or steel wire covered with cotton, silk, or other material, and wire commonly known as crinoline, corset, and hat wire, shall pay four cents per pound in addition to the foregoing rates: *And provided further*, That no article made from iron or steel wire, or of which iron or steel wire is a component part of chief value, shall pay a less rate of duty than the iron or steel wire from which it is made either wholly or in part: *And provided further*, That iron or steel wire-cloths, and iron or steel wire-nettings, made in meshes of any form, shall pay a duty equal in amount to that imposed on iron or steel wire of the same gauge, and two cents per pound in addition thereto. There shall be paid on galvanized iron or steel wire (except fence wire), one-half of one cent per pound in addition to the rate imposed on the wire of which it is made. On iron wire rope and wire strand, one cent per pound in addition to the rates imposed on the wire of which it is made. On steel wire rope and strand, two cents per pound in addition to the rates imposed on the wire of which it is made.

Steel, not specially enumerated or provided for in this act, forty-five per centum ad valorem. *Provided*, That all metal produced from iron or its ores, which is cast and malleable, of whatever description or form, without regard to the percentage of carbon contained therein, whether produced by cementation, or converted, cast, or made from iron, or its ores, by the crucible, Bessemer, pneumatic, Thomas-Gilchrist, basic, Siemens-Martin, or open-hearth process, or by the equivalent of either, or by the combination of two or more of the processes, or their equivalents, or by any fusion or other process which produces from iron or its ores a metal either granular or fibrous in structure, which is cast and malleable, excepting what is known as malleable iron castings, shall be classed and denominated as steel.

No allowance or reduction of duties for partial loss or damage in consequence of rust or of discoloration shall be made upon any description of iron or steel, or upon any partly manufactured article of iron or steel, or upon any manufacture of iron and steel.

Argentine, albata, or German silver, unmanufactured, twenty-five per centum ad valorem.

Copper, imported in the form of ores,



two and one-half cents on each pound of fine copper contained therein; regulus of black or coarse copper, and copper cement three and three and one-half cents on each pound of fine copper contained therein; old copper, fit only for remanufacture, clippings from new copper, and all composition metal of which copper is a component material of chief value not specially enumerated or provided for in this act, three cents per pound; copper in plates, bars, ingots, Chili or other pigs, and in other forms, not manufactured, or enumerated in this act, four cents per pound; in rolled plates, called brazier's copper, sheets, rods, pipes, and copper bottoms and all manufactures of copper, or of which copper shall be a component part of chief value, not specially enumerated or provided for in this act, thirty-five per centum ad valorem.

Brass, in bars or pig, old brass, and clippings from brass or Dutch metal, one and one-half cent per pound.

Lead ore, and lead dross, one and one-half cent per pound.

Lead, in pigs and bars, molten and old refuse lead run into blocks and bars, and old scrap lead, fit only to be remanufactured, two cents per pound.

Lead, in sheets, pipes, or shot, three cents per pound.

Nickel, in ore, matte, or other crude form not ready for consumption in the arts, fifteen cents per pound on the nickel contained therein.

Nickel, nickel oxide. alloy of any kind in which nickel is the element of chief value, fifteen cents per pound.

Zinc, spelter, or tutenague, in blocks or pigs, and old worn-out zinc, fit only to be remanufactured, one and one-half cents per pound; zinc, spelter, or tutenague in sheets, two and one-half cents per pound.

Sheathing, or yellow metal, not wholly of copper, nor wholly nor in part of iron, ungalvanized, in sheets, forty-eight inches long and fourteen inches wide, and weighing from fourteen to thirty-four ounces per square foot, thirty-five per centum ad valorem.

Antimony, as regulus or metal, ten per centum ad valorem.

Bronze powder, fifteen per centum ad valorem.

Cutlery, not specially enumerated or provided for in this act, thirty-five per centum ad valorem.

Dutch or bronze metal, in leaf, ten per centum ad valorem.

Steel plates, engraved, stereotype plates, and new types, twenty-five per centum ad valorem.

Gold-leaf, one dollar and fifty cents per package of five hundred leaves.

Hollow-ware, coated, glazed, or tinned, three cents per pound.

Muskets, rifles, and other fire-arms not specially enumerated or provided for in this act, twenty-five per centum ad valorem.

All sporting breech-loading shot-guns and pistols of all kinds, thirty-five per centum ad valorem.

Forged shot-gun barrels, rough-bored, ten per centum ad valorem.

Needles for knitting or sewing machines, thirty-five per centum ad valorem.

Needles, sewing, darning, knitting, and all others not specially enumerated or provided for in this act, twenty-five per centum ad valorem.

Pen-knives, pocket-knives, of all kinds, and razors, fifty per centum ad valorem; swords, sword-blades, and side-arms, thirty-five per centum ad valorem.

Pens, metallic, twelve cents per gross: pen-holder-tips and pen holders, or parts thereof, thirty per centum ad valorem.

Pins, solid-head or other, thirty per centum ad valorem.

Britannia ware, and plated and gilt articles and wares of all kinds, thirty-five per centum ad valorem.

Quicksilver, ten per centum ad valorem.

Silver leaf, seventy-five cents per package of five hundred leaves.

Type-metal, twenty per centum ad valorem.

Chromate of iron, or chromic ore, fifteen per centum ad valorem.

Mineral substances in a crude state and metals unwrought, not specially enumerated or provided for in this act, twenty per centum ad valorem.

Manufactures, articles, or wares, not specially enumerated or provided for in this act, composed wholly or in part of iron, steel, copper, lead, nickel, pewter, tin, zinc, gold, silver, platinum, or any other metal, and whether partly or wholly manufactured, forty-five per centum ad valorem.

#### Schedule D.—Wood and Wooden Wares.

Timber, hewn and sawed, and timber used for spars and in building wharves, twenty per centum ad valorem.

Timber, squared or sided, not specially enumerated or provided for in this act, one cent per cubic foot.

Sawed boards, plank, deals, and other lumber of hemlock, white-wood, sycamore, and bass-wood, one dollar per one thousand feet; all other articles of sawed lumber, two dollars per one thousand feet, board measure. But when lumber of any sort is planed or finished, in addition to the rates herein provided, there shall be levied and paid for each side so planed or finished, fifty cents per one thousand feet, board measure.

And if planed on one side and tongued

and grooved, one dollar per one thousand feet, broad measure.

And if planed on two sides, and tongued and grooved, one dollar and fifty cents per thousand feet, board measure.

Hubs for wheels, posts, last-blocks, wagon-blocks, ore-blocks, gun-blocks, heading-blocks, and all like blocks or stieks, rough-hewn or sawed only, twenty per centum ad valorem.

Staves of wood of all kinds, ten per centum ad valorem.

Pickets and palings, twenty per centum ad valorem.

Laths, fifteen cents per one thousand pieces.

Shingles, thirty-five cents per one thousand.

Pine elapboards, two dollars per one thousand.

Spruce elapboards, one dollar and fifty cents per one thousand.

House or cabinet furniture, in piece or rough, and not finished, thirty per centum ad valorem.

Cabinet ware and house-furniture, finished, thirty-five per centum ad valorem.

Casks and barrels, empty, sugar box shooks, and packing boxes, and packing box shooks, of wood, not specially enumerated or provided for in this act, thirty per centum ad valorem.

Manufactures of cedar-wood, granadilla, ebony, mahogany, rose-wood, and satin-wood, thirty-five per centum ad valorem.

Manufactures of wood, or of which wood is the chief component part not specially enumerated or provided for in this act, thirty-five per centum ad valorem.

Wood, unmanufactured, not specially enumerated or provided for in this act, twenty per centum ad valorem.

#### Schedule E.—Sugar.

All sugars not above No. 13 Dutch standard in color shall pay duty on their polariscopic test as follows, viz:

All sugars not above No. 13 Dutch standard in color, all tank bottoms, sirups of cane Juice or of beet juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above seventy-five degrees, shall pay a duty of one and forty-hundredths cent per pound, and for every additional degree or fraction of a degree shown by the polariscopic test, they shall pay four-hundredths of a cent per pound additional.

All sugars above No. 13 Dutch standard in color shall be classified by the Dutch standard of color, and pay duty as follows, namely:

All sugar above No. 13 and not above No. 16 Dutch standard, two and seventy-five-hundredths cents per pound.

All sugar above No. 16 and not above

No. 20 Dutch standard, three cents per pound.

All sugars above No. 20 Dutch standard, three and fifty-hundredths cents per pound.

Molasses testing not above fifty-six degrees by the Polariscope, shall pay a duty of four cents per gallon; molasses testing above fifty-six degrees, shall pay a duty of eight cents per gallon.

Sugar candy, not colored, five cents per pound.

All other confectionery, not specially enumerated or provided for in this act, made wholly or in part of sugar, and on sugars after being refined, when tintured, colored, or in any way adulterated, valued at thirty cents per pound or less, ten cents per pound.

Confectionery valued above thirty cents per pound, or when sold by the box, package, or otherwise than by the pound, fifty per centum ad valorem.

#### Schedule E.—Tobacco.

Cigars, eigarettes, and cheroots of all kinds, two dollars and fifty cents per pound and twenty-five per centum ad valorem; but paper cigars and eigarettes, including wrappers shall be subject to the same duties as are herein imposed upon cigars.

Leaf tobacco, of which eighty-five per cent. is of the requisite size and of the necessary fineness of texture to be suitable for wrappers, and of which more than one hundred leaves are required to weigh a pound, if not stemmed, seventy-five cents per pound; if stemmed, one dollar per pound.

All other tobacco in leaf, unmanufactured, and not stemmed, thirty-five cents per pound.

Tobacco stems, fifteen cents per pound.

Tobacco, manufactured, of all descriptions, and stemmed tobacco, not specially enumerated or provided for in this act, forty cents per pound.

Snuff and snuff-flour, manufactured of tobacco, ground, dry, or damp, and pickled, scented or otherwise, of all descriptions, fifty cents per pound.

Tobacco, unmanufactured, not specially enumerated or provided for in this act, thirty per centum ad valorem.

#### Schedule G.—Provisions.

Animals, live, twenty per centum ad valorem.

Beef and pork one cent per pound.

Hams and bacon, two cents per pound.

Meat, extract of, twenty per centum ad valorem.

Cheese, four cents per pound.

Butter, and substitutes therefor, four cents per pound.

Lard, two cents per pound.

Wheat, twenty cents per bushel.

Rye and barley, ten cents per bushel.

Barley, pearled, patent, or hulled, one half cent per pound.

Barley malt, per bushel of thirty-four pounds, twenty cents.

Indian corn or maize, ten cents per bushel.

Oats, ten cents per bushel.

Corn-meal, ten cents per bushel of forty-eight pounds.

Oat-meal, one-half cent per pound.

Rye-flour, one-half cent per pound.

Wheat-flour, twenty per centum ad valorem.

Potato or corn starch, two cents per pound; rice starch, two and a half cents per pound; other starch, two and a half cents per pound.

Rice, cleaned, two and one-fourth cents per pound; uncleaned, one and one-half cents per pound.

Paddy, one and one-fourth cents per pound.

Rice-flour and rice-meal, twenty per centum ad valorem.

Hay, two dollars per ton.

Honey, twenty cents per gallon.

Hops, eight cents per pound.

Milk preserved or condensed, twenty per centum ad valorem.

#### Fish :

Mackerel, one cent per pound.

Herrings, pickled or salted, one-half of one cent per pound.

Salmon, pickled, one cent per pound; other fish, pickled in barrels, one cent per pound.

Foreign-caught fish, imported otherwise than in barrels or half barrels, whether fresh, smoked, dried, salted or pickled, not specially enumerated or provided for in this act, fifty cents per hundred pounds.

Anchovies and sardines, packed in oil or otherwise, in tin boxes measuring not more than five inches long, four inches wide, and three and one half inches deep, ten cents per whole box; in half boxes measuring not more than five inches long, four inches wide, and one and five-eighths deep, five cents each; in quarter boxes measuring not more than four inches and three-quarters long, three and one half inches wide, and one and a quarter deep, two and one-half cents each; when imported in any other form, forty per centum ad valorem.

Fish preserved in oil, except anchovies and sardines, thirty per centum ad valorem.

Salmon, and all other fish, prepared or preserved, and prepared meats of all kinds, not specially enumerated or provided for in this act, twenty-five per centum ad valorem.

Pickles and sauces, of all kinds, not otherwise specially enumerated or provided for in this act, thirty-five per centum ad valorem.

Potatoes, fifteen cents per bushel of sixty pounds.

Vegetables, in their natural state, or in salt or brine, not specially enumerated or provided for in this act, ten per centum ad valorem.

Vegetables, prepared or preserved, of all kinds, not otherwise provided for, thirty per centum ad valorem.

Chicory root, ground or unground, burnt or prepared, two cents per pound.

Vinegar, seven and one-half cents per gallon. The standard for vinegar shall be taken to be that strength which requires thirty-five grains of bi-carbonate of potash to neutralize one ounce Troy of vinegar; and all import duties that may by law be imposed on vinegar imported from foreign countries shall be collected according to this standard.

Acorns, and dandelion root, raw or prepared, and all other articles used or intended to be used as coffee, or as substitutes therefor, not specially enumerated or provided for in this act, two cents per pound.

Chocolate, two cents per pound.

Cocoa, prepared or manufactured, two cents per pound.

#### Fruits :

Currants, Zante or other, one cent per pound.

Dates, plums, and prunes, one cent per pound.

Figs, two cents per pound.

Oranges, in boxes of capacity not exceeding two and one-half cubic feet, twenty-five cents per box; in one-half boxes, capacity not exceeding one and one-fourth cubic feet, thirteen cents per half box; in bulk, one dollar and sixty cents per thousand; in barrels capacity not exceeding that of the one hundred and ninety-six pound flour barrel, fifty-five cents per barrel.

Lemons in boxes of capacity not exceeding two and one-half cubic feet, thirty cents per box; in one-half boxes, capacity not exceeding one and one-fourth cubic feet, sixteen cents per half box; in bulk, two dollars per thousand.

Lemons and oranges, in packages, not specially enumerated or provided for in this act, twenty per centum ad valorem.

Limes and grapes, twenty per centum ad valorem.

Raisins, two cents per pound.

Fruits, preserved in their own juices, and fruit-juice, twenty per centum ad valorem.

Comfits, sweetmeats, or fruits preserved in sugar, spirits, sirup, or molasses, not otherwise specified or provided for in this act, and jellies of all kinds, thirty-five per centum ad valorem.

#### Nuts :

Almonds, five cents per pound; shelled, seven and one-half cents per pound; fil-

berts, and walnuts, of all kinds, three cents per pound.

Peanuts or ground beans, one cent per pound; shelled, one and one-half cent per pound.

Nuts, of all kinds, shelled or unshelled, not specially enumerated or provided for in this act, two cents per pound.

Mustard, ground or preserved, in bottles or otherwise, ten cents per pound.

#### Schedule H.—Liquors.

Champagne, and all other sparkling wines, in bottles containing each not more than one quart and more than one pint, seven dollars per dozen bottles; containing not more than one pint each and more than one-half pint, three dollars and fifty cents per dozen bottles; containing one-half pint each, or less, one dollar and seventy five cents per dozen bottles; in bottles containing more than one quart each, in addition to seven dollars per dozen bottles, at the rate of two dollars and twenty-five cents per gallon on the quantity in excess of one quart bottle.

Still wines, in casks, fifty cents per gallon; in bottles, one dollar and sixty cents per case of one dozen bottles containing each not more than one quart and more than one pint, or twenty-four bottles containing each not more than one pint; and any excess beyond these quantities found in such bottles shall be subject to a duty of five cents per pint or fractional part thereof; but no separate or additional duty shall be collected on the bottles: *Provided*, That any wines imported containing more than twenty-four per centum of alcohol shall be forfeited to the United States: *Provided further*, That there shall be no allowance for breakage, leakage, or damage on wines, liquors, cordials, or distilled spirits.

Vermuth, the same duty as on still wines.

Wines, brandy, and other spirituous liquors imported in bottles, shall be packed in packages containing not less than one dozen bottles in each package; and all such bottles, except as specially enumerated or provided for in this act, shall pay an additional duty of three cents for each bottle.

Brandy, and other spirits manufactured or distilled from grain or other materials and not specially enumerated or provided for in this act, two dollars per proof gallon; each and every gauge or wine gallon of measurement shall be counted as at least one proof gallon; and the standard for determining the proof of brandy and other spirits or liquors of any kind imported shall be the same as that which is defined in the laws relating to internal revenue; but any

brandy or other spirituous liquors imported in casks, of less capacity than fourteen gallons shall be forfeited to the United States.

On all compounds or preparations of which distilled spirits are a component part of chief value, not specially enumerated or provided for in this act, there shall be levied a duty not less than that imposed upon distilled spirits.

Cordials, liquors, arrack, absinthe, kirschwasser, ratafia, and other similar spirituous beverages or bitters, containing spirits, and not specially enumerated or provided for in this act, two dollars per proof gallon.

No lower rate or amount of duty shall be levied, collected, and paid on brandy, spirits, and other spirituous beverages than that fixed by law for the description of first proof; but it shall be increased in proportion for any greater strength than the strength of first proof; and all imitations of brandy or spirits or wines imported by any names whatever shall be subject to the highest rate of duty provided for the genuine articles respectively intended to be represented, and in no case less than one dollar per gallon.

Bay-rum, or bay-water, whether distilled or compounded, one dollar per gallon of first proof, and in proportion for any greater strength than first proof.

Ale, porter, and beer, in bottles or jugs of glass, stone, or earthen ware, thirty-five cents per gallon; otherwise than in bottles or jugs of glass, stone, or earthen ware, twenty cents per gallon.

Ginger-ale, or ginger-beer, twenty per centum ad valorem, but no separate or additional duty shall be collected on bottles or jugs containing the same.

#### Schedule I.—Cotton and Cotton Goods.

Cotton thread, yarn, warps, or warp-yarn, whether single or advanced beyond the condition of single, by twisting two or more single yarns together, whether on beams or in bundles, skeins, or cops, or in any other form, valued at not exceeding twenty-five cents per pound, ten cents per pound; valued at over twenty-five cents per pound, and not exceeding forty cents per pound, fifteen cents per pound; valued at over forty cents per pound, and not exceeding fifty cents per pound, twenty cents per pound; valued at over fifty cents per pound, and not exceeding sixty cents per pound, twenty-five cents per pound; valued at over sixty cents per pound and not exceeding seventy cents per pound, thirty-three cents per pound; valued at over seventy cents per pound, and not exceeding eighty cents per pound, thirty-eight cents per pound; valued at over eighty

cents per pound, and not exceeding one dollar per pound, forty-eight cents per pound; valued at over one dollar per pound, fifty per centum ad valorem.

On all cotton cloth not bleached, dyed, colored, stained, painted, or printed, and not exceeding one hundred threads to the square inch, counting the warp and filling, two and one-half cents per square yard; if bleached, three and one-half cents per square yard; if dyed, colored, stained, painted, or printed, four and one-half cents per square yard.

On all cotton cloth, not bleached, dyed, colored, stained, painted, or printed, exceeding one hundred and not exceeding two hundred threads to the square inch, counting the warp and filling, three cents per square yard; if bleached, four cents per square yard; if dyed, colored, stained, painted, or printed, five cents per square yard: *Provided*, That on all cotton cloth not exceeding two hundred threads to the square inch, counting the warp and filling, not bleached, dyed, colored, stained, painted, or printed, valued at over eight cents per square yard; bleached, valued at over ten cents per square yard; dyed, colored, stained, painted, or printed, valued at over thirteen cents per square yard, there shall be levied, collected, and paid a duty of forty per centum ad valorem.

On all cotton cloth exceeding two hundred threads to the square inch, counting the warp and filling, not bleached, dyed, colored, stained, painted or printed, four cents per square yard; if bleached, five cents per square yard; if dyed, colored, stained, painted, or printed, six cents per square yard: *Provided*, That on all such cotton cloths not bleached, dyed, colored, stained, painted, or printed, valued at over ten cents per square yard; bleached, valued at over twelve cents per square yard; and dyed, colored, stained, painted, or printed valued at over fifteen cents per square yard, there shall be levied, collected, and paid a duty of forty per centum ad valorem.

On stockings, hose, half-hose, shirts and drawers, and all goods made on knitting machines or frames, composed wholly of cotton, and not herein otherwise provided for, thirty-five per centum ad valorem.

On stockings, hose, half-hose, shirts, and drawers, fashioned, narrowed, or shaped wholly or in part by knitting machines or frames, or knit by hand, and composed wholly of cotton, forty per centum ad valorem.

Cotton cords, braids, gimps, galloons, webbing, goring, suspenders, braces, and all manufactures of cotton, not specially enumerated or provided for in this act, and corsets, of whatever material composed, thirty-five per centum ad valorem.

Cotton laces, embroideries, insertings, trimmings, lace window-curtains, cotton damask, hemmed handkerchiefs, and cotton velvet, forty per centum ad valorem.

Spool-thread of cotton, seven cents per dozen spools, containing on each spool not exceeding one hundred yards of thread; exceeding one hundred yards on each spool, for every additional one hundred yards of thread or fractional part thereof in excess of one hundred yards, seven cents per dozen.

#### Schedule J.—Hemp, Jute, and Flax Goods.

Flax straw, five dollars per ton.

Flax, not hackled or dressed, twenty dollars per ton.

Flax, hackled, known as "dressed line," forty dollars per ton.

Tow, of flax or hemp, ten dollars per ton.

Hemp, manila and other like substitutes for hemp not specially enumerated or provided for in this act, twenty-five dollars per ton.

Jute butts, five dollars per ton.

Jute, twenty per centum ad valorem; sunn, sisal grass, and other vegetable substances, not specially enumerated or provided for in this act, fifteen dollars per ton.

Brown and bleached linens, ducks, canvass, paddings, cot bottoms, diapers, crash, huckabacks, handkerchiefs, lawns, or other manufactures of flax, jute, or hemp, or of which flax, jute, or hemp, shall be the component material of chief value, not specially enumerated or provided for in this act, thirty-five per centum ad valorem.

Flax, hemp, and jute yarns, thirty-five per centum ad valorem.

Flax or linen thread, twine, and pack thread and all manufactures of flax, or of which flax shall be the component material of chief value, not specially enumerated or provided for in this act, forty per centum ad valorem.

Flax or linen laces and insertings, embroideries, or manufactures of linen, if embroidered or tamboured in the loom or otherwise, by machinery or with the needle or other process, and not specially enumerated or provided for in this act, thirty per centum ad valorem.

Burlaps, not exceeding sixty inches in width, of flax, jute, or hemp, or of which flax, jute, or hemp, or either of them shall be the component material of chief value (except such as may be suitable for bagging for cotton), thirty per centum ad valorem.

Oil-cloth foundations, or floor-cloth canvass, or burlaps exceeding sixty inches in width, made of flax, jute, or hemp, or of which flax, jute, or hemp, or either of them

shall be the component material of chief value, forty per centum ad valorem.

Oil-cloths for floors, stamped, painted, or printed and on all other oil-cloth (except silk oil-cloth), and on water-proof cloth, not otherwise provided for, forty per centum ad valorem.

Gunny cloth, not bagging, valued at ten cents or less per square yard, three cents per pound; valued at over ten cents per square yard, four cents per pound.

Bags and bagging, and like manufactures, not specially enumerated or provided for in this act (except bagging for cotton), composed wholly or in part of flax, hemp, jute, gunny cloth, gunny bags, or other material, forty per centum ad valorem.

Bagging for cotton, or other manufactures not specially enumerated or provided for in this act, suitable to the uses for which cotton bagging is applied, composed in whole or in part of hemp, jute, jute butts, flax, gunny bags, gunny cloth, or other material, and valued at seven cents or less per square yard, one and one-half cents per pound; valued at over seven cents per square yard, two cents per pound.

Tarred cables or cordage, three cents per pound.

Untarred manila cordage, two and one-half cents per pound.

All other untarred cordage, three and one-half cents per pound.

Seines and seine and gilling twine, twenty-five per centum ad valorem.

Sail duck, or canvas for sails, thirty per centum ad valorem.

Russia and other sheeting, of flax or hemp, brown or white, thirty-five per centum ad valorem.

All other manufactures of hemp, or manila, or of which hemp or manila shall be a component material of chief value not specially enumerated or provided for in this act, thirty-five per centum ad valorem.

Grass cloth, and other manufactures of jute, ramie, China, and sisal grass, not specially enumerated or provided for in this act, thirty-five per centum ad valorem.

#### Schedule K.—Wool and Woolens.

All wools, hair of the alpaca, goat, and other like animals, shall be divided, for the purpose of fixing the duties to be charged thereon, into the three following classes.

CLASS ONE, CLOTHING WOOLS.—That is to say, merino, mestiza, metz, or metis wools, or other wools of merino blood, immediate or remote, down clothing wools, and wools of like character with any of the preceding, including such as have been heretofore usually imported into the United States from Buenos Ayres, New Zealand, Australia, Cape of Good Hope,

Russia, Great Britain, Canada, and elsewhere, and also including all wools not hereinafter described or designated in classes two and three.

CLASS TWO, COMBING WOOLS.—That is to say, Leicester, Cotswold, Lincolnshire, Down combing wools, Canada long wools, or other like combing wools of English blood, and usually known by the terms herein used, and also all hair of the alpaca, goat, and other like animals.

CLASS THREE, CARPET WOOLS AND OTHER SIMILAR WOOLS.—Such as Donskoi, native South American, Cordova, Valparaiso, native Smyrna, and including all such wool of like character as have been heretofore usually imported into the United States from Turkey, Greece, Egypt, Syria, and elsewhere.

The duty on wools of the first class which shall be imported washed shall be twice the amount of the duty to which they would be subjected if imported unwashed; and the duty on wools of all classes which shall be imported scoured shall be three times the duty to which they would be subjected if imported unwashed. The duty upon wool of the sheep, or hair of the alpaca, goat, and other like animals, which shall be imported in any other than ordinary condition, as now and heretofore practiced, or which shall be changed in its character or condition for the purpose of evading the duty, or which shall be reduced in value by the admixture of dirt or any other foreign substance, shall be twice the duty to which it would be otherwise subject.

Wools of the first class, the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall be thirty cents or less per pound, ten cents per pound; wools of the same class, the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall exceed thirty cents per pound, twelve cents per pound.

Wools of the second class, and all hair of the alpaca, goat, and other like animals, the value whereof, at the last port or place whence exported to the United States, excluding charges in such port, shall be thirty cents or less per pound, ten cents per pound; wools of the same class, the value whereof at the last port or place whence exported to the United States, excluding charges in such port, shall exceed thirty cents per pound, twelve cents per pound.

Wools of the third class, the value whereof, at the last port or place whence exported to the United States, excluding charges in such port, shall be twelve cents or less per pound, two and a half cents per pound; wools of the same class, the value

whereof, at the last port or place whence exported to the United States, excluding charges in such port, shall exceed twelve cents per pound, five cents per pound.

Wools on the skin, the same rates as other wools, the quantity and value to be ascertained under such rules as the Secretary of the Treasury may prescribe.

Woolen rags, shoddy, mungo, waste, and flocks, ten cents per pound.

Woolen cloths, woolen shawls, and all manufactures of wool of every description, made wholly or in part of wool, not specially enumerated or provided for in this act, valued at not exceeding eighty cents per pound, thirty-five cents per pound and thirty-five per centum ad valorem; valued at above eighty cents per pound, thirty-five cents per pound, and in addition thereto forty per centum ad valorem.

Flannels, blankets, hats of wool, knit goods, and all goods made on knitting-frames, balmorals, woolen and worsted yarns, and all manufactures of every description, composed wholly or in part of worsted, the hair of the alpaca, goat or other animals, (except such as are composed in part of wool), not specially enumerated or provided for in this act, valued at not exceeding thirty cents per pound, ten cents per pound; valued at above thirty cents per pound, and not exceeding forty cents per pound, twelve cents per pound; valued at above forty cents per pound, and not exceeding sixty cents per pound, eighteen cents per pound; valued at above sixty cents per pound, and not exceeding eighty cents per pound, twenty-four cents per pound; and in addition thereto, upon all the above named articles, thirty-five per centum ad valorem; valued at above eighty cents per pound, thirty-five cents per pound, and in addition thereto forty per centum ad valorem.

Bunting, ten cents per square yard, and in addition thereto, thirty-five per centum ad valorem.

Women's and children's dress goods, coat linings, Italian cloths, and goods of like description, composed in part of wool, worsted, the hair of the alpaca, goat, or other animals, valued at not exceeding twenty cents per square yard, five cents per square yard, and in addition thereto, thirty-five per centum ad valorem; valued at above twenty cents per square yard, seven cents per square yard, and forty per centum ad valorem; if composed wholly of wool, worsted, the hair of the alpaca, goat, or other animals, or of a mixture of them, nine cents per square yard and forty per centum ad valorem, but all such goods with selvages, made wholly or in part of other materials, or with threads of other materials introduced for the purpose of changing the classification, shall be duti-

able at nine cents per square yard and forty per centum ad valorem: *Provided*, That all such goods weighing over four ounces per square yard shall pay a duty of thirty-five cents per pound and forty per centum ad valorem.

Clothing, ready-made, and wearing apparel of every description, not specially enumerated or provided for in this act, and balmoral skirts, and skirting, and goods of similar description, or used for like purposes, composed wholly or in part of wool, worsted, the hair of the alpaca, goat, or other animals made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer, except knit goods, forty cents per pound, and in addition thereto, thirty-five per centum ad valorem.

Cloaks, dolmans, jackets, talmas, ulsters, or other outside garments for ladies' and children's apparel and goods of similar description, or used for like purposes, composed wholly or in part of wool, worsted, the hair of the alpaca, goat, or other animals, made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer, (except knit goods), forty-five cents per pound, and in addition thereto forty per centum ad valorem.

Webbings, gorings, suspenders, braces, beltings, bindings, braids, galloons, fringes, gimps, cords, and tassels, dress trimmings, head nets, buttons, or barrel buttons, or buttons of other forms for tassels or ornaments, wrought by hand or braided by machinery, made of wool, worsted, the hair of the alpaca, goat, or other animals, or of which wool, worsted, the hair of the alpaca, goat, or other animals is a component material, thirty cents per pound, and in addition thereto, fifty per centum ad valorem.

Aubusson, Axminster, and chenille carpets, and carpets woven whole for rooms, forty-five cents per square yard, and in addition thereto, thirty per centum ad valorem.

Saxony, Wilton, and Tournay velvet carpets, forty-five cents per square yard, and in addition thereto, thirty per centum ad valorem.

Brussels carpets, thirty cents per square yard, and in addition thereto, thirty per centum ad valorem.

Patent velvet and tapestry velvet carpets, printed on the warp or otherwise, twenty-five cents per square yard, and in addition thereto, thirty per centum ad valorem.

Tapestry Brussels carpets, printed on the warp or otherwise, twenty cents per square yard, and in addition thereto, thirty per centum ad valorem.

Treble ingrain, three-ply, and worsted chain Venetian carpets, twelve cents per square yard, and in addition thereto, thirty per centum ad valorem.

Yarn, Venetian, and two-ply ingrain carpets, eight cents per square yard, and in addition thereto, thirty per centum ad valorem.

Druggets, and bockings, printed, colored, or otherwise, fifteen cents per square yard, and in addition thereto, thirty per centum ad valorem.

Hemp or jute carpeting, six cents per square yard.

Carpets and carpetings of wool, flax, or cotton, or parts of either or other material, not otherwise herein specified, forty per centum ad valorem; and mats, rugs, screens, covers, hassocks, bedsides, and other portions of carpets or carpetings, shall be subjected to the rate of duty herein imposed on carpets or carpeting of like character or description; and the duty on all other mats not exclusively of vegetable material, screens, hassocks, and rugs, shall be forty per centum ad valorem.

Endless belts or felts for paper or printing machines, twenty cents per pound and thirty per centum ad valorem.

#### Schedule L.—Silk and Silk Goods.

Silk, partially manufactured from cocoons, or from waste silk, and not further advanced or manufactured than carded or combed silk, fifty cents per pound.

Thrown silk, in gum, not more advanced than singles, tram, organzine, sewing silk, twist, floss, in the gum, and spun silk, silk threads, or yarns of every description, purified or dyed, thirty per centum ad valorem.

On lastings, mohair cloth, silk twist, or other manufactures of cloth, woven or made in patterns of such size, shape, or form, or cut in such manner as to be fit for buttons exclusively, ten per centum ad valorem.

All goods, wares, and merchandise, not specially enumerated or provided for in this act, made of silk, or of which silk is the component material of chief value, fifty per centum ad valorem.

#### Schedule M.—Books, Papers, etc.

Books, pamphlets, bound or unbound, and all printed matter, not specially enumerated or provided for in this act, engravings, bound or unbound, etchings, illustrated books, maps, and charts, twenty-five per centum ad valorem.

Blank books, bound or unbound, and books for press-copying, twenty per centum ad valorem.

Paper, sized or glued, suitable only for printing paper, twenty per centum ad valorem.

Printing paper, unsized, used for books and newspapers exclusively, fifteen per centum ad valorem.

Paper, manufactures of, or of which paper is a component material, not specially enumerated or provided for in this act, fifteen per centum ad valorem.

Sheathing paper, ten per centum ad valorem.

Paper boxes, and all other fancy boxes, thirty-five per centum ad valorem.

Paper envelopes, twenty-five per centum ad valorem.

Paper-hangings and paper for screens or fire-boards, paper antiquarian, demy, drawing, elephant, foolscap, imperial, letter, note, and all other paper not specially enumerated or provided for in this act, twenty-five per centum ad valorem.

Pulp, dried, for paper-makers' use, ten per centum ad valorem.

#### Schedule N.—Sundries.

Alabaster, and spar statuary and ornaments, ten per centum ad valorem.

Baskets and all other articles composed of grass, osier, palm-leaf, whalebone, or willow, or straw, not specially enumerated or provided for in this act, thirty per centum ad valorem.

Beads, and bead ornaments of all kinds, except amber, fifty per centum ad valorem.

Blacking of all kinds, twenty-five per centum ad valorem.

Bladders, manufactures of, twenty-five per centum ad valorem.

Bone, horn, ivory or vegetable ivory, all manufactures of, not specially enumerated or provided for in this act, thirty per centum ad valorem.

Bonnets, hats, and hoods for men, women and children, composed of chip, grass, palm-leaf, willow, or straw, or any other vegetable substance, hair, whalebone, or other material not specially enumerated or provided for in this act, thirty per centum ad valorem.

Bouillons, or cannetille, metal threads, filè, or gespinst, twenty-five per centum ad valorem.

Bristles, fifteen cents per pound.

Brooms of all kinds, twenty-five per centum ad valorem.

Brushes of all kinds, thirty per centum ad valorem.

Bulbs and bulbous roots, not medicinal, and not specially enumerated or provided for in this act, twenty per centum ad valorem.

Burr-stones, manufactured or bound up into mill-stones, twenty per centum ad valorem.

Buttons and button-molds, not specially enumerated or provided for in this act, not including brass, gilt, or silk buttons, twenty-five per centum ad valorem.

Candles and tapers of all kinds, twenty-per centum ad valorem.



Canes and sticks for walking, finished, thirty-five per centum ad valorem; if unfinished, twenty per centum ad valorem.

Card-cases, pocket-books, shell-boxes, and all similar articles, of whatever material composed, and by whatever name known, not specially enumerated or provided for in this act, thirty-five per centum ad valorem.

Card-clothing, twenty-five cents per square foot; when manufactured from tempered steel wire, forty-five cents per square foot.

Carriages, and parts of, not specially enumerated or provided for in this act, thirty-five per centum ad valorem.

Chronometers, box or ship's, and parts thereof, ten per centum ad valorem.

Clocks, and parts of clocks, thirty per centum ad valorem.

Coach and harness furniture of all kinds, saddlery, coach, and harness hardware, silver-plated brass, brass-plated, or covered, common, tinned, burnished, or japanned, not specially enumerated or provided for in this act, thirty-five per centum ad valorem.

Coal slaek or culm, such as will pass through a half-inch screen, thirty cents per ton of twenty-eight bushels, eighty pounds to the bushel.

Coal, bituminous, and shale, seventy-five cents per ton of twenty-eight bushels, eighty pounds to the bushel. A drawback of seventy-five cents per ton shall be allowed on all bituminous coal imported into the United States which is afterwards used for fuel on board of vessels propelled by steam which are engaged in the coasting trade of the United States, or in the trade with foreign countries, to be allowed and paid under such regulations as the Secretary of the Treasury shall prescribe.

Coke, twenty per centum ad valorem.

Combs, of all kinds, thirty per centum ad valorem.

Compositions of glass and paste, when not set, ten per centum ad valorem.

Coral, cut, manufactured, or set, twenty-five per centum ad valorem.

Corks, and cork bark, manufactured, twenty-five per centum ad valorem.

Crayons of all kinds, twenty per centum ad valorem.

Dice, draughts, chess-men, chess-balls, and billiard and bagatelle balls, of ivory or bone, fifty per centum ad valorem.

Dolls and toys, thirty-five per centum ad valorem.

Emery grains and emery manufactured, ground, pulverized, or refined, one cent per pound.

Epaulets, galloons, laees, knots, stars, tassels, and wings, of gold, silver, or other metal, twenty-five per centum ad valorem.

Fans of all kinds, except common palm-

leaf fans, of whatever material composed, thirty-five per centum ad valorem.

Feathers of all kinds, crude or not dressed, colored or manufactured, twenty-five per centum ad valorem; when dressed, colored, or manufactured, including dressed and finished birds, for millinery ornaments, and artificial, and ornamental feathers and flowers, or parts thereof, of whatever material composed, for millinery use, not specially enumerated or provided for in this act, fifty per centum ad valorem.

Finishing powder, twenty per centum ad valorem.

Fire-crackers of all kinds, one hundred per centum ad valorem.

Floor-matting and floor-mats, exclusively of vegetable substances, twenty per centum ad valorem.

Friction or lucifer matches of all descriptions, thirty-five per centum ad valorem.

Fulminates, fulminating powders, and all like articles, not specially enumerated or provided for in this act, thirty per centum ad valorem.

Fur, articles made of, and not specially enumerated or provided for in this act, thirty per centum ad valorem.

Gloves, kid or leather, of all descriptions, wholly or partially manufactured, fifty per centum ad valorem.

Grease, all not specially enumerated or provided for in this act, ten per centum ad valorem.

Grind-stones, finished or unfinished, one dollar and seventy-five cents per ton.

Gunpowder, and all explosive substances, used for mining, blasting, artillery, or sporting purposes, when valued at twenty cents or less per pound, six cents per pound; valued at above twenty cents per pound, ten cents per pound.

Gun-wads, of all descriptions, thirty-five per centum ad valorem.

Gutta-percha, manufactured, and all articles of, not specially enumerated or provided for in this act, thirty-five per centum ad valorem.

Hair, human, bracelets, braids, chains, rings, curls, and ringlets, composed of hair, or of which hair is a component material of chief value, thirty-five per centum ad valorem.

Curled-hair, except of hogs, used for beds or mattresses, twenty-five per centum ad valorem.

Human hair, raw, uncleaned, and not drawn twenty per centum ad valorem. If clean or drawn, but not manufactured, thirty per centum ad valorem; when manufactured, thirty-five per centum ad valorem.

Hair cloth, known as "erinoline cloth," and all other manufactures of hair not specially enumerated or provided for in this act, thirty per centum ad valorem.

Hair cloth, known as "hair seating," thirty cents per square yard.

Hair pencils thirty per centum ad valorem.

Hats, and so forth, materials for: Braids, plaits, flats, laces, trimmings, tissues, willow sheets and squares, used for making or ornamenting hats, bonnets, and hoods, composed of straw, chip, grass, palm leaf, willow, hair, whalebone, or any other substance or material, not specially enumerated or provided for in this act, twenty per centum ad valorem.

Hat bodies of cotton, thirty-five per centum ad valorem.

Hatters' furs, not on the skin, and dressed furs on the skin, twenty per centum ad valorem.

Hatters' plush, composed of silk or of silk and cotton, twenty-five per centum ad valorem.

Hempseed and rapeseed, and other oil seeds of like character, other than linseed or flaxseed, one quarter of one cent per pound.

India-rubber fabrics, composed wholly or in part of India-rubber, not specially enumerated or provided for in this act, thirty per centum ad valorem.

Articles composed of India-rubber, not specially enumerated or provided for in this act, twenty-five per centum ad valorem.

India-rubber boots and shoes, twenty-five per centum ad valorem.

Inks of all kinds and ink powders, thirty per centum ad valorem.

Japanned ware of all kinds, not specially enumerated or provided for in this act, forty per centum ad valorem.

Jet, manufactures and imitations of, twenty-five per centum ad valorem.

Jewelry, of all kinds, twenty-five per centum ad valorem.

Leather, bend or belting leather, and Spanish or other sole leather, and leather not specially enumerated or provided for in this act, fifteen per centum ad valorem.

Calfskins, tanned, or tanned and dressed, and dressed upper leather of all other kinds, and skins dressed and finished, of all kinds, not specially enumerated or provided for in this act, and skins of morocco, finished, twenty per centum ad valorem.

Skins for morocco, tanned, but unfinished, ten per centum ad valorem.

All manufactures and articles of leather, or of which leather shall be a component part, not specially enumerated or provided for in this act, thirty per centum ad valorem.

Lime, ten per centum ad valorem.

Garden seeds, except seed of the sugar beet, twenty per centum ad valorem.

Linseed or flaxseed, twenty cents per

bushel, of fifty-six pounds; but no drawback shall be allowed on oil-cake made from imported seed.

Marble of all kinds, in block, rough or squared, sixty-five cents per cubic foot; veined marble, sawed, dressed, or otherwise, including marble slabs and marble paving-tiles, one dollar and ten cents per cubic foot.

All manufactures of marble not specially enumerated or provided for in this act, fifty per centum ad valorem.

Musical instruments of all kinds, twenty-five per centum ad valorem.

Paintings, in oil or water colors, and statuary not otherwise provided for, thirty per centum ad valorem. But the term "statuary," as used in the laws now in force imposing duties on foreign importations, shall be understood to include professional productions of a statuary or of a sculptor only.

Osier, or willow, prepared for basket-makers' use, twenty-five per centum ad valorem.

Papier-mache, manufactures, articles, and wares of, thirty per centum ad valorem.

Pencils of wood filled with lead or other material and pencils of lead, fifty cents per gross and thirty per centum ad valorem; pencil-leads not in wood, ten per centum ad valorem.

Percussion caps, forty per centum ad valorem.

Philosophical apparatus and instruments, thirty-five per centum ad valorem.

Pipes, pipe bowls, and all smokers' articles whatsoever, not specially enumerated or provided for in this act, seventy per centum ad valorem; all common pipes of clay, thirty-five per centum ad valorem.

Plaster of Paris, when ground or calcined, twenty per centum ad valorem.

Playing cards, one hundred per centum ad valorem.

Polishing powders of every description, by whatever name known, including Frankfort black, and Berlin, Chinese, fig, and wash blue, twenty per centum ad valorem.

Precious stones of all kinds, ten per centum ad valorem.

Rags, of whatever material composed, and not specially enumerated or provided for in this act, ten per centum ad valorem.

Rattans and reeds, manufactured, but not made up into completed articles, ten per centum ad valorem.

Salt, in bags, sacks, barrels, or other packages, twelve cents per one hundred pounds; in bulk, eight cents per one hundred pounds: *Provided*, That exporters of meats, whether packed or smoked, which have been cured in the United States with imported salt, shall, upon satisfactory

proof, under such regulations as the Secretary of the Treasury shall prescribe, that such meats have been cured with imported salt shall have refunded to them the duties paid on the salt so used in curing such exported meats, in amounts not less than one hundred dollars: *And provided further*, That imported salt in bond may be used in curing fish taken by vessels licensed to engage in the fisheries, and in curing fish on the shores of the navigable waters of the United States, under such regulations as the Secretary of the Treasury shall prescribe: and upon proof that the salt has been used for either of the purposes stated in this proviso, the duties on the same shall be remitted.

Scagliola, and composition tops for tables or for other articles of furniture, thirty-five per centum ad valorem.

Sealing-wax, twenty per centum ad valorem.

Shells, whole or parts of, manufactured, of every description, not specially enumerated or provided for in this act, twenty-five per centum ad valorem.

Stones, unmanufactured or undressed, freestone, granite, sandstone, and all building or monumental stone, except marble, not specially enumerated or provided for in this act, one dollar per ton; and upon stones as above, hewn, dressed, or polished, twenty per centum ad valorem.

Strings; all strings of catgut, or any other like material, other than strings for musical instruments, twenty-five per centum ad valorem.

Tallow, one cent per pound.

Teeth, manufactured, twenty per centum ad valorem.

Umbrella and parasol ribs, and stretcher frames, tips, runners, handles, or other parts thereof, when made in whole or chief part of iron, steel, or any other metals forty per centum ad valorem; umbrellas, parasols, and shades, when covered with silk or alpaca, fifty per centum ad valorem; all other umbrellas, forty per centum ad valorem.

Umbrellas, parasols, and sunshades, frames and sticks for, finished or unfinished, not specially enumerated or provided for in this act, thirty per centum ad valorem.

Waste, all not specially enumerated or provided for in this act, ten per centum ad valorem.

Watches, watch-cases, watch movements, parts of watches, and watch materials, not specially enumerated or provided for in this act, twenty-five per centum ad valorem.

Webbing, composed of cotton, flax, or any other materials, not specially enumerated or provided for in this act, thirty-five per centum ad valorem.

#### The Free List.

SEC. 2503. The following articles when imported shall be exempt from duty:

Albumen, in any form or condition; lactarine.

Aconite.

Ambergris.

Annato, roncou, rocou, or orleans, and all extracts of.

Balm of Gilead.

Blood, dried.

Bones, crude, not manufactured, burned, or calcined, ground, or steamed.

Bone dust and bone ash for manufacture of phosphate and fertilizers.

Carbon, animal, fit for fertilizing only.

Guano, manures, and all substances expressly used for manure.

Musk, crude, in natural pod.

Civet, crude.

Cochineal.

Dyeing or tanning: Articles in a crude state used in dyeing or tanning, not specially enumerated or provided for in this act.

Fish-skins.

Hide cuttings, raw, with or without hair and all glue stock.

Hoofs.

Horns, and parts of horns, unmanufactured, and horn strips and tips.

Ipecac.

Fish sounds or fish bladders.

Leather, old scraps.

Leeches.

Rennets, raw or prepared.

Argal, or Argol, or crude Tartar.

Assafœtida.

Barks, Cinchona or other barks, used in the manufacture of quinia.

Brazil paste.

Camphor, crude.

Cassia, Cassia buds, Cassia Vera, unground.

Charcoal.

Cinnamon, and chips of, unground.

Cloves and clove stems, unground.

Cocculus indicus.

Cudbear.

Curry and Curry powder.

Cutch.

Divi-divi.

Dragon's blood.

Ergot.

Gambier.

Ginger-root, unground.

Indigo and artificial indigo.

Iodine crude.

Jalap.

Kelp.

Lac dye, crude, seed, button, stick, and shell.

Lac spirits.

Lemon juice and lime juice.

- Licorice root, unground.  
 Litmus, prepared or not prepared  
 Mace.  
 Maddar, and munjeet or Indian madder,  
 ground or prepared, and extracts of.  
 Manna.  
 Myrobolan.  
 Orchil, orchil liquid.  
 Nutmegs.  
 Nux vomica.  
 Ottar of roses.  
 Salacine.  
     Oils:  
 Almond.  
 Amber, crude and rectified.  
 Ambergris.  
 Anise, or anise seed.  
 Aniline, crude.  
 Aspic, or spike lavender.  
 Bergamot,  
 Cajeput.  
 Carraway.  
 Cassia and Cinnamon.  
 Cedrat.  
 Chamomile,  
 Citronella, or lemon grass.  
 Civet.  
 Fennel.  
 Jasmine, or jasimine.  
 Juglandium.  
 Juniper.  
 Lavender.  
 Lemon.  
 Limes.  
 Mace.  
 Neroli, or orange flower.  
 Orange.  
 Palm and cocoanut.  
 Poppy.  
 Rosemary or anthoss.  
 Sesame, sesamum-seed, or bene.  
 Thyme or origanum, red or white, va-  
 lerian.  
 Pepper, unground, of all kinds.  
 Pimento, unground.  
 Saffron and safflower, and extract of,  
 and saffron cake.  
 Salep, or saloup.  
 Storax, or styrax.  
 Turmeric.  
 Turpentine, Venice.  
 Valura.  
 Vegetable and mineral wax.  
 Wood ashes, and lye of, and beet-root  
 ashes.  
 Acids used for medicinal, chemical, or  
 manufacturing purposes, not specially enu-  
 merated or provided for in this act.  
 Alizarine, natural or artificial.  
 Agates, unmanufactured.  
 Apatite.  
 Asbestos, unmanufactured.  
 Arsenic.  
 Antimony ore, crude sulphide of.  
 Arsenic, sulphide of, or orpiment.  
 Arseniate of aniline.  
 Baryta, carbonate or witherite.  
 Bauxite.  
 Aniline salts or black salts and black tares.  
 Bromine.  
 Cadmium.  
 Calamine.  
 Cerium.  
 Cobalt, as metallic arsenic.  
 Chalk and cliff-stone, unmanufactured.  
 Feldspar.  
 Cryolite or kryolith.  
 Iridium.  
 Kieserite.  
 Kyanite or cyanite, and kainite.  
 Lime, citrate of.  
 Lime, chloride of, or bleaching powder.  
 Magnesium.  
 Magnesite, or native mineral carbonate  
 of magnesia.  
 Manganese, oxide and ore of.  
 Mineral waters, all not artificial.  
 Osmium.  
 Palladium.  
 Paraffine.  
 Phosphates, crude or native, for fertiliz-  
 ing purposes.  
 Potash, muriate of.  
 Plaster of Paris or sulphate of lime, un-  
 ground.  
 Quinia, sulphate of, salts of, and cin-  
 chonidia.  
 Soda, nitrate of, or cubic nitrate.  
 Strontia, oxide of, and proto-oxide of  
 strontian, and strontianite, or mineral car-  
 bonate of strontia,  
 Sulphur, or brimstone, not specially  
 enumerated or provided for in this act.  
 Sulphur lac or precipitated.  
 Tripoli.  
 Uranium, oxide of, verdigris or subace-  
 tate of copper.  
 Drugs, barks, beans, berries, balsams,  
 buds, bulbs, and bulbous roots and ex-  
 crescences, such as nut-galls, fruits, flowers,  
 dried fibers; grains, gums and gum-resin;  
 herbs, leaves, lichens, mosses, nuts, roots,  
 and stems; spices, vegetables, seeds aro-  
 matic, and seeds of morbid growth; weeds,  
 woods used expressly for dyeing, and dried  
 insects—any of the foregoing of which are  
 not edible and are in a crude state, and  
 not advanced in value or condition by re-  
 fining or grinding, or by other process of  
 manufacture, and not specially enumerated  
 or provided for in this act.  
 Vaccine virus.  
 Crude minerals, not advanced in value  
 or condition by refining or grinding, or by  
 other process of manufacture, not specially  
 enumerated or provided for in this act.
- Sundries.**
- Aluminium.  
 Amber beads and gum.  
 Animals brought into the United States  
 temporarily, and for a period not exceed-

ing six months, for the purpose of exhibition or competition for prizes offered by any agricultural or racing association; but a bond shall be first given in accordance with the regulations.

Animals specially imported for breeding purposes, shall be admitted free upon proof thereof satisfactory to the Secretary of the Treasury, and under such regulations as he may prescribe; and teams of animals, including their harness and tackle and the vehicles or wagons actually owned by persons emigrating from foreign countries to the United States with their families, and in actual use for the purpose of such emigration, shall also be admitted free of duty, under such regulations as the Secretary of the Treasury may prescribe.

Asphaltum and bitumen, crude.

Arrowroot.

Articles imported for the use of the United States, provided that the price of the same did not include the duty.

Bamboo reeds, no further manufactured than cut into suitable lengths for walking sticks or canes, or for sticks for umbrellas, parasols, or sun-shades.

Bamboo, unmanufactured.

Barrels of American manufacture, exported, filled with domestic petroleum, and returned empty, under such regulations as the Secretary of the Treasury may prescribe, and without requiring the filing of a declaration at time of export of intent to return the same empty.

Articles of growth, produce, and manufacture of the United States, when returned in the same condition as exported. Casks, barrels, carboys, bags, and other vessels of American manufacture, exported filled with American products, or exported empty and returned filled with foreign products, including shooks when returned as barrels or boxes; but proof of the identity of such articles shall be made under regulations to be prescribed by the Secretary of the Treasury; and if any of such articles are subject to internal tax at the time of exportation, such tax shall be proved to have been paid before exportation and not refunded.

Bed feathers and downs.

Bells, broken, and bell metal broken and fit only to be remanufactured.

Birds, stuffed.

Birds, and land and water fowls.

Bismuth.

Bladders, crude, and all integuments of animals not specially enumerated or provided for in this act.

Bologna sausages.

Bolting cloths.

Books, engravings, bound or unbound, etchings, maps, and charts, which shall have been printed and manufactured more than twenty years at the date of importation.

Books, maps, and charts imported by authority or for the use of the United States or for the use of the Library of Congress; but the duty shall not have been included in the contract of price paid.

Books, maps, and charts specially imported, not more than two copies in any one invoice, in good faith, for the use of any society incorporated or established for philosophical, literary, or religious purposes, or for the encouragement of the fine arts, or for the use or by order of any college, academy, school, or seminary of learning in the United States.

Books, professional, of persons arriving in the United States.

Books, household effects, or libraries, or parts of libraries, in use, of persons or families from foreign countries, if used abroad by them not less than one year, and not intended for any other person or persons, nor for sale.

Breccia, in blocks or slabs.

Brime.

Brazil pebbles for spectacles, and pebbles for spectacles rough.

Bullion, gold and silver.

Burgundy pitch.

Burr-stone, in blocks, rough and unmanufactured, and not bound up in millstones.

Cabinets of coins, medals, and all other collections of antiquities.

Castor or castoreum.

Catgut strings, or gut-cord, for musical instruments.

Catgut or whip-gut, unmanufactured.

Coal, anthracite.

Coal-stores of American vessels, but none shall be unloaded.

Cobalt, ore of.

Cocoa, or cacao, crude and fiber, leaves, and shells of.

Coffee.

Coins, gold, silver, and copper.

Coir and coir yarn.

Copper, old, taken from the bottom of American vessels compelled by marine disaster to repair in foreign ports.

Copper, when imported for the United States Mint.

Coral, marine, unmanufactured.

Cork-wood, or cork bark, unmanufactured.

Cotton.

Curling-stones or quoits.

Cuttle-fish bone.

Diamonds, rough or uncut, including glazier's diamonds.

Diamond dust or bort.

Dyeing or tanning articles, in a crude state, used in dyeing or tanning, not specially enumerated or provided for in this act.

Eggs.

Espatro or Spanish grass, and other

grasses, and pulp of, for the manufacture of paper.

Emery ore.

Fans, common palm-leaf.

Farina.

Fashion-plates, engraved on steel or on wood, colored or plain.

Felt, adhesive, for sheathing vessels.

Fibrin, in all forms.

Fire-wood.

Fish, fresh, for immediate consumption.

Fish, for bait.

Flint, flints, and ground flint-stones.

Fossils.

Fruit-plants, tropical and semi-tropical, for the purpose of propagation or cultivation.

Fruits, green, dried, or ripe, not specially enumerated or provided for in this act.

Furs, undressed.

Fur-skins of all kinds, not dressed in any manner.

Glass, broken pieces, and old glass which cannot be cut for use, and fit only to be remanufactured.

Glass-plate or disks, unwrought, for use in the manufacture of optical instruments.

Goat skins, raw.

Gold-beaters' molds, and gold-beaters' skins.

Gold-size.

Grease, for use as soap-stock only, not specially enumerated or provided for.

Gunny bags, and gunny cloth, old or refuse, fit only for remanufacturing.

Gut, and worm gut, manufactured or unmanufactured.

Guts, salted.

Gutta percha, crude.

Hair, horse or cattle, and hair of all kinds, cleaned or uncleaned, drawn or undrawn, but unmanufactured, not specially enumerated or provided for in this act; of hogs, curled for beds and mattresses, and not fit for bristles.

Hide-rope.

Hides, raw or uncured, whether dry, salted, or pickled, and skins, except sheep-skins with the wool on, Angora goat skins, raw, without the wool, unmanufactured, asses' skins, raw or unmanufactured.

Hones and whetstones.

Hop-roots, for cultivation.

Hop-poles.

Ice.

India-rubber, crude, and milk of.

India-malacca joints, not further manufactured than cut into suitable lengths for the manufactures into which they are intended to be converted.

Ivory, and vegetable ivory, unmanufactured.

Jet, unmanufactured.

Joss-stick, or joss-light.

Junk, old.

Lava, unmanufactured.

Life-boats and life-saving apparatus, specially imported by societies incorporated or established to encourage the saving of human life.

Lithographic stones, not engraved.

Loadstones.

Logs, and round, unmanufactured timber, not specially enumerated or provided for in this act, and ship timber, and ship planking.

Maccaroni and vermicelli.

Magnets.

Manuscripts.

Marrow, crude.

Marsh-mallows.

Medals of gold, silver, or copper.

Meerschaum, crude or raw.

Mica and mica waste.

Models of inventions and other improvements in the arts; but no article or articles shall be deemed a model or improvements which can be fitted for use.

Moss, sea-weeds, and all other vegetable substances used for beds and mattresses.

Newspapers and periodicals.

Nuts, cocoa, and Brazil or cream.

Oakum.

Oil-cake.

Oil, spermaceti, whale, and other fish oils of American fisheries, and all other articles the produce of such fisheries.

Olives, green or prepared.

Orange and lemon peel, not preserved, candied, or otherwise prepared.

Ores, of gold and silver.

Palm nuts and palm nut kernels.

Paper-stock, crude, of every description, including all grasses, fibers, rags of all kinds, other than wool, waste, shavings, clippings, old paper, rope ends, waste rope, waste bagging, gunny bags, gunny cloth, old or refuse, to be used in making, and fit only to be converted into paper, and unfit for any other manufacture, and cotton waste, whether for paper stock or other purposes.

Parchment.

Pearl, mother of.

Personal and household effects, not merchandise, of citizens of the United States dying abroad.

Pewter and britannia metal, old, and fit only to be remanufactured.

Philosophical and scientific apparatus, instruments, and preparations, statuary, casts of marble, bronze, alabaster, or plaster of Paris, paintings, drawings and etchings, specially imported in good faith for the use of any society or institution incorporated or established for religious, philosophical, educational, scientific, or literary purposes, or encouragement of the fine arts, and not intended for sale.

Plants, trees, shrubs, and vines of all

kinds not otherwise provided for, and seeds of all kinds, except medicinal seeds not specially enumerated or provided for in this act.

Plants, trees, shrubs, roots, seed cane, and seeds imported by the Department of Agriculture, or the United States Botanical Garden.

Platina, unmanufactured.

Platinum, unmanufactured, and vases, retorts and other apparatus, vessels, and parts thereof, for chemical uses.

Plumbago.

Polishing-stones.

Pulu.

Pumice and pumice stone.

Quills, prepared or unprepared.

Railroad-ties, of wood.

Rattans and reeds, unmanufactured.

Regalia and gems, statues, statuary, and specimens of sculpture, where specially imported in good faith for the use of any society incorporated or established for philosophical, literary, or religious purposes, or for the encouragement of the fine arts, for the use or by order of any college, academy, school, seminary of learning, or public library in the United States.

Root-flour.

Rotten stone.

Sago, sago crude, and sago flour.

Saur-kraut.

Sausage skins.

Sea-weed, not otherwise provided for.

Seed of the sugar beet.

Shark skins.

Shells of every description, not manufactured.

Shingle-bolts and stave-bolts, provided that heading bolts shall be held and construed to be included under the term stave bolts.

Handle-bolts.

Shrimps, or other shell fish.

Silk, raw, or as reeled from the cocoon, but not doubled, twisted, or advanced in manufacture in any way.

Silk cocoons and silk waste.

Silk-worms' eggs.

Skeletons, and other preparations of anatomy.

Skins, dried, salted or pickled.

Snails.

Soap-stocks.

Sodium.

Sparterre, for making or ornamenting hats.

Specimens of natural history, botany, and mineralogy, when imported for cabinets, or as objects of taste or science, and not for sale.

Spunk.

Spurs and stilts, used in the manufacture of earthen, stone, or crockery ware.

Straw, unmanufactured.

Sugar of milk.

Sweepings of silver and gold.

Tamarinds.

Tapioca, cassava, or cassada.

Tea.

Tea-plants.

Teasels.

Teeth, unmanufactured.

Terra alba, aluminous.

Terra japonica.

Tin ore, bars, blocks, or pigs, grain or granulated.

Tonquin, Tonqua or Tonka beans.

Tortoise and other shells, unmanufactured.

Turtles.

Types, old, and fit only to be remanufactured.

Umbrella sticks, crude, to wit, all part-ridge, hair wood, pimento, orange, myrtle, and all other sticks and canes in the rough, or no further manufactured than cut into lengths suitable for umbrella, parasol, or sunshade sticks or walking-canes.

Vellum.

Wafers, unmedicated.

Wearing apparel, in actual use, and other personal effects (not merchandise), professional books, implements, instruments, and tools of trade, occupation, or employment of persons arriving in the United States. But this exemption shall not be construed to include machinery or other articles imported for use in any manufacturing establishment, or for sale.

Whalebone, unmanufactured.

Woods, poplar, or other woods, for the manufacture of paper.

Woods, namely, cedar, lignum-vitæ, lancewood, ebony, box, granadilla, mahogany, rosewood, satinwood, and all cabinet woods, unmanufactured.

Works of art, painting, statuary, fountains, and other works of art, the production of American artists. But the fact of such production must be verified by the certificate of a consul or minister of the United States indorsed upon the written declaration of the artist; paintings, statuary, fountains, and other works of art, imported expressly for presentation to national institutions, or to any State, or to any municipal corporation, or religious corporation or society.

Yams.

Zaffer.

SEC. 2504. Whenever any vessel laden with merchandise in whole or in part subject to duty has been sunk in any river, harbor, bay, or waters subject to the jurisdiction of the United States, and within its limits, for the period of two years and is abandoned by the owner thereof, any person who may raise such vessel shall be permitted to bring any merchandise recovered therefrom into the port nearest to

the place where such vessel was so raised, free from the payment of any duty thereupon, and without being obliged to enter the same at the custom-house; but under such regulations as the Secretary of the Treasury may prescribe.

SEC. 2505. The produce of the forests of the State of Maine upon the St. John River and its tributaries, owned by American citizens, and sawed or hewed in the Province of New Brunswick by American citizens, the same being unmanufactured in whole or in part, which is now admitted into the ports of the United States free of duty, shall continue to be so admitted under such regulations as the Secretary of the Treasury shall, from time to time, prescribe.

SEC. 2506. The produce of the forests of the State of Maine upon the Saint Croix River and its tributaries, owned by American citizens, and sawed in the Province of New Brunswick by American citizens, the same being unmanufactured in whole or in part, and having paid the same taxes as other American lumber on that river, shall be admitted into the ports of the United States free of duty, under such regulations as the Secretary of the Treasury shall from time to time prescribe.

SEC. 2507. Machinery for repair may be imported into the United States without payment of duty, under bond, to be given in double the appraised value thereof, to be withdrawn and exported after said machinery shall have been repaired; and the Secretary of the Treasury is authorized and directed to prescribe such rules and regulations as may be necessary to protect the revenue against fraud, and secure the identity and character of all such importations when again withdrawn and exported, restricting and limiting the export and withdrawal to the same port of entry where imported, and also limiting all bonds to a period of time of not more than six months from the date of the importation.

SEC. 2508. All paintings, statuary, and photographic pictures imported into the United States for exhibition by any association duly authorized under the laws of the United States, or of any State, for the promotion and encouragement of science, art, or industry, and not intended for sale, shall be admitted free of duty, under such regulations as the Secretary of the Treasury shall prescribe. But bonds shall be given for the payment to the United States of such duties as may be imposed by law upon any and all such articles as shall not be re-exported, within six months after such importation.

SEC. 2509. All works of art, collections in illustration of the progress of the arts, science, or manufactures, photographs, works in terra-cotta, Parian, pottery, or

porcelain, and artistic copies of antiquities in metal or other material, hereafter imported in good faith for permanent exhibition at a fixed place by any society or institution established for the encouragement of the arts or science, and not intended for sale, nor for any other purpose than is hereinbefore expressed, and all such articles imported as aforesaid, now in bond, and all like articles imported in good faith by any society or association for the purpose of erecting a public monument, and not for sale, shall be admitted free of duty, under such regulations as the Secretary of the Treasury may prescribe: *Provided*, That the parties importing articles as aforesaid shall be required to give bonds, with sufficient sureties, under such rules and regulations as the Secretary of the Treasury may prescribe, for the payment of lawful duties which may accrue should any of the articles aforesaid be sold, transferred, or used contrary to the provisions and intent of this act.

SEC. 2510. All lumber, timber, hemp, manilla, wire rope, and iron and steel rods, bars, spikes, nails, and bolts, and copper and composition metal which may be necessary for the construction and equipment of vessels built in the United States for foreign account and ownership or for the purpose of being employed in the foreign trade, including the trade between the Atlantic and Pacific ports of the United States, after the passage of this act, may be imported in bond under such regulations as the Secretary of the Treasury may prescribe; and upon proof that such materials have been used for such purpose, no duties shall be paid thereon. But vessels receiving the benefit of this section shall not be allowed to engage in the coastwise trade of the United States more than two months in any one year, except upon the payment to the United States of the duties on which a rebate is herein allowed: *Provided*, That vessels built in the United States for foreign account and ownership shall not be allowed to engage in the coastwise trade of the United States.

SEC. 2511. All articles of foreign production needed for the repair of American vessels engaged exclusively in foreign trade may be withdrawn from bonded warehouses free of duty, under such regulations as the Secretary of the Treasury may prescribe.

SEC. 2512. That no duty shall be levied or collected on the importation of peltries brought into the Territories of the United States, by Indians, nor on the proper goods and effects, of whatever nature, of Indians passing or repassing the boundary-line aforesaid, unless the same be goods in bales or other large packages unusual among Indians, which shall not be considered as



goods belonging to Indians, nor be entitled to the exemption from duty aforesaid.

SEC. 2513. There shall be levied, collected, and paid on the importation of all raw or unmanufactured articles, not herein enumerated or provided for, a duty of ten per centum ad valorem; and all articles manufactured, in whole or in part, not herein enumerated or provided for, a duty of twenty per centum ad valorem.

SEC. 7. That sections twenty-nine hundred and seven and twenty-nine hundred and eight of the Revised Statutes of the United States and section fourteen of the act entitled "An act to amend the customs revenue laws, and to repeal moieties," approved June twenty-second, eighteen hundred and seventy-four, be, and the same are hereby, repealed, and hereafter none of the charges imposed by said sections or any other provisions of existing law shall be estimated in ascertaining the value of goods to be imported, nor shall the value of the usual and necessary sacks, crates, boxes, or covering, of any kind be estimated as part of their value in determining the amount of duties for which they are liable: *Provided*, That if any packages, sacks, crates, boxes or coverings of any kind shall be of any material or form designed to evade duties thereon, or designed for use otherwise, than in the bona fide transportation of goods to the United States, the same shall be subject to a duty of one hundred per centum ad valorem upon the actual value of the same.

SEC. 8. That section twenty-eight hundred and forty-one of the Revised Statutes of the United States is hereby amended and shall on and after the first day of July, eighteen hundred and eighty-three, be as follows:

SEC. 2841. Whenever merchandise imported into the United States is entered by invoice, one of the following oaths, according to the nature of the case, shall be administered by the collector of the port, at the time of entry, to the owner, importer, consignee, or agent: *Provided*, That if any of the invoices or bills of lading of any merchandise imported in said vessel, which should otherwise be embraced in said entry, have not been received at the date of the entry, the affidavit may state the fact, and thereupon such merchandise of which the invoices or bills of lading are not produced shall not be included in such entry, but may be entered subsequently.

#### Oath of Consignee, Importer, or Agent.

I, \_\_\_\_\_, do solemnly and truly swear (or affirm) that the invoice and bill of lading now presented by me to the collector of \_\_\_\_\_ are the true and only invoice and bill of lading by me received,

of goods, wares, and merchandise imported in the \_\_\_\_\_, whereof \_\_\_\_\_ is master, from \_\_\_\_\_, for account of any person whomsoever for whom I am authorized to enter the same; that the said invoice and bill of lading are in the state in which they were actually received by me, and that I do not know nor believe in the existence of any other invoice or bill of lading of the said goods, wares, and merchandise; that the entry now delivered to the collector contains a just and true account of the said goods, wares, and merchandise, according to the said invoice and bill of lading; that nothing has been, on my part, nor to my knowledge, on the part of any other person, concealed or suppressed whereby the United States may be defrauded of any part of the duty lawfully due on the said goods, wares, and merchandise; that the said invoice and the declaration therein are in all respects true, and were made by the person by whom the same purports to have been made, and that if, at any time hereafter, I discover any error in said invoice, or in the account now rendered of said goods, wares, and merchandise, or receive any other invoice of the same, I will immediately make the same known to the collector of this district. And I do further solemnly and truly swear (or affirm) that, to the best of my knowledge and belief (insert the name and residence of the owner or owners), is (or are) the owner (or owners) of the goods, wares, and merchandise mentioned in the annexed entry; that the invoice now produced by me exhibits the actual cost (if purchased) or fair market value (if otherwise obtained) at the time or times and place or places when or where procured (as the case may be), of the said goods, wares, and merchandise, including all cost for finishing said goods, wares, and merchandise to their present condition, and no other or different discount, bounty, or drawback but such as has been actually allowed on the same.

#### Oath of Owner in Cases Where Merchandise has been Actually Purchased.

I, \_\_\_\_\_, do solemnly and truly swear (or affirm) that the entry now delivered by me to the collector of \_\_\_\_\_ contains a just and true account of the goods, wares, and merchandise imported by or consigned to me, in the \_\_\_\_\_, whereof \_\_\_\_\_ is master \_\_\_\_\_; that the invoice which I now produce contains a just and faithful account of the actual cost of the said goods, wares, and merchandise including all cost of finishing said goods, wares, and merchandise to their present condition, and no other discount, drawback or bounty but such as has been actually allowed on the same; that I do not know or

believe in the existence of any invoice or bill of lading other than those now produced by me, and that they are in the state in which I actually received them. And I further solemnly and truly swear (or affirm) that I have not in the said entry or invoice concealed or suppressed, anything whereby the United States may be defrauded of any part of the duty lawfully due on the said goods, wares, and merchandise; that the said invoice and the declaration thereon are in all respects true, and were made by the person by whom the same purports to have been made, and that if at any time hereafter I discover any error in the said invoice or in the account now produced of the said goods, wares, and merchandise, or receive any other invoice of the same, I will immediately make the same known to the collector of this district.

**Oath of Manufacturer or Owner in Cases  
Where Merchandise has not been  
Actually Purchased.**

I, ———, do solemnly and truly swear (or affirm) that the entry now delivered by me to the collector of ——— contains a just and true account of goods, wares, and merchandise imported by or consigned to me in the ———, whereof ——— is master, from ———; that the said goods, wares, and merchandise were not actually bought by me, or by my agent, in the ordinary mode of bargain and sale, but that, nevertheless, the invoice which I now produce contains a just and faithful valuation of the same, at their fair market value, at the time or times and place or places when and where procured for my account (or for account of myself or partners); that the said invoice contains also a just and faithful account of all the cost of finishing said goods, wares and merchandise to their present condition, and no other discount, drawback or bounty but such as has been actually allowed on the said goods, wares, and merchandise; that the said invoice and the declaration thereon are in all respects true, and were made by the person by whom the same purports to have been made; that I do not know nor believe in the existence of any invoice or bill of lading other than those now produced by me, and that they are in the state in which I actually received them. And I do further solemnly and truly swear (or affirm) that I have not in the said entry or invoice concealed or suppressed anything whereby the United States may be defrauded of any part of the duty lawfully due on the said goods, wares, and merchandise, and that if at any time hereafter I discover any error in the said invoice, or in the account now produced of

the said goods, wares, and merchandise, or receive any other invoice of the same, I will immediately make the same known to the collector of this district.

SEC. 9. If upon the appraisal of imported goods, wares, and merchandise, it shall appear that the true and actual market value and wholesale price thereof, as provided by law, cannot be ascertained to the satisfaction of the appraiser, whether because such goods, wares, and merchandise be consigned for sale by the manufacturer abroad to his agent in the United States, or for any other reason, it shall then be lawful to appraise the same by ascertaining the cost or value of the materials composing such merchandise, at the time and place of manufacture, together with the expense of manufacturing, preparing, and putting up such merchandise for shipment, and in no case shall the value of such goods, wares, and merchandise be appraised at less than the total cost or value thus ascertained.

SEC. 10. That all imported goods, wares, and merchandise which may be in the public stores or bonded warehouses on the day and year when this act shall go into effect, except as otherwise provided in this act, shall be subjected to no other duty upon the entry thereof for consumption than if the same were imported respectively after that day; and all goods, wares and merchandise remaining in bonded warehouses on the day and year this act shall take effect, and upon which the duties shall have been paid, shall be entitled to a refund of the difference, between the amount of duties paid and the amount of duties said goods, wares and merchandise would be subject to if the same were imported respectively after that date.

SEC. 11. Nothing in this act shall in any way change or impair the force or effect of any treaty between the United States and any other government, or any laws passed in pursuance of or for the execution of any such treaty, so long as such treaty shall remain in force in respect to the subjects embraced in this act; but whenever any such treaty, so far as the same respects said subjects, shall expire or be otherwise terminated, the provisions of this act shall be in force in all respects in the same manner and to the same extent as if no such treaty had existed at the time of the passage hereof.

SEC. 12. That in respect of all articles mentioned in Schedule E of section six of this act, this act shall take effect on and after the first day of June, anno Domini eighteen hundred and eighty-three.

SEC. 13. That the repeal of existing laws or modifications thereof embraced in this act shall not affect any act done, or any right accruing or accrued, or any suit or

proceeding had or commenced in any civil cause, before the said repeal or modifications; but all rights and liabilities under said laws shall continue and may be enforced in the same manner as if said repeal or modifications had not been made; nor shall said repeal or modifications in any manner affect the right to any office, or change the term or tenure thereof. Any offenses committed, and all penalties or forfeitures or liabilities incurred under any statute embraced in or changed, modified, or repealed by this act may be prosecuted and punished in the same manner and with the same effect as if this act had not been passed. All acts of limitation, whether applicable to civil causes and proceedings or to the prosecution of offenses or for the recovery of penalties or forfeitures embraced in or modified, changed or repealed by this act, shall not be affected thereby; and all suits, proceedings, or prosecutions, whether civil or criminal, for causes arising or acts done or committed prior to the passage of this act, may be commenced and prosecuted within the same time and with the same effect as if this act had not been passed.

Approved March 3d, 1883.

**AN ACT to regulate and improve the civil-service of the United States.**

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is authorized to appoint, by and with the advice and consent of the Senate, three persons, not more than two of whom shall be adherents of the same party, as Civil Service Commissioners, and said three commissioners shall constitute the United States Civil Service Commission. Said commissioners shall hold no other official place under the United States.

The President may remove any commissioner; and any vacancy in the position of commissioner shall be so filled by the President, by and with the advice and consent of the Senate, as to conform to said conditions for the first selection of commissioners.

The commissioners shall each receive a salary of three thousand five hundred dollars a year. And each of said commissioners shall be paid his necessary traveling expenses incurred in the discharge of his duty as a commissioner.

SEC. 2. That it shall be the duty of said commissioners:

FIRST. To aid the President, as he may request, in preparing suitable rules for carrying this act into effect, and when said rules shall have been promulgated it shall be the duty of all officers of the United

States in the departments and offices to which any such rules may relate to aid, in all proper ways, in carrying said rules, and any modifications thereof, into effect.

SECOND. And, among other things, said rules shall provide and declare, as nearly as the conditions of good administration will warrant, as follows:

First, for open, competitive examinations for testing the fitness of applicants for the public service now classified or to be classified hereunder. Such examinations shall be practical in their character, and so far as may be shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to discharge the duties of the service into which they seek to be appointed.

Second, that all the offices, places, and employments so arranged or to be arranged in classes shall be filled by selections according to grade from among those graded highest as the results of such competitive examinations.

Third, appointments to the public service aforesaid in the departments at Washington, shall be apportioned among the several States and Territories and the District of Columbia upon the basis of population as ascertained at the last preceding census. Every application for an examination shall contain, among other things, a statement, under oath, setting forth his or her actual bona fide residence at the time of making the application, as well as how long he or she has been a resident of such place.

Fourth, that there shall be a period of probation before any absolute appointment or employment aforesaid.

Fifth, that no person in the public service is for that reason under any obligations to contribute to any political fund, or to render any political service, and that he will not be removed or otherwise prejudiced for refusing to do so.

Sixth, that no person in said service has any right to use his official authority or influence to coerce the political action of any person or body.

Seventh, there shall be non-competitive examinations in all proper cases before the commission, when competent persons do not compete, after notice has been given of the existence of the vacancy, under such rules as may be prescribed by the commissioners as to the manner of giving notice.

Eighth, that notice shall be given in writing by the appointing power to said commission of the persons selected for appointment or employment from among those who have been examined, of the place of residence of such persons, of the rejection of any such persons after probation, of transfers, resignations, and removals, and of the date thereof, and a record

of the same shall be kept by said commission. And any necessary exceptions from said eight fundamental provisions of the rules shall be set forth in connection with such rules, and the reasons therefore shall be stated in the annual reports of the commission.

THIRD. Said commission shall, subject to the rules that may be made by the President, make regulations for, and have control of, such examinations, and, through its members or the examiners, it shall supervise and preserve the records of the same; and said commission shall keep minutes of its own proceedings.

FOURTH. Said commission may make investigations concerning the facts, and may report upon all matters touching the enforcement and effects of said rules and regulations, and concerning the action of any examiner or board of examiners hereinafter provided for, and its own subordinates, and those in the public service, in respect to the execution of this act.

FIFTH. Said commission shall make an annual report to the President for transmission to Congress, showing its own action, the rules and regulations and the exceptions thereto in force, the practical effects thereof, and any suggestions it may approve for the more effectual accomplishment of the purposes of this act.

SEC. 3. That said commission is authorized to employ a chief examiner, a part of whose duty it shall be, under its direction, to act with the examining boards, so far as practicable, whether at Washington or elsewhere, and to secure accuracy, uniformity, and justice in all their proceedings, which shall be at all times open to him. The chief examiner shall be entitled to receive a salary at the rate of three thousand dollars a year, and he shall be paid his necessary traveling expenses incurred in the discharge of his duty. The commission shall have a Secretary, to be appointed by the President, who shall receive a salary of one thousand six hundred dollars per annum. It may, when necessary, employ a stenographer, and a messenger, who shall be paid, when employed, the former at the rate of one thousand six hundred dollars a year, and the latter at the rate of six hundred dollars a year. The commission shall, at Washington, and in one or more places in each State and Territory where examinations are to take place, designate and select a suitable number of persons, not less than three, in the official service of the United States, residing in said State or Territory, after consulting the head of the department or office in which such persons serve, to be members of boards of examiners, and may at any time substitute any other person in said service living in such State or Territory in the place of any

one so selected. Such boards of examiners shall be so located as to make it reasonably convenient and inexpensive for applicants to attend before them; and where there are persons to be examined in any State or Territory, examinations shall be held therein at least twice in each year. It shall be the duty of the collector, postmaster, and other officers of the United States, at any place outside of the District of Columbia, where examinations are directed by the President or by said board to be held, to allow the reasonable use of the public buildings for holding such examinations, and in all proper ways to facilitate the same.

SEC. 4. That it shall be the duty of the Secretary of the Interior to cause suitable and convenient rooms and accommodations to be assigned or provided, and to be furnished, heated, and lighted, at the city of Washington, for carrying on the work of said commission and said examinations, and to cause the necessary stationery and other articles to be supplied, and the necessary printing to be done for said commission.

SEC. 5. That any said commissioner, examiner, copyist, or messenger, or any person in the public service who shall willfully and corruptly, by himself or in co-operation with one or more other persons, defeat, deceive, or obstruct any person in respect to his or her right of examination according to any such rules or regulations, or who shall willfully, corruptly, and falsely, mark, grade, estimate, or report upon the examination or proper standing of any person examined hereunder, or aid in so doing, or who shall willfully and corruptly make any false representations concerning the same or concerning any person examined, or who shall willfully and corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined, or to be examined, being appointed, employed, or promoted, shall for each such offense be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than one hundred dollars, nor more than one thousand dollars, or by imprisonment not less than ten days nor more than one year, or by both such fine and imprisonment.

SEC. 6. That within sixty days after the passage of this act it shall be the duty of the Secretary of the Treasury, in as near conformity as may be to the classification of certain clerks now existing under the one hundred and sixty-third section of the Revised Statutes, to arrange in classes the several clerks and persons employed by the collector, naval officer, surveyor, and appraisers, or either of them, or being in the public service, at their respective offi-

ces in each customs district where the whole number of said clerks and persons shall be altogether as many as fifty. And thereafter, from time to time, on the direction of the President, said Secretary shall make the like classification or arrangement of clerks and persons so employed, in connection with any such office or offices, in any other customs district. And, upon like request, and for the purposes of this act, said Secretary shall arrange in one or more of said classes, or of existing classes, any other clerks, agents, or persons employed under his department in any said district not now classified; and every such arrangement and classification upon being made shall be reported to the President.

Second. Within said sixty days it shall be the duty of the Postmaster-General, in general conformity to said one hundred and sixty-third section, to separately arrange in classes the several clerks and persons employed, or in the public service, at each post-office, or under any postmaster of the United States, where the whole number of said clerks and persons shall together amount to as many as fifty. And thereafter, from time to time, on the direction of the President, it shall be the duty of the Postmaster-General to arrange in like classes the clerks and persons so employed in the postal service in connection with any other post-office; and every such arrangement and classification upon being made shall be reported to the President.

Third. That from time to time said Secretary, the Postmaster-General, and each of the heads of departments mentioned in the one hundred and fifty-eighth section of the Revised Statutes, and each head of an office, shall, on the direction of the President, and for facilitating the execution of this act, respectively revise any then existing classification or arrangement of those in their respective departments and offices, and shall, for the purposes of the examination herein provided for, include in one or more of such classes, so far as practicable, subordinate places, clerks, and officers in the public service pertaining to their respective departments not before classified for examination.

SEC. 7. That after the expiration of six months from the passage of this act no officer or clerk shall be appointed, and no person shall be employed to enter or be promoted in either of the said classes now existing, or that may be arranged hereunder pursuant to said rules, until he has passed an examination, or is shown to be specially exempted from such examination in conformity herewith. But nothing herein contained shall be construed to take from those honorably discharged from the military or naval service any preference conferred by the seventeen hundred and

fifty-fourth section of the Revised Statutes, nor to take from the President any authority not inconsistent with this act conferred by the seventeen hundred and fifty-third section of said statutes; nor shall any officer not in the executive branch of the government, or any person merely employed as a laborer or workman, be required to be classified hereunder; nor, unless by direction of the Senate, shall any person who has been nominated for confirmation by the Senate be required to be classified or to pass an examination.

SEC. 8. That no person habitually using intoxicating beverages to excess shall be appointed to, or retained in, any office, appointment, or employment to which the provisions of this act are applicable.

SEC. 9. That whenever there are already two or more members of a family in the public service in the grades covered by this act, no other member of such family shall be eligible to appointment to any of said grades.

SEC. 10. That no recommendation of any person who shall apply for office or place under the provisions of this act which may be given by any Senator or member of the House of Representatives, except as to the character or residence of the applicant, shall be received or considered by any person concerned in making any examination or appointment under this act.

SEC. 11. That no Senator, or Representative, or Territorial Delegate of the Congress, or Senator, Representative; or Delegate-elect, or any officer or employee of either of said houses, and no executive, judicial, military, or naval officer of the United States, and no clerk or employee of any department, branch or bureau of the executive, judicial, or military or naval service of the United States, shall, directly or indirectly, solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription, or contribution for any political purpose whatever, from any officer, clerk, or employee of the United States, or any department, branch, or bureau thereof, or from any person receiving any salary or compensation from moneys derived from the Treasury of the United States.

SEC. 12. That no person shall, in any room or building occupied in the discharge of official duties by any officer or employee of the United States, mentioned in this act, or in any navy-yard, fort, or arsenal, solicit in any manner whatever, or receive any contribution of money or any other thing of value for any political purpose whatever.

SEC. 13. No officer or employee of the United States mentioned in this act shall discharge, or promote, or degrade, or in

any manner change the official rank or compensation of any other officer or employee, or promise or threaten so to do, for giving or withholding or neglecting to make any contribution of money or other valuable thing for any political purpose.

SEC. 14. That no officer, clerk, or other person in the service of the United States shall, directly or indirectly, give or hand over to any other officer, clerk, or person in the service of the United States, or to any Senator or Member of the House of Representatives, or Territorial Delegate, any money or other valuable thing on account of or to be applied to the promotion of any political object whatever.

SEC. 15. That any person who shall be guilty of violating any provision of the four foregoing sections shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine not exceeding five thousand dollars, or by imprisonment for a term not exceeding three years, or by such fine and imprisonment both, in the discretion of the court.

Approved, January 16, 1883.

#### **Rules and Regulations for the Civil Service.**

*Promulgated by the President May 8th, 1883, under the law of January 16th, 1883.*

In the exercise of the power vested in the president by the constitution, by virtue of the 1753d section of the Revised Statutes, and of the civil service act, approved January 16th, 1883, the following rules for the regulation and improvement of the executive civil service are hereby promulgated:

Rule 1. No person in said service shall use his official authority or influence either to coerce the political action of any person or body or to interfere with any election.

Rule 2. No person in the public service shall, for that reason, be under any obligation to contribute to any political fund or to render any political service, and he will not be removed or otherwise prejudiced for refusing to do so.

Rule 3. It shall be the duty of collectors, post-masters, assistant secretaries, naval officers, surveyors, appraisers and custodians of public buildings, at places where examinations are to be held, to allow and arrange for the reasonable use of suitable rooms in the public buildings in their charge, and for heating, lighting and furnishing the same, for the purposes of such examinations; and all other executive officers shall, in all legal and proper ways, facilitate such examinations and the execution of these rules.

RULE 4. First, all officials connected with any office where, or for which any examination is to take place, will give the civil service commission and the chief examiner

such information as may be reasonably required to enable the commissioner to select competent and trustworthy examiners, and the examinations by those selected as examiners and the work incident thereto will be regarded as a part of the public business to be performed at such office. Second, it shall be the duty of every executive officer promptly to inform the commission in writing of the removal or discharge from the public service of any examiner in his office, or of the inability or refusal of any such examiner to act in that capacity.

#### **THREE BRANCHES OF THE SERVICE.**

RULE 5. There shall be three branches of the service, classified under the civil service act (not including laborers or workmen or officers required to be confirmed by the senate) as follows: Those classified in the departments at Washington shall be designated "the classified department service." Those classified under any collector, naval officer, surveyor or appraiser in any customs district shall be designated "the classified customs service." Those classified under any postmaster at any post office, including that at Washington, shall be designated "the classified postal service." The classified customs service shall embrace the several customs districts where the officials are as many as 50, now the following: New York city, N. Y.; Boston, Mass.; Philadelphia, Pa.; San Francisco, Cal.; Baltimore, Md.; New Orleans, La.; Chicago, Ill.; Burlington, Vt.; Portland, Me.; Detroit, Mich.; Port Huron, Mich. The classified postal service shall embrace the several post-offices where the officials are as many as 50, now the following: Albany, N. Y.; Baltimore, Md.; Boston, Mass.; Brooklyn, N. Y.; Buffalo, N. Y.; Chicago, Ill.; Cincinnati, Ohio; Cleveland, Ohio; Detroit, Mich.; Indianapolis, Ind.; Kansas City, Mo.; Louisville, Ky.; Milwaukee, Wis.; Newark, N. J.; New Orleans, La.; New York city, N. Y.; Philadelphia, Pa.; Pittsburg, Pa.; Providence, R. I.; Rochester, N. Y.; St. Louis, Mo.; San Francisco, Cal.; Washington, D. C.

#### **OPEN COMPETITION FOR FITNESS.**

RULE 6. 1. There shall be open, competitive examinations for testing the fitness of applicants for admission to the service. Such examinations shall be practical in their character, and so far as may be shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to discharge the duties of the branch of the service which they seek to enter. 2. There shall also be competitive examinations of a suitable character to test the fitness of persons for promotion in the service.

**RULE 7.** 1. The general examinations under the first clause of rule 6, for admission to the service, shall be limited to the following subjects; Orthography, penmanship and copying. Arithmetic—fundamental rules, fractions and percentage. Interest, discount and elements of book-keeping and of accounts, Elements of English language, letter writing and the proper construction of sentences. Elements of the geography, history and government of the United States. Proficiency in each of these subjects shall be credited in grading the standing of the persons examined in proportion to the value of a knowledge of such subjects in the branch or part of the service which the applicant seeks to enter. No one shall be entitled to be certified for appointment whose standing upon a first grading in the general examination shall be less than 65 per cent. of complete proficiency in the first three subjects mentioned in this rule, and that measure of proficiency shall be deemed adequate. But for places in which a lower degree of education will suffice the commission may limit the examinations to: Penmanship, copying and orthography. The fundamental rules of arithmetic; but no person shall be certified under this examination of a less grading than 65 per centum on each subject. The commission may also order examinations of a higher grade or upon additional or special subjects to test the capacity and fitness which may be needed in a special place or branch of the service.

#### NO DISCRIMINATION AS TO POLITICS.

**RULE 8.** No question in any examination or proceeding by or under the commission or examiners shall call for the expression or disclosure of any political or religious opinion or affiliation, nor shall any discrimination be made by reason thereof if known, and the commission and its examiners shall discountenance all disclosure, before either of them, of such opinion by or concerning any applicants for examination, or by or concerning any one whose name is on any register awaiting appointment.

**RULE 9.** All regular applications for the competitive examinations for admission to the classified service must be made on blanks in a form approved by the commission. All requests for such blanks and all applications for examination must be addressed as follows: If for the classified departmental service, to the United States civil service commission, Washington, D. C.; if for the classified postal service, to the postmaster under whom service is sought; if for the classified customs service to the head of either customs office in which service is sought. All officers re-

ceiving such applications will endorse thereon the date of the reception thereof and transmit the same to the proper examining board of the district or office where service is sought, or if in Washington to the civil service commission.

**RULE 10.** Every examining board shall keep such records and papers on file and make such reports as the commission shall require, and any such paper or record in the charge of any examining board or any officer shall at all times be open to examination as the commission shall direct and upon its request shall be forwarded to the commission for inspection and revision.

**Rule 11.** Every application, in order to entitle the applicant to appear for examination or to be examined, must state under oath the facts on the following subject: 1. Full name, residence and post-office address. 2. Citizenship. 3. Age. 4. Place of birth. 5. Health and physical capacity for the public service. 6. Right of preference by reason of military and naval service. 7. Previous employment in the public service. 8. Business or employment and residence for the previous five years. 9. Education. Such other information shall be furnished as the commission may reasonably require touching applicant's fitness for the public service. The applicant must also state the number of members of his family in the public service and where employed, and must also assert that he is not disqualified under section three of the civil service act, which is as follows: "That no person habitually using intoxicating beverages to excess shall be appointed to or retained in any office, appointment or employment to which the provisions of this act are applicable."

#### QUALIFICATIONS OF APPLICANTS.

**RULE 12.** First—Every regular application must be supported by proper certificates of good moral character, health and physical and mental capacity for doing the public work, the certificates to be in such form and number as the regulations of the commission shall provide, but no certificate will be received which is inconsistent with the tenth section of the civil service act. Second—No one shall be entitled to be examined for admission to the classified postal service if under 16 or over 35 years of age; or to the classified customs service or to the classified departmental service if under 18 or over 45 years of age; but no one shall be examined for appointment to any place in the classified customs service, except that of clerk or messenger, who is under 21 years of age; but these limitations of age shall not apply to honorably discharged soldiers and sailors of the last war who are otherwise duly qualified.

RULE 13. The date of the reception of all regular applications for the classified departmental service shall be entered of record by the commission, and of all other regular applications by the proper examining boards of the district or office for which they are made, and applicants when in excess of the number that can be examined at a single examination shall be notified to appear in their order on the respective records. But any applicants in the several states and territories for appointment in the classified departmental service may be notified to appear for examination at any place at which an examination is to be held, whether in a state or territory or in Washington, which shall be deemed most convenient to them. The commission is authorized, in aid of the apporportion-

ment among the states and territories, to hold examinations at places convenient for applicants from different states and territories, or for those examination districts which it may designate and which the president shall approve.

RULE 14. Those examined shall be graded, and shall have their grade marked upon a register after those previously thereon, in the order of their excellence, as shown by their examination paper, except that those from the same state or territory may be entered upon the register together, in order of relative excellence, to facilitate apportionment. Separate registers may be kept of those seeking to enter any part of the service in which special qualifications are required.

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## THE FULL PENSION LAWS AND SUPPLEMENTS.

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SEC. 4692. Every person specified in the several classes enumerated in the following section, who has been, since the fourth day of March, eighteen hundred and sixty-one, or who is hereafter disabled under the conditions therein stated, shall, upon making due proof of the fact, according to such forms and regulations as are or may be provided in pursuance of law, be placed on the list of invalid pensioners of the United States, and be entitled to receive, for a total disability, or a permanent specific disability, such pension as is hereinafter provided in such cases; and for an inferior disability, except in cases of permanent specific disability, for which the rate of pension is expressly provided, an amount proportionate to that provided for total disability; and such pension shall commence as hereinafter provided, and continue during the existence of the disability.

SEC. 4693. The persons entitled as beneficiaries under the preceding section are as follows:

First. Any officer of the Army, including regulars, volunteers, and militia, or any officer in the Navy or Marine Corps, or any enlisted man, however employed, in the military or naval service of the United States, or in its Marine Corps, whether regularly mustered or not, disabled by reason of any wound or injury received, or

disease contracted, while in the service of the United States and in the line of duty.

Second. Any master serving on a gun-boat, or any pilot, engineer, sailor, or other person not regularly mustered, serving upon any gun-boat or war-vessel of the United States, disabled by any wound or injury received, or otherwise incapacitated while in the line of duty, for procuring his subsistence by manual labor.

Third. Any person not an enlisted soldier in the Army, serving for the time being as a member of the militia of any State, under orders of an officer of the United States, or who volunteered for the time being to serve with any regularly organized military or naval force of the United States, or who otherwise volunteered and rendered service in any engagement with rebels or Indians, disabled in consequence of wounds or injury received in the line of duty in such temporary service. But no claim of a State militiaman, or non-enlisted person, on account of disability from wounds, or injury received in battle with rebels or Indians, while temporarily rendering service, shall be valid unless prosecuted to a successful issue prior to the fourth day of July, eighteen hundred and seventy-four.

Fourth. Any acting assistant or contract surgeon disabled by any wound or injury received or disease contracted in the line of duty while actually performing the duties



of assistant surgeon or acting assistant surgeon with any military force in the field, or in transitu, or in hospital.

Fifth. Any provost-marshal, deputy provost-marshal, or enrolling-officer disabled, by reason of any wound or injury, received in the discharge of his duty, to procure a subsistence by manual labor.

SEC. 4694. No person shall be entitled to a pension by reason of wounds or injury received or disease contracted in the service of the United States subsequent to the twenty-seventh day of July, eighteen hundred and sixty-eight, unless the person who was wounded, or injured, or contracted disease was in the line of duty; and, if in the military service, was at the time actually in the field, or on the march, or at some post, fort, or garrison, or en route, by direction of competent authority, to some post, fort, or garrison; or, if in the naval service, was at the time borne on the books of some ship or other vessel of the United States, at sea or in harbor, actually in commission, or was at some naval station, or on his way, by direction of competent authority, to the United States, or to some other vessel or naval station, or hospital.

SEC. 4695. The pension for total disability shall be as follows, namely: For lieutenant-colonel and all officers of higher rank in the military service and in the Marine Corps, and for captain, and all officers of higher rank, commander, surgeon, paymaster, and chief engineer, respectively ranking with commander by law, lieutenant commanding and master commanding, in the naval service, thirty dollars per month; for major in the military service and in the Marine Corps, and lieutenant, surgeon, paymaster, and chief engineer, respectively ranking with lieutenant by law, and passed assistant surgeon in the naval service, twenty-five dollars per month; for captain in the military service and in the Marine Corps, chaplain in the Army, and provost-marshal, professor of mathematics, master, assistant surgeon, assistant paymaster, and chaplain in the naval service, twenty dollars per month; for first lieutenant in the military service and in the Marine Corps, acting assistant or contract surgeon, and deputy provost-marshal, seventeen dollars per month; for second lieutenant in the military service and in the Marine Corps, first assistant engineer, ensign, and pilot in the naval service, and enrolling-officer, fifteen dollars per month; for cadet-midshipman, passed midshipman, midshipmen, clerks of admirals and paymasters and of other officers commanding vessels, second and third assistant engineer, master's mate, and all warrant-officers in the naval service, ten dollars per month; and for all other persons whose rank or office is not mentioned in this section, eight dollars per

month; and the masters, pilots, engineers, sailors, and crews upon the gun-boats and war-vessels shall be entitled to receive the pension allowed herein to those of like rank in the naval service.

SEC. 4696. Every commissioned officer of the Army, Navy, or Marine Corps shall receive such and only such pensions as is provided in the preceding section, for the rank he held at the time he received the injury or contracted the disease which resulted in the disability, on account of which he may be entitled to a pension; and any commission or presidential appointment, regularly issued to such person, shall be taken to determine his rank from and after the date, as given in the body of the commission or appointment conferring said rank: *Provided*, That a vacancy existed in the rank thereby conferred; that the person commissioned was not disabled for military duty; and that he did not willfully neglect or refuse to be mustered.

SEC. 4697. For the period commencing July fourth, eighteen hundred and sixty-four and ending June third, eighteen hundred and seventy-two, those persons entitled to a less pension than hereinafter mentioned, who shall have lost both feet in the military or naval service and in the line of duty, shall be entitled to a pension of twenty dollars per month; for the same period those persons who, under like circumstances, shall have lost both hands or the sight of both eyes, shall be entitled to a pension of twenty-five dollars per month; and for the period commencing March third, eighteen hundred and sixty-five, and ending June third, eighteen hundred and seventy-two, those persons who under like circumstances shall have lost one hand and one foot, shall be entitled to a pension of twenty dollars per month; and for the period commencing June sixth, eighteen hundred and sixty-six, and ending June third, eighteen hundred and seventy-two, those persons who under like circumstances shall have lost one hand or one foot, shall be entitled to a pension of fifteen dollars per month; and for the period commencing June sixth, eighteen hundred and sixty-six, and ending June third, eighteen hundred and seventy-two, those persons entitled to a less pension than hereinafter mentioned, who by reason of injury received or disease contracted in the military or naval service of the United States and in the line of duty, shall have been permanently and totally disabled in both hands, or who shall have lost the sight of one eye, the other having been previously lost, or who shall have been otherwise so totally and permanently disabled as to render them utterly helpless, or so nearly so as to require regular personal aid and attendance of another person, shall be entitled to a pension of twenty-five dollars per month;

and for the same period those who under like circumstances shall have been totally and permanently disabled in both feet, or in one hand and one foot, or otherwise so disabled as to be incapacitated for the performance of any manual labor, but not so much as to require regular personal aid and attention, shall be entitled to a pension of twenty dollars per month; and for the same period all persons who under like circumstances shall have been totally and permanently disabled in one hand, or one foot, or otherwise so disabled as to render their inability to perform manual labor equivalent to the loss of a hand or foot, shall be entitled to a pension of fifteen dollars per month.

SEC. 4698. From and after June fourth, eighteen hundred and seventy-two, all persons entitled by law to a less pension than hereinafter specified, who, while in the military or naval service of the United States, and in line of duty, shall have lost the sight of both eyes, or shall have lost the sight of one eye, the sight of the other having been previously lost, or shall have lost both hands, or shall have lost both feet, or been permanently and totally disabled in the same, or otherwise so permanently and totally disabled as to render them utterly helpless, or so nearly so as to require the regular personal aid and attendance of another person, shall be entitled to a pension of thirty-one dollars and twenty-five cents per month; and all persons who, under like circumstances, shall have lost one hand and one foot, or been totally and permanently disabled in the same, or otherwise so disabled as to be incapacitated for performing any manual labor, but not so much as to require regular personal aid and attendance, shall be entitled to a pension of twenty-four dollars per month; and all persons who, under like circumstances, shall have lost one hand, or one foot, or been totally and permanently disabled in the same, or otherwise so disabled as to render their incapacity to perform manual labor equivalent to the loss of a hand or foot, shall be entitled to a pension of eighteen dollars per month: *Provided*, That all persons who, under like circumstances, have lost a leg above the knee, and in consequence thereof are so disabled that they cannot use artificial limbs, shall be rated in the second class and receive twenty-four dollars per month from and after June fourth, eighteen hundred and seventy-two; and all persons who, under like circumstances, shall have lost the hearing of both ears, shall be entitled to a pension of thirteen dollars per month from the same date: *Provided*, That the pension for a disability not permanent, equivalent in degree to any provided for in this section, shall, during the continuance of the disability in such degree, be at the

same rate as that herein provided for a permanent disability of like degree.

SEC. 4698½. Except in cases of permanent specific disabilities, no increase of pension shall be allowed to commence prior to the date of the examining surgeon's certificate establishing the same made under the pending claim for increase; and in this, as well as all other cases, the certificate of an examining surgeon, or of a board of examining surgeons, shall be subject to the approval of the Commissioner of Pensions.

SEC. 4699. The rate of eighteen dollars per month may be proportionately divided for any degree of disability established for which section forty-six hundred and ninety-five makes no provision.

SEC. 4700. Officers absent on sick-leave, and enlisted men absent on sick-furlough, or on veteran furlough with the organization to which they belong, shall be regarded in the administration of the pension-laws in the same manner as if they were in the field or hospital.

SEC. 4701. The period of service of all persons entitled to the benefits of the pension-laws, or on account of whose death any person may become entitled to a pension, shall be construed to extend to the time of disbanding the organization to which such persons belonged, or until their actual discharge for other cause than the expiration of the service of such organization.

SEC. 4702. If any person embraced within the provisions of sections forty-six hundred and ninety-two and forty-six hundred and ninety-three has died since the fourth day of March, eighteen hundred and sixty-one, or hereafter dies by reason of any wound, injury, or disease, which, under the conditions and limitations of such sections, would have entitled him to an invalid pension had he been disabled, his widow, or if there be no widow, or in case of her death, without payment to her of any part of the pension hereinafter mentioned, his child or children, under sixteen years of age, shall be entitled to receive the same pension as the husband or father would have been entitled to had he been totally disabled, to commence from the death of the husband or father, to continue to the widow during her widowhood, and to his child or children until they severally attain the age of sixteen years, and no longer: and, if the widow remarry, the child or children shall be entitled from the date of remarriage.

SEC. 4703. The pensions of widows shall be increased from and after the twenty-fifth day of July, eighteen hundred and sixty-six, at the rate of two dollars per month for each child under the age of sixteen years, of the husband on account of whose death the claim has been, or shall

be, granted. And in every case in which the deceased husband has left, or shall leave, no widow, or where his widow has died or married again, or where she has been deprived of her pension under the provisions of the pension-law, the pension granted to such child or children shall be increased to the same amount per month that would be allowed under the foregoing provisions to the widow, if living and entitled to a pension: *Provided*, That the additional pension herein granted to the widow on account of the child or children of the husband by a former wife shall be paid to her only for such period of her widowhood as she has been, or shall be, charged with the maintenance of such child or children; for any period during which she has not been, or she shall not be, so charged, it shall be granted and paid to the guardian of such child or children: *Provided further*, That a widow or guardian to whom increase of pension has been, or shall hereafter be, granted on account of minor children, shall not be deprived thereof by reason of their being maintained in whole or in part at the expense of a State or the public in any educational institution, or in any institution organized for the care of soldiers' orphans.

SEC. 4704. In the administration of the pension-laws, children born before the marriage of their parents, if acknowledged by the father before or after the marriage, shall be deemed legitimate.

SEC. 4705. The widows of colored and Indian soldiers and sailors who have died, or shall hereafter die, by reason of wounds or injuries received, or casualty received, or disease contracted, in the military or naval service of the United States, and in the line of duty, shall be entitled to receive the pension provided by law without other evidence of marriage than satisfactory proof that the parties were joined in marriage by some ceremony deemed by them obligatory, or habitually recognized each other as man and wife, and were so recognized by their neighbors, and lived together as such up to the date of enlistment, when such soldier or sailor died in the service, or, if otherwise, to date of death; and the children born of any marriage so proved shall be deemed and held to be lawful children of such soldier or sailor, but this section shall not be applicable to any claims on account of persons who enlist after the third day of March, one thousand eight hundred and seventy-three.

SEC. 4706. If any person has died, or shall hereafter die, leaving a widow entitled to a pension by reason of his death, and a child or children under sixteen years of age by such widow, and it shall be duly certified under seal by any court having probate jurisdiction, that satisfactory evi-

dence has been produced before such court, upon due notice to the widow, that she has abandoned the care of such child or children, or that she is an unsuitable person, by reason of immoral conduct, to have the custody of the same, on presentation of satisfactory evidence thereof to the Commissioner of Pensions, no pension shall be allowed to such widow until such child or children shall have attained the age of sixteen years, any provisions of law to the contrary notwithstanding; and the said child or children shall be pensioned in the same manner, and from the same date, as if no widow had survived such person, and such pension shall be paid to the guardian of such child or children; but if in any case payment of pension shall have been made to the widow, the pension to the child or children shall commence from the date to which her pension has been paid.

SEC. 4707. If any person embraced within the provisions of sections forty-six hundred and ninety-two and forty-six hundred and ninety-three has died since the fourth day of March, eighteen hundred and sixty-one, or shall hereafter die, by reason of any wound, injury, casualty, or disease, which, under the conditions and limitations of such sections, would have entitled him to an invalid pension, and has not left or shall not leave a widow or legitimate child, but has left or shall leave other relative or relatives who were dependent upon him for support, in whole or in part, at the date of his death, such relative or relatives shall be entitled, in the following order of precedence, to receive the same pension as such person would have been entitled to had he been totally disabled, to commence from the death of such person, namely: first, the mother; secondly, the father; thirdly, orphan brothers and sisters under sixteen years of age, who shall be pensioned jointly: *Provided*, That where orphan children of the same parent have different guardians, or a portion of them only are under guardianship, the share of the joint pension to which each ward shall be entitled shall be paid to the guardian of such ward: *Provided*, That if in any case said person shall have left father and mother who were dependent upon him, then, on the death of the mother, the father shall become entitled to the pension, commencing from and after the death of the mother; and upon the death of the mother and father, or upon the death of the father and the remarriage of the mother, the dependent brothers and sisters under sixteen years of age shall jointly become entitled to such pension until they attain the age of sixteen years respectively, commencing from the death or remarriage of the party who had the prior right to the pension: *Provided*, That a mother shall be assumed to have been dependent upon her son with-

in the meaning of this section if, at the date of his death, she had no other adequate means of support than the ordinary proceeds of her own manual labor and the contributions of said son or of any other persons not legally bound to aid in her support; and if, by actual contributions, or in any other way, the son had recognized his obligations to aid in support of his mother, or was by law bound to such support, and that a father or minor brother or sister shall, in like manner and under like conditions, be assumed to have been dependent, except that the income which was derived or derivable from his actual or possible manual labor shall be taken into account in estimating a father's means of independent support: *Provided further*, That the pension allowed to any person on account of his or her dependence, as hereinbefore provided, shall not be paid for any period during which it shall not be necessary as a means of adequate subsistence.

SEC. 4708. The remarriage of any widow, dependent mother, or dependent sister, entitled to pension, shall not bar her right to such pension to the date of her remarriage, whether an application therefor was filed before or after such marriage; but on the remarriage of any widow, dependent mother, or dependent sister, having a pension, such pension shall cease.

SEC. 4709. All pensions which have been, or which may hereafter be, granted in consequence of death occurring from a cause which originated in the service since the fourth day of March, eighteen hundred and sixty-one, or in consequence of wounds or injuries received or disease contracted since that date, shall commence from the death or discharge of the person on whose account the claim has been or is hereafter granted, or from the termination of the right of party having prior title to such pension; provided the application for such pension has been or is hereafter filed with the Commissioner of Pensions within five years after the right thereto has accrued; otherwise the pension shall commence from the date of filing the last evidence necessary to establish the same. But the limitation herein prescribed shall not apply to claims by or in behalf of insane persons and children under sixteen years.

SEC. 4710. In construing the preceding section, the right of persons entitled to pensions shall be recognized as accruing at the date therein stated for the commencement of such pension, and the right of a dependent father or dependent brother to pension shall not in any case be held to have accrued prior to the sixth day of June, eighteen hundred and sixty-six; and the right of all other classes of claimants, if applying on account of the death of a person who was regularly mustered

into the service, or regularly employed in the Navy or upon the gun-boats or war-vessels of the United States, shall not be held to have accrued prior to the fourteenth day of July, eighteen hundred and sixty-two; if applying on account of a chaplain of the Army, their right shall not be held to have accrued prior to the ninth day of April, eighteen hundred and sixty-four; if applying on account of an enlisted soldier who was not mustered, or a non-enlisted man in temporary service, their right shall not be held to have accrued prior to the fourth day of July, eighteen hundred and sixty-four; if applying on account of an acting assistant or contract surgeon, their right shall not be held to have accrued prior to the third day of March, eighteen hundred and sixty-five; if applying on account of persons enlisted as teamsters, wagoners, artificers, hospital-stewards, or farriers, their right shall not be held to have accrued prior to the sixth day of June, eighteen hundred and sixty-six; and the right of all classes of claimants applying on account of a provost-marshal, deputy provost-marshal, or enrolling-officer, shall not be held to have accrued prior to the twenty-fifth day of July, eighteen hundred and sixty-six. But the right of a widow or dependent mother who married prior, and did not apply till subsequent to the twenty-seventh day of July eighteen hundred and sixty-eight, shall not be held to have accrued prior to that date.

SEC. 4711. It shall be the duty of the Commissioner of Pensions, upon any application by letter or otherwise by or on behalf of any pensioner entitled to arrears of pension under section forty-seven hundred and nine, or if any such pensioner has died, upon a similar application by or on behalf of any person entitled to receive the accrued pension due such pensioner at his death, to pay or cause to be paid to such pensioner, or other person, all such arrears of pension as the pensioner may be entitled to, or, if dead, would have been entitled to under the provisions of that section had he survived; and no claim agent or other person shall be entitled to receive any compensation for services in making application for arrears of pension.

SEC. 4712. The provisions of this Title in respect to the rates of pension to persons whose right accrued since the fourth day of March, eighteen hundred and sixty-one, are extended to pensioners whose right to pension accrued under general acts passed since the war of the Revolution and prior to the fourth day of March, eighteen hundred and sixty-one, to take effect from and after the twenty-fifth day of July, eighteen hundred and sixty-six; and the widows of revolutionary soldiers and sailors receiving a less sum shall be paid at the rate of eight

dollars per month from and after the twenty-seventh day of July, eighteen hundred and sixty-eight.

SEC. 4713. In all cases in which the cause of disability or death originated in the service prior to the fourth day of March, eighteen hundred and sixty-one, and an application for pension shall not have been filed within three years from the discharge or death of the person on whose account the claim is made, or within three years of the termination of a pension previously granted on account of the service and death of the same person, the pension shall commence from the date of filing by the party prosecuting the claim the last paper requisite to establish the same. But no claim allowed prior to the sixth day of June, eighteen hundred and sixty-six, shall be affected by anything herein contained.

SEC. 4714. Declarations of pension claimants shall be made before a court of record, or before some officer thereof having custody of its seal, said officer hereby being fully authorized and empowered to administer and certify any oath or affirmation relating to any pension or application therefor: *Provided*, That the Commissioner of Pensions may designate, in localities more than twenty-five miles distant from any place at which such court is holden, persons duly qualified to administer oaths, before whom declarations may be made and testimony taken, and may accept declarations of claimants residing in foreign countries, made before a United States minister or consul, or before some officer of the country duly authorized to administer oaths for general purposes, and whose official character and signature shall be duly authenticated by the certificate of a United States minister or consul; declarations in claims of Indians made before a United States agent; and declarations in claims under the provisions of this Title relating to pensions for services in the war of eighteen hundred and twelve, made before an officer duly authorized to administer oaths for general purposes, when the applicants by reason of infirmity of age, are unable to travel: *Provided*, That any declaration made before an officer duly authorized to administer oaths for general purposes shall be accepted to exempt a claim from the limitation as to date of filing prescribed in section forty-seven hundred and nine.

SEC. 4715. Nothing in this Title shall be so construed as to allow more than one pension at the same time to the same person, or to persons entitled jointly; but any pensioner who shall so elect may surrender his certificate, and receive, in lieu thereof, a certificate for any other pension to which he would have been entitled had not the surrendered certificate been issued. But all payments previously made for any period covered by the new certificate shall

be deducted from the amount allowed by such certificate.

SEC. 4716. No money on account of pension shall be paid to any person, or to the widow, children, or heirs of any deceased person, who in any manner voluntarily engaged in, or aided or abetted, the late rebellion against the authority of the United States.

SEC. 4717. No claim for pension not prosecuted to successful issue within five years from the date of filing the same shall be admitted without record-evidence from the War or Navy Department of the injury or the disease which resulted in the disability or death of the person on whose account the claim is made: *Provided*, That in any case in which the limitation prescribed by this section bars the further prosecution of the claim, the claimant may present, through the Pension-Office to the Adjutant-General of the Army, or the Surgeon-General of the Navy, evidence that the disease or injury which resulted in the disability or death of the person on whose account the claim is made, originated in the service and in the line of duty; and if such evidence is deemed satisfactory by the officer to whom it may be submitted, he shall cause a record of the fact so proved to be made, and a copy of the same to be transmitted to the Commissioner of Pensions, and the bar to the prosecution of the claim shall thereby be removed.

SEC. 4718. If any pensioner has died or shall hereafter die; or if any person entitled to a pension, having an application therefor pending, has died or shall hereafter die, his widow, or if there is no widow, the child or children of such person under the age of sixteen years, shall be entitled to receive the accrued pension to the date of the death of such person. Such accrued pension shall not be considered as a part of the assets of the estate of deceased, nor liable to be applied to the payment of the debts of said estate in any case whatever, but shall inure to the sole and exclusive benefit of the widow or children; and if no widow or child survive, no payment whatsoever of the accrued pension shall be made or allowed, except so much as may be necessary to re-imburse the person who bore the expenses of the last sickness and burial of the decedent, in cases where he did not leave sufficient assets to meet such expenses.

SEC. 4719. The failure of any pensioner to claim his pension for three years after the same shall have become due shall be deemed presumptive evidence that such pension has legally terminated by reason of the pensioner's death, remarriage, recovery from the disability, or otherwise, and the pensioner's name shall be stricken from the list of

pensioners, subject to the right of restoration to the same on a new application by the pensioner, or, if the pensioner is dead, by the widow or minor children entitled to receive the accrued pension, accompanied by evidence satisfactorily accounting for the failure to claim such pension, and by medical evidence in cases of invalids who were not exempt from biennial examinations as to the continuance of the disability.

SEC. 4720. When the rate, commencement, and duration of a pension allowed by special act are fixed by such act, they shall not be subject to be varied by the provisions and limitations of the general pension-laws, but when not thus fixed the rate and continuance of the pension shall be subject to variation in accordance with the general laws, and its commencement shall date from the passage of the special act, and the Commissioner of Pensions shall, upon satisfactory evidence that fraud was perpetrated in obtaining such special act, suspend payment thereupon until the propriety of repealing the same can be considered by Congress.

SEC. 4721. The term of limitation prescribed by sections forty-seven hundred and nine and forty-seven hundred and seventeen shall, in pending claims of Indians, be extended to two years from and after the third day of March, eighteen hundred and seventy-three; all proof which has heretofore been taken before an Indian Agent, or before an officer of any tribe, competent according to the rules of said tribe to administer oaths, shall be held and regarded by the Pension-Office, in the examining and determining of claims of Indians now on file, as of the same validity as if taken before an officer recognized by the law at the time as competent to administer oaths; all proof wanting in said claims hereafter, as well as in those filed after the third day of March, eighteen hundred and seventy-three, shall be taken before the agent of the tribe to which the claimants respectively belong; in regard to dates, all applications of Indians now on file shall be treated as though they were made before a competent officer at their respective dates, and if found to be in all other respects conclusive, they shall be allowed; and Indians shall be exempted from the obligation to take the oath to support the Constitution of the United States.

SEC. 4722. The provisions of this Title are extended to the officers and privates of the Missouri State militia, and the provisional Missouri militia, disabled by reason of injury received or disease contracted in the line of duty while such militia was co-operating with United States forces, and the widow or children of any such person, dying of injury received or disease contracted under the circumstances herein set forth, shall be entitled to the benefits

of this Title. But the pensions on account of such militia shall not commence prior to the third day of March, one thousand eight hundred and seventy-three.

SEC. 4723. All colored persons who enlisted in the Army during the war of the rebellion, and who are now prohibited from receiving bounty and pension on account of being borne on the rolls of their regiments as "slaves," shall be placed on the same footing, as to bounty and pension, as though they had not been slaves at the date of their enlistment.

SEC. 4724. No person in the Army, Navy, or Marine Corps shall draw both a pension as an invalid, and the pay of his rank or station in the service, unless the disability for which the pension was granted be such as to occasion his employment in a lower grade, or in the civil branch of the service.

SEC. 4725. All those surviving widows and minor children who have been allowed five years' half-pay, under the provisions of any general laws passed prior to the third day of June, eighteen hundred and fifty-eight, are granted a continuance of such half-pay, to commence from the date of the last payment under the respective acts of Congress granting the same, and on the terms and limitations provided in the following section.

SEC. 4726. Such half-pay is granted to such widows during life, and, where there is no widow, to the children, while under the age of sixteen years; but in case of the remarriage or death of any such widow, the half-pay shall go to the children of the decedent on account of whose services it is claimed, while such children are under sixteen years of age, and no longer.

SEC. 4727. The half-pay of such widows and children shall be half the monthly pay of the officers, non-commissioned officers, musicians, and privates of the infantry of the Regular Army, and no more, and no greater sum shall be allowed to any such widow or minor children than the half-pay of a lieutenant-colonel. But the two preceding sections shall not be construed to apply to or embrace the case of any person receiving a pension for life on the third day of June, eighteen hundred and fifty-eight; and, wherever half-pay has been granted by any special act of Congress, and renewed or continued under the provisions of those sections, the same shall continue from the date above named: *Provided*, That pensions under this and the two preceding sections, shall be varied in accordance with the provisions of section four thousand seven hundred and twelve of this Title.

SEC. 4728. If any officer, warrant or petty officer, seaman, engineer, first, second, or third assistant engineer, fireman or coal-heaver of the Navy or any marine has

been disabled prior to the fourth day of March eighteen hundred and sixty-one by reason of any injury received or disease contracted in the service and line of duty, he shall be entitled to receive during the continuance of his disability a pension proportionate to the degree of his disability not exceeding half the monthly pay of his rank as it existed in January eighteen hundred and thirty-five. But the pension of a chief-engineer shall be the same as that of a lieutenant of the Navy; the pension of a first assistant engineer the same as that of a lieutenant of marines; the pension of a second or third assistant engineer the same as that of a forward officer; the pension of a fireman or coal-heaver the same as that of a seaman; but an engineer, fireman or coal-heaver shall not be entitled to any pension by reason of a disability incurred prior to the thirty-first day of August eighteen hundred and forty-two.

SEC. 4729. If any person referred to in the preceding section has died in the service, of injury received or disease contracted under the conditions therein stated, his widow shall be entitled to receive half the monthly pay to which the deceased was entitled at the date of his death; and in case of her death or marriage, the child or children under sixteen years of age shall be entitled to the pension. But the rate of pension herein allowed shall be governed by the pay of the Navy as it existed in January, eighteen hundred and thirty-five; and the pension of the widow of a chief-engineer shall be the same as that of a widow of a lieutenant in the Navy; the pension of the widow of a first assistant engineer shall be the same as that of the widow of a lieutenant of marines; the pension of the widow of a second or third assistant engineer the same as that of the widow of a forward officer; the pension of the widow of a fireman or coal-heaver shall be the same as that of the widow of a seaman. But the rate of pension prescribed by this and the preceding section shall be varied from and after the twenty-fifth day of July eighteen hundred and sixty-six in accordance with the provisions of section four thousand seven hundred and twelve of this Title; and the widow of an engineer, fireman or coal-heaver shall not be entitled to any pension by reason of the death of her husband if his death was prior to the thirty-first day of August eighteen hundred and forty-two.

SEC. 4730. Any officer, non-commissioned officer, musician or private whether of the Regular Army or volunteers disabled by reason of injury received or disease contracted while in the line of duty in actual service in the war with Mexico, or in going to or returning from the same, who received an honorable discharge, shall be entitled to a pension proportionate to his

disability, not exceeding for total disability half the pay of his rank at the date at which he received the wound or contracted the disease which resulted in such disability. But no pension shall exceed half the pay of a lieutenant-colonel.

SEC. 4731. If any officer or other person referred to in the preceding section has died or shall hereafter die by reason of any injury received or disease contracted under the circumstances therein set forth, his widow shall be entitled to receive the same pension as the husband would have been entitled to had he been totally disabled; and in case of her death or remarriage, the child or children of such officer or other person referred to in the preceding section, while under the age of sixteen years, shall be entitled to receive the pension. But the rate of pension prescribed by this and the preceding section shall be varied after the twenty-fifth day of July, eighteen hundred and sixty-six in accordance with the provisions of section four thousand seven hundred and twelve of this Title.

SEC. 4732. The widows and children under sixteen years of age, of the officers, non-commissioned officers, musicians and privates of the regulars, militia, and volunteers of the war of one thousand eight hundred and twelve and the various Indian wars since one thousand seven hundred and ninety who remained at the date of their death in the military service of the United States, or who received an honorable discharge and have died or shall hereafter die of injury received or disease contracted in the service and in the line of duty shall be entitled to receive half the monthly pay to which the deceased was entitled at the time he received the injury or contracted the disease which resulted in his death. But no half-pay pension shall exceed the half-pay of a lieutenant-colonel, and such half-pay pension shall be varied after the twenty-fifth day of July, one thousand eight hundred and sixty-six in accordance with the provisions of section four thousand seven hundred and twelve of this Title.

SEC. 4733. All pensioners whose names are now on the pension-roll or who are entitled to restoration to the roll under any act of Congress, shall be entitled to the continuance of such pensions under the provisions and limitations of this Title, and to such further increase of pension as is herein provided.

SEC. 4734. The provisions of law which allow the withholding of the compensation of any person who is in arrears shall not be construed to authorize the pension of any pensioner of the United States to be withheld.

SEC. 4735. No pension shall be granted to a widow for the same time that her husband received one.

SEC. 4736. The Secretary of the Interior is directed to place on the pension-roll the names of the surviving officers and enlisted and drafted men, including militia and volunteers, of the military and naval service of the United States, who served sixty days in the war with Great Britain of eighteen hundred and twelve, and were honorably discharged, and such other officers and soldiers as may have been personally named in any resolution of Congress for any specific service in that war, although their term of service may have been less than sixty days, subject, however, to the provisions of section forty-seven hundred and sixteen.

SEC. 4737. Pensions, under the preceding sections, shall be at the rate of eight dollars per month, and shall be paid to the persons entitled thereto for the term of their lives, from and after the fourteenth day of February, eighteen hundred and seventy-one. But that section shall not apply to any person who is receiving a pension at the rate of eight dollars or more per month; nor to any person who is receiving a pension less than eight dollars per month, except for the difference between the pension now received and eight dollars per month.

SEC. 4738. The surviving widows of such persons as are embraced within the provisions of the two preceding sections, shall be allowed, on the conditions and limitations therein expressed, the same pension that such persons themselves would have been entitled to receive thereunder if living on the fourteenth day of February, eighteen hundred and seventy-one: *Provided, however,* Such widows were married to the husbands, on account of whose services the pension is claimed, prior to the treaty of peace which terminated the war of eighteen hundred and twelve, and have not remarried.

SEC. 4739. Before the name of any person is placed upon the pension-roll under the three preceding sections, proof shall be made, under such regulations as the Secretary of the Interior may prescribe, that the applicant is entitled to a pension under the provisions of the sections herein cited; and the Secretary of the Interior shall cause to be stricken from the pension-roll the name of any person whenever it appears, by proof satisfactory, that such name was put upon such roll through false or fraudulent representations.

SEC. 4740. The loss of a certificate of discharge shall not deprive an applicant of the benefits of sections forty-seven hundred and thirty-six, forty-seven hundred and thirty-seven, and forty-seven hundred and thirty-eight, but other proof of services performed and of an honorable discharge, if deemed satisfactory, shall be sufficient.

SEC. 4741. The officers and seamen of the revenue-cutters of the United States, who have been or may be wounded or disabled in the discharge of their duty while co-operating with the Navy by order of the President, shall be entitled to be placed on the Navy pension-list, at the same rate of pension and under the same regulations and restrictions as are provided by law for the officers and seamen of the Navy.

SEC. 4742. From and after the second day of April, eighteen hundred and sixty-two, no claim for a pension, or for an increase of pension, shall be allowed in favor of the children or other descendants of any person who served in the war of the Revolution, or of the widow of such person, when such person or his widow died without having established a claim to a pension.

SEC. 4743. In all cases where a pension has been granted to any officer or soldier of the Revolution in his life-time, the evidence upon which such pension was granted shall be conclusive of the service of such officer or soldier in the application of any widow, or woman who may have been the widow, of such officer or soldier, for a pension; and upon proof by her that she was married to any such officer or soldier, and that she is a widow, she shall thereupon be placed upon the pension-rolls at the same rate that such officer or soldier received during his life-time.

SEC. 4744. The Commissioner of Pensions is authorized to detail, from time to time, clerks in his office to investigate suspected attempts at fraud on the Government, through and by virtue of the provisions of the pension-laws, and to aid in prosecuting any person so offending, with such additional compensation as is customary in cases of special service; and any person so detailed shall have the power to administer oaths and take affidavits in the course of any such investigation.

SEC. 4745. Any pledge, mortgage, sale, assignment, or transfer of any right, claim, or interest in any pension which has been, or may hereafter be, granted, shall be void and of no effect; and any person acting as attorney to receive and receipt for money for and in behalf of any person entitled to a pension shall, before receiving such money, take and subscribe an oath, to be filed with the pension-agent, and by him to be transmitted, with the vouchers now required by law, to the proper accounting officer of the Treasury, that he has no interest in such money by any pledge, mortgage, sale, assignment, or transfer, and that he does not know or believe that the same has been so disposed of to any person.

SEC. 4746. Every person who knowingly or willfully in anywise procures the making or presentation of any false or fraudulent affidavit concerning any claim for pension, or payment thereof, or pertaining to any



other matter within the jurisdiction of the Commissioner of Pensions, or who knowingly or willfully presents or causes to be presented at any pension-agency any power of attorney or other paper required as a voucher in drawing a pension, which paper bears a date subsequent to that on which it was actually signed or executed, shall be punished by a fine not exceeding five hundred dollars, or by imprisonment for a term not exceeding three years, or by both.

SEC. 4747. No sum of money due, or to become due, to any pensioner, shall be liable to attachment, levy, or seizure by or under any legal or equitable process whatever, whether the same remains with the Pension-office, or any officer or agent thereof, or is in course of transmission to the pensioner entitled thereto, but shall inure wholly to the benefit of such pensioner.

SEC. 4748. That the Commissioner of Pensions, on application being made to him in person, or by letter, by any claimant or applicant for pension, bounty-land, or other allowance required by law to be adjusted or paid by the Pension-Office, shall furnish such person, free of all expense, all such printed instructions and forms as may be necessary in establishing and obtaining said claim; and on the issuing of a certificate of pension or of a bounty-land warrant, he shall forthwith notify the claimant or applicant, and also the agent or attorney in the case, if there be one, that such certificate has been issued, or allowance made, and the date and amount thereof.

SEC. 4749. No soldier or sailor shall be taken or held to be a deserter from the Army or Navy who faithfully served according to his enlistment until the nineteenth day of April, eighteen hundred and sixty-five, and who, without proper authority or leave first obtained, quit his command or refused to serve after that date; but nothing herein contained shall operate as a remission of any forfeiture incurred by any such soldier or sailor of his pension; but this section shall be construed solely as a removal of any disability such soldier or sailor may have incurred by the loss of his citizenship in consequence of his desertion.

SEC. 4750. The Secretary of the Navy shall be trustee of the Navy pension-fund.

SEC. 4751. All penalties and forfeitures incurred under the provisions of sections twenty-four hundred and sixty-one, twenty-four hundred and sixty-two, and twenty-four hundred and sixty-three, Title, "THE PUBLIC LANDS," shall be sued for, recovered, distributed, and accounted for, under the directions of the Secretary of the Navy, and shall be paid over, one-half to the informers, if any, or captors, where seized, and the other half to the Secretary of the Navy for the use of the Navy pension-

fund; and the Secretary is authorized to mitigate, in whole or in part, on such terms and conditions as he deems proper, by an order in writing, any fine, penalty, or forfeiture so incurred.

SEC. 4752. All money accruing or which has already accrued to the United States from the sale of prizes shall be and remain forever a fund for the payment of pensions to the officers, seamen, and marines who may be entitled to receive the same; and if such fund be insufficient for the purpose, the public faith is pledged to make up the deficiency; but if it should be more than sufficient, the surplus shall be applied to the making of further provision for the comfort of the disabled officers, seamen, and marines. [See § 4630.]

SEC. 4753. The Secretary of the Navy, as trustee of the naval pension-fund, is directed to cause to be invested in the registered securities of the United States, on the first day of January and the first day of July of each year, so much of such fund then in the Treasury of the United States as may not be required for the payment of naval pensions for the then current fiscal year; and upon the requisition of the Secretary, so much of the fund as may not be required for such payment of pensions accruing during the current fiscal year shall be held in the Treasury on the days above named in each year, subject to his order, for the purpose of such immediate investment; and the interest payable in coin upon the securities in which the fund may be invested, shall be so paid, when due, to the order of the Secretary of the Navy, and he is authorized and directed to exchange the amount of such interest when paid in coin, for so much of the legal currency of the United States as may be obtained therefor at the current rates of premium on gold, and to deposit the interest so converted in the Treasury to the credit of the naval pension fund; but nothing herein contained shall be construed to interfere with the payment of naval pensions under the supervision of the Secretary of the Interior, as regulated by law.

SEC. 4754. The interest on the naval pension-fund shall hereafter be at the rate of three per centum per annum in lawful money.

SEC. 4755. Navy pensions shall be paid from the Navy pension-fund, but no payments shall be made therefrom except upon appropriations authorized by Congress.

SEC. 4756. There shall be paid out of the naval pension-fund to every person who, from age or infirmity, is disabled from sea-service, but who has served as an enlisted person in the Navy or Marine Corps for the period of twenty years, and not been discharged for misconduct, in lieu of being provided with a home in the Naval

Asylum, Philadelphia, if he so elects, a sum equal to one-half the pay of his rating at the time he was discharged, to be paid to him quarterly, under the direction of the Commissioner of Pensions; and applications for such pension shall be made to the Secretary of the Navy, who, upon being satisfied that the applicant comes within the provisions of this section, shall certify the same to the Commissioner of Pensions, and such certificate shall be his warrant for making payment as herein authorized.

SEC. 4757. Every disabled person who has served in the Navy or Marine Corps as an enlisted man for a period of not less than ten years, and not been discharged for misconduct, may apply to the Secretary of the Navy for aid from the surplus income of the naval pension-fund; and the Secretary of the Navy is authorized to convene a board of not less than three naval officers, one of whom shall be a surgeon, to examine into the condition of the applicant, and to recommend a suitable amount for his relief, and for a specified time, and upon the approval of such recommendation by the Secretary of the Navy, and certificate thereof to the Commissioner of Pensions, the amount shall be paid in the same manner as is provided in the preceding section for the payment to persons disabled by long service in the Navy; but no allowance so made shall exceed the rate of a pension for full disability corresponding to the grade of the applicant, nor, if in addition to a pension, exceed one-fourth the rate of such pension.

SEC. 4758. The Secretary of the Navy shall be trustee of the privateer pension-fund.

SEC. 4759. Two per centum on the net amount, after deducting all charges and expenditures, of the prize-money arising from captured vessels and cargoes, and on the net amount of the salvage of vessels and cargoes recaptured by the private armed vessels of the United States, shall be secured and paid over to the collector or other chief officers of the customs at the port or place in the United States, at which such captured or recaptured vessel may arrive; or to the consul or other public agent of the United States residing at the port or place, not within the United States, at which such captured or recaptured vessels may arrive. And the moneys arising therefrom are pledged by the Government of the United States as a fund for the support and maintenance of the widows and orphans of such persons as may be slain, and for the support and maintenance of such persons as may be wounded and disabled on board of the private armed vessels of the United States, in any engagement with the enemy, to be assigned and

distributed in such manner as is or may be provided by law.

SEC. 4760. The two per centum reserved in the hands of the collectors and consuls by the preceding section, shall be paid to the Treasury, under the like regulations provided for other public money, and shall constitute a fund for the purposes provided for by that section.

SEC. 4761. The Secretary of the Interior is required to place on the pension-list, under the like regulations and restrictions as are used in relation to the Navy of the United States, any officer, seaman, or marine, who, on board of any private armed vessel bearing a commission of letter of marque, shall have been wounded or otherwise disabled in any engagement with the enemy, or in the line of their duty as officers, seamen, or marines of such private armed vessel; allowing to the captain a sum not exceeding twenty dollars per month; to lieutenants and sailing-master a sum not exceeding twelve dollars each per month; to marine officer, boatswain, gunner, carpenter, master's mate, and prize-masters, a sum not exceeding ten dollars each per month; to all other officers a sum not exceeding eight dollars each per month, for the highest rate of disability, and so in proportion; and to a seaman, or acting as a marine, the sum of six dollars per month, for the highest rate of disability, and so in proportion; which several pensions shall be paid from moneys appropriated for the payment of pensions.

SEC. 4762. The commanding officer of every vessel having a commission, or letters of marque and reprisal, shall enter in his journal the name and rank of any officer, and the name of any seaman, who, during his cruise, is wounded or disabled, describing the manner and extent, as far as practicable, of such wound or disability.

SEC. 4763. Every collector shall transmit quarterly to the Secretary of the Navy a transcript of such journals as may have been reported to him, so far as it gives a list of the officers and crew, and the description of wounds and disabilities, the better to enable the Secretary to decide on claims for pensions.

SEC. 4764. Within fifteen days immediately preceding the fourth day of March, June, September, and December in each year, the several agents for the payment of pensions shall prepare a quarterly voucher for every person whose pension is payable at his agency, and transmit the same by mail, directed to the address of the pensioner named in such voucher, who, on or after the fourth day of March, June, September, and December next succeeding the date of such voucher, may execute and return the same to the agency at which it was prepared, and at which the pension of such person is due and payable.

SEC. 4765. Upon the receipt of such voucher, properly executed, and the identity of the pensioner being established and proved in the manner prescribed by the Secretary of the Interior, the agent for the payment of pensions shall immediately draw his check on the proper assistant treasurer or designated depository of the United States for the amount due such pensioner, payable to his order, and transmit the same by mail, directed to the address of the pensioner entitled thereto; but any pensioner may be required, if thought proper by the Commissioner of Pensions, to appear personally and receive his pension.

SEC. 4766. Hereafter no pension shall be paid to any person other than the pensioner entitled thereto, nor otherwise than according to the provisions of this Title, and no warrant, power of attorney, or other paper executed or purporting to be executed by any pensioner to any attorney, claim-agent, broker, or other person, shall be recognized by any agent for the payment of pensions, nor shall any pension be paid thereon. But payment to persons laboring under legal disabilities may be made to the guardians of such persons in the manner herein prescribed; and pensions payable to persons in foreign countries may be made according to the provisions of existing laws.

SEC. 4767. The Secretary of the Interior shall cause suitable blanks for the vouchers mentioned in section forty-seven hundred and sixty-four to be printed and distributed to the agents for the payment of pensions, upon which he shall cause a note to be printed informing pensioners of the fact that hereafter no pension will be paid, except upon the vouchers issued as herein directed.

SEC. 4768. The Commissioner of Pensions shall forward the certificate of [pensions] [pension,] granted in any case, to the agent for paying pensions where such certificate is made payable, and at the same time forward therewith one of the articles of agreement filed in the case and approved by the Commissioner, setting forth the fee agreed upon between the claimant and the attorney or agent, and where no agreement is on file, as hereinbefore provided, he shall direct that a fee of ten dollars only be paid the agent or attorney. [See § 5485.]

SEC. 4769. It shall be the duty of the agent paying such pension to deduct from the amount due the pensioner the amount of fee so agreed upon or directed by the Commissioner to be paid where no agreement is filed and approved, and to forward or cause to be forwarded to the agent or attorney of record named in such agreement, or, in case there is no agreement, to the agent prosecuting the case, the amount

of the proper fee, deducting therefrom the sum of thirty cents in payment of his services in forwarding the same.

SEC. 4770. [In place of original checks issued for pensions, when lost, stolen, or destroyed, disbursing officers and agents of the United States are authorized, after the expiration of six months from the date of such checks, to issue duplicate checks, and the Treasurer, assistant treasurers, and designated depositaries of the United States are directed to pay such checks, drawn in pursuance of law by such officers or agents, upon notice and proof of the loss of the original checks, under such regulations in regard to their issue and payment, and upon the execution of such bonds, with sureties, to indemnify the United States, as the Secretary of the Treasury may prescribe. But this section shall not apply to any check exceeding in amount the sum of five hundred dollars.]

SEC. 4771. In all cases of application for the payment of pensions to invalid pensioners to the fourth day of September of an odd year, the certificate of an examining surgeon duly appointed by the Commissioner of Pensions, or of a surgeon of the Army or Navy, stating the continuance of the disability for which the pension was originally granted, describing it, and the degree of such disability at the time of making the certificate, shall be required to accompany the vouchers, and a duplicate thereof shall be filed in the office of the Commissioner of Pensions; and if in a case of continued disability it shall be stated at a degree below that for which the pension was originally granted, or was last paid, the pensioner shall only be paid for the quarter then due at the rate stated in the certificate. But where the pension was originally granted for a disability in consequence of the loss of a limb, or other essential portion of the body, or for other cause which cannot, either in whole or in part, be removed, or when a disability is certified, by competent examining surgeons, to the satisfaction of the Commissioner of Pensions, to have become permanent in a degree equal to the whole rate of pension, the above certificate shall not be necessary to entitle the pensioner to payment.

SEC. 4772. Nothing in the preceding section shall be construed to prevent the Commissioner of Pensions from requiring a more frequent examination, if, in his judgment, it is necessary.

SEC. 4773. The biennial certificate of two unappointed civil surgeons shall not be accepted in any case, except upon satisfactory evidence that an examination by a commissioned or duly appointed surgeon is impracticable.

SEC. 4774. The Commissioner of Pensions is authorized to organize, at his dis-

cretion, boards of examining surgeons, not to exceed three members, and each member of a board thus organized who is actually present and makes, in connection with other members or member, an ordered or periodical examination, shall be entitled to the fee of one dollar, on the receipt of a proper certificate of such examination by the Commissioner of Pensions.

SEC. 4775. Examining surgeons duly appointed by the Commissioner of Pensions, and such other qualified surgeons as may be employed in the Pension-Office, may be required by him, from time to time, as he deems for the interests of the Government, to make special examinations of pensioners, or applicants for pension, and such examinations shall have precedence over previous examinations, whether special or biennial; but when injustice is alleged to have been done by an examination so ordered, the Commissioner of Pensions may, at his discretion, select a board of three duly appointed examining surgeons, who shall meet at a place to be designated by him, and shall review such cases as may be ordered before them on appeal from any special examination, and the decision of such board shall be final on the question so submitted thereto, provided the Commissioner approve the same. The compensation of each of such surgeons shall be three dollars, and shall be paid out of any appropriations made for the payment of pensions, in the same manner as the ordinary fees of appointed surgeons are or may be authorized to be paid.

SEC. 4776. The Secretary of the Interior is authorized to appoint a duly qualified surgeon as medical referee who, under the control and direction of the Commissioner of Pensions, shall have charge of the examination and revision of the reports of examining surgeons, and such other duties touching medical and surgical questions in the Pension-Office, as the interests of the service may demand; and his salary shall be two thousand five hundred dollars per annum. And the Secretary of the Interior is further authorized to appoint such qualified surgeons (not exceeding four) as the exigencies of the service may require, who may perform the duties of examining surgeons when so required, and who shall be borne upon the rolls as clerks of the fourth class; but such appointments shall not increase the clerical force of said Bureau.

SEC. 4777. The Commissioner of Pensions is empowered to appoint, at his discretion, civil surgeons to make the periodical examinations of pensioners which are or may be required by law, and to examine applicants for pension, where he deems an examination by a surgeon appointed by him necessary; and the fee for

such examinations, and the requisite certificates thereof in duplicate, including postage on such as are transmitted to pension-agents, shall be two dollars, which shall be paid by the agent for paying pensions in the district within which the pensioner or claimant resides, out of any money appropriated for the payment of pensions, under such regulations as the Commissioner of pensions may prescribe.

SEC. 4778. The President is authorized to appoint, by and with the advice and consent of the Senate, all pension-agents, who shall hold their respective offices for the term of four years, unless sooner removed or suspended, as provided by law, and until their successors are appointed and qualified.

SEC. 4779. All pension-agents shall give bond, with good and sufficient sureties, for such amount and in such form as the Secretary of the Interior may approve.

SEC. 4780. The President is authorized to establish agencies for the payment of pensions wherever, in his judgment, the public interests and the convenience of the pensioners require; but the number of pension-agencies in any State or Territory shall in no case be increased hereafter so as to exceed three, and no such agency shall be established in addition to those now existing in any State or Territory in which the whole amount of pensions paid during the fiscal year next preceeding shall not have exceeded the sum of five hundred thousand dollars.

SEC. 4781. Agents for paying pensions shall receive two per centum on all disbursements made by them to pensioners. There shall be allowed, however, over and above such compensation, to every pension-agent disbursing fifty thousand dollars annually, not exceeding five hundred dollars a year for clerk-hire, office-rent, and office-expenses; to every agent disbursing one hundred thousand dollars annually, not exceeding seven hundred and fifty dollars a year; and for every fifty thousand dollars additional, not exceeding two hundred and fifty dollars a year, for like purposes. But in no case shall the aggregate amount of compensation to any one agent, paying both Army and Navy pensions, exceed four thousand dollars a year.

SEC. 4782. In addition to the compensation allowed in this Title, each pension agent shall be allowed, as full compensation for all service, including postage required by the provisions of sections forty-seven hundred and sixty-four and forty-seven hundred and sixty-five, the sum of thirty cents, and no more, for each voucher prepared and paid by him, which amount shall be paid by the United States.

SEC. 4783. Every guardian having the charge and custody of the pension of his ward who embezzles the same in violation

of his trust, or fraudulently converts the same to his own use, shall be punished by fine not exceeding two thousand dollars or imprisonment at hard labor for a term not exceeding five years or both. [See § 5486.]

SEC. 4784. Agents for the payment of pensions, and any clerks appointed by them and designated in writing for that purpose, which designation shall be returned to and filed in the office of the Commissioner of Pensions, are required, without any fee therefor, to take and certify the affidavits of all pensioners and their witnesses who may personally appear before them for that purpose, in which case the check for the pension, when due and payable, shall be given direct to the hand of the party entitled thereto, if desired, and not mailed to his address as required by section forty-seven hundred and sixty-five.

SEC. 4785. No agent or attorney or other person shall demand or receive any other compensation for his services in prosecuting a claim for pension or bounty-land than such as the Commissioner of Pensions shall direct to be paid to him, not exceeding twenty-five dollars.

SEC. 4786. It shall be the duty of the agent or attorney of record in the prosecution of the case to cause to be filed with the Commissioner of Pensions, for his approval, duplicate articles of agreement, without additional cost to the claimant, setting forth the fee agreed upon by the parties, which agreement shall be executed in the presence of and certified by some officer competent to administer oaths. In all cases where application is made for pension or bounty-land, and no agreement is filed with and approved by the Commissioner as herein provided, the fee shall be ten dollars and no more. [See § 4768.]

SEC. 4787. Every officer, soldier, seaman, and marine, who was disabled, during the war for the suppression of the rebellion, in the military or naval service, and in the line of duty, or in consequence of wounds received or disease contracted therein, and who was furnished by the War Department, since the seventeenth day of June, eighteen hundred and seventy, with an artificial limb or apparatus for resection, or who was entitled to receive such limb or apparatus since said date, shall be entitled to receive a new limb or apparatus at the expiration of every five years thereafter, under such regulations as have been or may be prescribed by the Surgeon-General of the Army. [The provisions of this section shall apply to all officers, non-commissioned officers, enlisted and hired men of the land and naval forces of the United States, who, in the line of their duty as such, shall have lost limbs or sustained bodily injuries depriving them of the use of any of their limbs, to be determined by the Surgeon-General of the Army; and the

term of five years herein specified shall be held to commence in each case with the filing of the application for the benefits of this section. [See § 1176.]

SEC. 4788. Every person entitled to the benefits of the preceding section may, if he so elects, receive, instead of such limb or apparatus, the money value thereof, at the following rates, namely: For artificial legs, seventy-five dollars; for arms, fifty dollars; for feet, fifty dollars; for apparatus for resection, fifty dollars.

SEC. 4789. The Surgeon-General shall certify to the Commissioner of Pensions a list of all soldiers who elect to receive money commutation instead of limbs or apparatus, with the amount due to each, and the Commissioner of Pensions shall cause the same to be paid to such soldiers in the same manner as pensions are paid.

SEC. 4790. Every person in the military or naval service who lost a limb during the war of the rebellion, [or is entitled to the benefits of section forty-seven hundred and eighty-seven,] but from the nature of his injury is not able to use an artificial limb, shall be entitled to the benefits of section forty-seven hundred and eighty-eight, and shall receive money commutation as therein provided.

SEC. 4791. The Secretary of War is authorized and directed to furnish to the persons embraced by the provisions of section forty-seven hundred and eighty-seven, transportation to and from their homes and the place where they may be required to go to obtain artificial limbs provided for them under authority of law. [The transportation allowed for having artificial limbs fitted shall be furnished by the Quartermaster-General of the Army, the cost of which shall be refunded from the appropriations for invalid pensions.]

#### SUPPLEMENTS.

##### An act amending the laws

*Granting Pensions to the Soldiers and Sailors of the War of Eighteen Hundred and Twelve and their Widows, and for other purposes, passed March 9, 1878.*

Sec.

1. War of 1812; soldiers and sailors of, to be placed on pension-rolls.
2. Persons excluded.  
Rate and term of pension.  
Widows.
3. Proof, and penalty for false oath.  
Rolls may be corrected, &c.  
Certificate of discharge and record evidence not necessary.  
Grant of land-warrant prima facie evidence.
5. Restoration of certain pensioners who were stricken from rolls on account of rebellion.  
—without paying during suspension.
6. Pension given to widows and orphans of those who were so stricken off and died before restoration.
7. Repeal.

*Be it enacted, &c.*

[SECTION 1], That the Secretary of the Interior be, and he is hereby, authorized

and directed to place on the pension-rolls the names of the surviving officers and enlisted and drafted men, without regard to color, including militia and volunteers, of the military and naval service of the United States, who served for fourteen days in the war with Great Britain of eighteen hundred and twelve, or who were in any engagement, and were honorably discharged, and the surviving widows of such officers and enlisted and drafted men.

SEC. 2. That this act shall not apply to any person who is receiving a pension at the rate of eight dollars per month or more, nor to any person receiving a pension of less than eight dollars per month except for the difference between the pension now received (if less than eight dollars per month) and eight dollars per month.

Pensions under this act shall be at the rate of eight dollars per month, except as herein provided, and shall be paid to the persons entitled thereto, from and after the passage of this act, for and during their natural lives:

*Provided*, That the pensions to widows provided for in this act shall cease when they shall marry again.

SEC. 3. That before the name of any person shall be placed upon the pension-rolls under this act, proof shall be made, under such rules and regulations as the Commissioner of Pensions, with the approval of the Secretary of the Interior, shall prescribe, that the applicant is entitled to a pension under this act. \* \* \*

SEC. 5. That the Secretary of the Interior be, and he is hereby, authorized and directed to restore to the pension-rolls the names of all persons now surviving heretofore pensioned on account of service in the war of eighteen hundred and twelve against Great Britain, or for service in any of the Indian wars, and whose names were stricken from the rolls in pursuance of the act entitled "An act authorizing the Secretary of the Interior to strike from the pension-rolls the names of such persons as have taken up arms against the government, or who have in any manner encouraged the rebels," approved February fourth, eighteen hundred and sixty-two;

And that the joint resolution (1) entitled "Joint resolution prohibiting payment by any officer of the government to any person not known to have been opposed to the rebellion and in favor of its suppression," approved March second, eighteen hundred and sixty-seven, and section four thousand seven hundred and sixteen of the Revised Statutes of the United States, shall not apply to the persons provided for by this act:

*Provided*, That no money shall be paid to any one on account of pensions for the

time during which his name remained stricken from the rolls.

SEC. 6. That the surviving widow of any pensioner of the war of eighteen hundred and twelve where the name of said pensioner was stricken from the pension-rolls in pursuance of the act entitled "An act authorizing the Secretary of the Interior to strike from the pension-rolls the names of such persons as have taken up arms against the government, or who have in any manner encouraged the rebels," approved February fourth, eighteen hundred and sixty-two, and where, under the existing provisions of law, said pensioner died without his name being restored to the rolls, shall be entitled to make claim for a pension as such widow after the passage of this act:

*Provided*, That no such arrearages shall be paid for any period prior to the time of the removal of the disability of the pensioner, as provided in section five:

*And provided further*, That under this act any widow of a Revolutionary soldier who served fourteen days or was in any engagement shall be placed upon the pension-rolls of the United States, and receive a pension at the rate of eight dollars per month.

SEC. 7. That all laws and clauses of laws in conflict with this act be, and they are hereby, repealed. [March 9, 1878.]

NOTE.—(1) The joint resolution here referred to of 1867, No. 46 (14 Stat. L., 571), is incorporated into Revised Statutes in § 3480.

#### **An Act Amending the Pension-Law**

*So as to remove the disability of those who, having participated in the Rebellion, have, since its termination, enlisted in the Army of the United States, and become disabled.*

Pensions allowed to disabled soldiers, &c., in certain cases, although they had engaged in rebellion.

*Be it enacted, &c.*, That the law prohibiting the payment of any money on account of pensions to any person, or to the widow, children, or heirs of any deceased person, who, in any manner, engaged in or aided or abetted the late rebellion against the authority of the United States, shall not be construed to apply to such persons as afterward voluntarily enlisted in the Army of the United States, and who, while in such service, incurred disability from a wound or injury received or disease contracted in the line of duty. [March 3, 1877.]

#### **An act making appropriations for the payment of arrears of pensions**

*Granted by Act of Congress approved January twenty-fifth, eighteen hundred and seventy-nine, and for other purposes.*

##### SECTION

1. Pension agents' fees for services to January 25, 1879.  
Rate of arrears of invalid pensions to be graded from time to time, &c.  
Pensions on account of disabilities, &c., occurring after cessation of hostilities and before mustering out.
2. Commencement of pensions in consequence of death, injuries, &c., since March 4, 1861.
3. Repeal of R. S. § 4709.

*Be it enacted, &c.* [SECTION 1.]  
\* \* \* \* \*

The pension agents shall receive for their services and expenses in paying the arrears upon pensions allowed previous to January twenty-fifth eighteen hundred and seventy-nine including postage on vouchers and checks sent to the pensioner thirty cents for each payment; and the sum of fifteen thousand dollars, or so much thereof as may be necessary, is hereby appropriated for the payment of the same.

That the rate at which the arrears of invalid pensions shall be allowed and computed in the cases which have been or shall hereafter be allowed shall be graded according to the degree of the pensioner's disability from time to time and the provisions of the pension laws in force over the period for which the arrears shall be computed.

That section one of the act of January twenty-fifth, eighteen hundred and seventy-nine, granting arrears of pensions shall be construed to extend to and include pensions on account of soldiers who were enlisted or drafted for the service in the war of the rebellion, but died or incurred disability from a cause originating after the cessation of hostilities; and before being mustered out:

*Provided*, That in no case shall arrears of pensions be allowed and paid from a time prior to the date of actual disability.

SEC. 2. All pensions which have been, or which may hereafter be, granted in consequence of death occurring from a cause which originated in the service since the fourth day of March, eighteen hundred and sixty-one, or in consequence of wounds or injuries received or disease contracted since that date shall commence from the death or discharge of the person on whose account the claim has been or is hereafter granted if the disability occurred prior to discharge, and if such disability occurred after the discharge then from the date of actual disability or from the termination of the right of party having prior title to such pension:

*Provided*, The application for such pension has been or is hereafter filed with the Commissioner of Pensions prior to the first day of July eighteen hundred and eighty, otherwise the pension shall commence from the date of filing the application; but the limitation herein prescribed shall not apply to claims by or in behalf of insane persons and children under sixteen years of age.

SEC. 3. Section forty-seven hundred and nine of the Revised Statutes is hereby repealed. [March 3, 1879.]

**An act relating to claim agents and attorneys in pension cases.**

SECTION

1. Attorneys, agents, &c., in pension cases not to re-

ceive more than \$10 fee, and fee-contracts not to be filed, &c.

—fees of not to be deducted and paid to, by pension agent.

2. Repeal.

*Be it enacted, &c.*

[SECTION 1]. It shall be unlawful for any attorney, agent or other person to demand or receive for his services in a pension case a greater sum than ten dollars.

No fee contract shall hereafter be filed with the Commissioner of Pensions in any case.

In pending cases in which a fee contract has heretofore been filed, if the pension shall be allowed, the Commissioner of Pensions shall approve the same as to the amount of the fee to be paid at the amount specified in the contract.

Sections forty-seven hundred and sixty-eight, forty-seven hundred and sixty-nine and forty-seven hundred and eighty-six of the Revised Statutes shall not apply to any case or claim hereafter filed, nor to any pending claim in which the claimant has not been represented by an agent or attorney prior to the passage of this act.

SEC. 2. Section forty-seven hundred and eighty-five of the Revised Statutes is hereby repealed. [June 20, 1878.]

**Penalty for agents, attorneys, &c., demanding illegal fees in pension cases.**

[Par. 2.] The provisions of section fifty-four hundred and eighty-five of the Revised Statutes shall be applicable to any person who shall violate the provisions of an act entitled "An act relating to claim agents and attorneys in pension cases," approved June twentieth, eighteen hundred and seventy-eight.

\* \* \* \* \*

**An Act to Amend Section Forty-six Hundred and Ninety-five of the Revised Statutes of the United States.**

Lieutenant commanders' pension.

*Be it enacted, &c.*, That from and after July sixteenth, eighteen hundred and sixty-two pensions granted to lieutenant-commanders in the Navy for disability, or on account of their death, shall be the same as theretofore provided for lieutenants-commanding. [June 18, 1878.]

**An Act for the Payment,**

*To the Officers and Soldiers of the Mexican War, of the Three Months' extra pay provided for by the Act of July Nineteenth, Eighteen Hundred and Forty-eight.*

Three months' extra pay to officers and soldiers of Mexican war.

*Be it enacted, &c.*, That the Secretary of the Treasury be, and he is hereby, directed, out of any moneys in the Treasury not otherwise appropriated, to pay to the officers and soldiers "engaged in the military service of the United States in the war with Mexico, and who served out the

time of their engagement or were honorably discharged", the three months' extra pay provided for by the act of July nineteenth, eighteen hundred and forty-eight, and the limitations contained in said act, in all cases, upon the presentation of satisfactory evidence that said extra compensation has not been previously received:

*Provided*, That the provisions of this act shall include also the officers, petty-officers, seamen, and marines of the United States Navy, the Revenue Marine Service and the officers and soldiers of the United States Army employed in the prosecution of said war. [February 19, 1879.]

#### **An Act to Restore Pensions in certain Cases.**

Pensions allowed prior to July 25, 1866, not to be reduced by subsequent acts.  
—to be restored if already reduced.

*Be it enacted, &c.*, That section three of an act entitled "An act increasing the pensions of widows and orphans, and for other purposes", approved July twenty-fifth, eighteen hundred and sixty-six, and section thirteen of an act entitled "An act relating to pensions", approved July twenty-seventh, eighteen hundred and sixty-eight, and section forty-seven hundred and twelve of the Revised Statutes, shall not operate to reduce the rate of any pension which had actually been allowed to the commissioned, non-commissioned, or petty officers of the Navy or their widows or minor children, prior to the twenty-fifth day of July, eighteen hundred and sixty-six;

And the Secretary of the Interior is hereby directed to restore all such pensions as have already been so reduced to the rate originally granted and allowed, to take effect from the date of such reduction. [June 9, 1880.]

#### **An Act Relating to Soldiers while in the Civil Service of the United States.**

Certain pensioners who lost their pensions by being in the civil service to have same restored.

*Be it enacted, &c.*, That all persons who, under and by virtue of the first section of the act entitled "An act supplementary to the several acts relating to pensions," approved March third, eighteen hundred and sixty-five, were deprived of their pensions during any portion of the time from the third of March, eighteen hundred and sixty-five, to the sixth of June, eighteen hundred and sixty-six, by reason of their being in the civil service of the United States, shall be paid their said pensions, withheld by virtue of said section of the act aforesaid, for and during the said period of time from the third of March, eighteen hundred and sixty-five, to the sixth of June, eighteen hundred and sixty-six. [March 1, 1879.]

#### **Limiting Prosecution of Claims.**

SEC. 3. That section forty-seven hundred and seventeen of the Revised Statutes of the United States, which provides that

"No claim for pension not prosecuted to a successful issue within five years from the date of filing the same shall be admitted without record evidence from the War or Navy Department of the injury or the disease which resulted in the disability or death of the person on whose account the claim is made: *Provided*, That in any case in which the limitation prescribed by this section bars the further prosecution of the claim, the claimant may present, through the Pension Office, to the Adjutant-General of the Army or the Surgeon-General of the Navy, evidence that the disease or injury which resulted in the disability or death of the person on whose account the claim is made originated in the service and in the line of duty;

And if such evidence is deemed satisfactory by the officer to whom it may be submitted, he shall cause a record of the fact so proved to be made, and a copy of the same to be transmitted to the Commissioner of Pensions, and the bar to the prosecution of the claim shall thereby be removed", be, and the same is hereby, repealed.

SEC. 4. No claim agent or other person shall be entitled to receive any compensation for services in making application for arrears of pension.

SEC. 5. That all acts or parts of acts so far as they may conflict with the provisions of this act be, and the same are hereby, repealed. [January 25, 1870.]

#### **An Act to Increase Pensions in Certain Cases.**

##### SECTIONS

1. Pension of \$24 per month allowed to pensioners who have lost arm above elbow, or leg above knee; but no artificial limbs.

2. When act takes effect.

*Be it enacted, &c.*

[SECTION 1]. That all persons who are now entitled to pensions under existing laws and who have lost either an arm at or above the elbow, or a leg at or above the knee, shall be rated in the second class, and shall receive twenty-four dollars per month:

*Provided*, That no artificial limbs, or commutation therefor, shall be furnished to such persons as shall be entitled to pensions under this act.

SEC. 2. That this act shall take effect from and after the fourth day of June, eighteen hundred and seventy four. [June 18, 1874.]

#### **An Act for the Relief of Certain Pensioners.**

Pension for loss of leg at hip joint.

*Be it enacted, &c.*, That all pensioners now on the pension rolls, or who may here-



after be placed thereon, for amputation of either leg at the hip joint, shall receive a pension at the rate of thirty-seven dollars and fifty cents per month from the date of the approval of this act. [March 3, 1879].

**An Act for the Relief of**

*Soldiers and Sailors Becoming Totally Blind in the Service of the Country.*

Pension to soldiers and sailors who become totally blind.

*Be it enacted, &c.,* That the act of June seventeenth, eighteen hundred and seventy-eight, entitled "An act to increase the pensions of certain soldiers and sailors who have lost both their hands or both their feet, or the sight of both eyes, in the service of the country," be so construed as to include all soldiers and sailors who have become totally blind from causes occurring in the service of the United States. [March 3, 1879.]

**An Act to Allow a Pension**

*of Thirty-six Dollars per Month to Soldiers who have Lost both an Arm and a Leg.*

Pensions for loss of one hand and one foot in military or naval service.

*Be it enacted, &c.,* That all persons who, while in the military or naval service of the United States, and in the line of duty, shall have lost one hand and one foot, or been totally and permanently disabled in both, shall be entitled to a pension for each of such disabilities, and at such a rate as is provided for by the provisions of the existing laws for each disability:

*Provided,* That this act shall not be so construed as to reduce pensions in any case. [February 28, 1877.]

**An Act to Increase the Pensions**

*of Certain Pensioned Soldiers and Sailors who are Utterly Helpless from Injuries Received or Disease Contracted while in the United States Service.*

SECTION

1. Pensions of persons permanently disabled in military service increased to \$72 a month.
2. — to date from June 17, 1878.

*Be it enacted, &c.*

[SECTION 1], That all soldiers and sailors who are now receiving a pension of fifty dollars per month, under the provisions of an act entitled "An act to increase the pension of soldiers and sailors who have been totally disabled," approved June eighteenth, eighteen hundred and seventy-four, shall receive, in lieu of all pensions now paid them by the Government of the United States, and there shall be paid them in the same manner as pensions are now paid to such persons, the sum of seventy-two dollars per month.

SEC. 2. All pensioners whose pensions shall be increased by the provisions of this act from fifty dollars per month to seventy-two dollars per month shall be paid the difference between said sums monthly, from June seventeenth, eighteen hundred and seventy-eight, to the time of the taking effect of this act. [June 16, 1880.]

LAW OF NATIONS.\*

**Origin and Progress of the Law of Nations; the Natural, Customary, and Conventional Laws of Nations, Defined.**

The law of nations, in its present improved state, has not long existed. Ancient nations were little governed by the principles of natural justice. Little respect was paid by one nation to the rights of the persons and property of the citizens of another. Robbery on land and sea was not only tolerated, but esteemed honorable; and prisoners of war were either put to death, or reduced to slavery. By this rule of national law, commerce was destroyed, and perpetual enmity kept up between nations.

No essential, permanent improvement in the law of nations seems to have been made until within the last three or four centuries. By the light of science and Christianity, the rights and obligations of nations have come to be better understood, and more generally regarded. Commerce also has done much to improve the law, by showing that the true interests of a nation are promoted by peace and friendly intercourse.

Hence we find the nations of Europe and America recognizing the same rules of international law. And as the light of Christianity shall become more widely diffused, and its principles more generally practiced, the law of nations will undergo still further improvements. And may we not hope, that, as one of these improvements, the practice of settling national disputes by war will be abolished, and one more rational and humane be adopted, that of referring all difficulties which the parties are incapable of adjusting, to some disinterested power for adjudication?

There is, in every nation or state, some acknowledged authority to make laws to protect the rights of the citizens, and courts of justice to try and punish offenders. But there is no tribunal before which one nation can be brought to answer for the violation of the rights of another. Every nation, however small and weak, is independent of every other. Hence, when injuries are committed by one upon another, the offended party, unless it chooses quietly to endure the wrong, must obtain redress, either by appealing to the sense of justice of the party offending, or by a resort to force.

The equality and independence of nations, without respect to their relative strength or extent of territory, is a settled principle of national law. Each has a right to establish such government and tolerate such religion as it thinks proper, and no other nation has a right to interfere with its internal policy. To this general rule, however, writers make an exception. The

\* Andrew W. Young's "Citizen's Manual of Government and Law."

natural right of every state to provide for its own safety, gives it the right to interfere where its security is seriously endangered by the internal transactions of another state. But it is admitted, that such cases are so very rare, that it would be dangerous to reduce them to a rule. The right of forcible interference is only to be inferred from the circumstances of the special case.

So also cases seldom arise, when one nation has a right to assist the subjects of another in overturning or changing their government. It is generally agreed, that such assistance may be afforded consistently with the law of nations, in extreme cases; as when the tyranny of a government becomes so oppressive as to compel the people to rise in their defense, and call for assistance. It is held that rulers may, by an unwarrantable exercise of power, violate the principles of the social compact, and give their subjects just cause to consider themselves discharged from their allegiance.

When the subjects of any government have carried their revolt so far as to have established a new state, and to give reasonable evidence of their ability to maintain a government, the right of assistance is unquestionable. But it is not clear, that, prior to this state of progress in a revolution, the right to interpose would be justifiable. The assistance given by France to this country, during the war of our revolution, was not a violation of the law of nations. The states having thrown off their allegiance to Great Britain, and established a government of their own, any foreign nation had a right to assist the states in securing their independence.

There is a sense, however, in which nations are not wholly independent. The happiness of mankind, as has been observed, depends upon association. Without the assistance which men in the social state derive from each other, they could scarcely support their own being. Similar to this is the mutual dependence of nations. Although the people of every nation have within themselves the means of maintaining their individual and national existence, their prosperity and happiness are greatly promoted by commerce with other nations. And as laws are necessary to govern the conduct of the individual citizens of a state, so certain rules are necessary to regulate the intercourse of nations.

It has been observed, also, that the law of nature, which is in accordance with the will of the Creator as expressed in his revealed law, is a perfect rule for all moral and social beings, and ought to be universally obeyed; and that its observance conduces to their highest happiness. Equally binding is this law upon nations: nor is the general good of mankind less promoted by its application to the affairs of nations

than by its application to the affairs of individual persons. It requires each nation to respect the rights of all others, and to do for them what their necessities demand, and what each is capable of doing, consistently with the duties it owes to itself.

The law of nature applied to nations or states as moral persons, is called the *natural law of nations*. It is also called the *necessary law of nations*, because nations are morally bound to observe it; and sometimes the *internal law of nations*, from its being binding on the conscience.

Although, as has been elsewhere remarked, the law of nature, as expressed in the law of revelation, is a correct rule of human conduct; yet, as much of this law consists of general principles from which particular duties can not always be deduced, positive human enactments are necessary to define the law of nature and revelation. So also an important part of the law of nations necessarily consists of positive institutions. Hence, some writers have divided international law under these two principal heads: the *natural law of nations*, and the *positive*.

The *positive law of nations*, is founded on usage or custom and agreement; and may be considered as properly divided into the *customary law of nations*, and the *conventional*. The *customary law of nations* consists of certain maxims, or is founded on customs and usages which have long been observed and tacitly consented to by nations, and which thereby become binding upon all who have adopted them, so far as their observance does not require the violation of the law of nature.

A *conventional law of nations* is one that has been established by a treaty or league. A *convention* is an assembly of persons who meet for civil or political purposes. But an agreement or contract between nations, though made without a formal meeting, is deemed conventional. The manner in which treaties are made, has been described.

Thus the rights and interests of nations do not depend for their security entirely upon the law of nature, which is liable to misconstruction. Nor, so far as they are dependent upon positive institutions, do they rest wholly upon the vague and uncertain law of usage or custom. *Conventional law*, because more definite, has been found to afford far greater security to the rights of commerce. Hence the practice, now common among nations, of regulating their intercourse by negotiation. Treaties of commerce have been formed between most of the principal commercial states in the world. Their utility in regulating trade between states, is no less than that of written agreements between individuals, by which the rights of the contracting parties are placed beyond dispute.

One advantage of treaties of commerce is, that a nation may, if its interests demand, enter into treaties granting special privileges to one or more nations, without giving just cause of offense to others. Such special favors, however, should not be granted without good reasons. It is the duty of every nation to respect the rights of all others, and to cultivate that mutual good will which is the result of liberal, just, and impartial dealing.

It may be said, that, if each nation is independent of every other, and if there is no constituted authority to enforce the fulfillment of treaty stipulations, the rights guaranteed by treaties are still insecure. Few governments, however, are so devoid of a sense of honor, as, by a palpable violation of their treaty obligations, to incur the odium and condemnation of all mankind. Self-respect, and the fear of provoking a war, have generally proved sufficient incentives to the observance of treaties.

The obligations of nations are sometimes called *imperfect*. A *perfect obligation* is one that can be enforced—one that exists where there is a right to compel the party on whom the obligation rests to fulfil it. An *imperfect obligation* gives only the right to demand the fulfillment, leaving the party pledged to judge what his duty requires, and to do as he chooses, without being constrained by another to do otherwise.

**The Jurisdiction of Nations; their Mutual Rights and Obligations; the Rights of Ambassadors, Ministers, &c.**

The seas are regarded as the common highway of nations. The main ocean, for navigation and fishing, is open to all mankind; and no nation can appropriate it to its own exclusive use. Every state, however, has jurisdiction at sea over its own subjects, in its own public and private vessels. The persons on board such vessels are protected and governed by the laws of the country to which they belong; and they may be punished by these laws for offenses committed on board of its public vessels in foreign ports.

The question how far a nation has jurisdiction over the seas adjoining its lands, is not clearly settled. It appears to be generally conceded, that a nation has the right of exclusive dominion over navigable rivers flowing through its territory; the harbors, bays, gulfs, and arms of the sea; and such extent of sea adjoining its territories as is necessary to the safety of the nation, which is considered by some to be as far as a cannon shot will reach, or about a marine league. Different nations have at times claimed much wider jurisdiction into the sea; but such claim rests upon doubtful authority.

It is the duty of a nation, in time of peace, to allow the people of other states a passage over its lands and waters, so far as it can be permitted without inconvenience, and with safety to its own citizens. Of this the nation is to be its own judge. The right of passage is therefore only an *imperfect right*, so called, because the obligation to grant the right is an *imperfect obligation*. Whenever, therefore, the interests and safety of a nation require it, foreigners may be prohibited from coming within its territory.

The right of a state to keep foreigners out of its territory, is incident to, or results from the right of domain. *Domain*, in a general sense, signifies possession, or estate, and is perhaps more frequently applied to lands. Applied to a state, it means its whole territory, with everything included in it. And with respect to other states, the property of the individuals in the aggregate is to be considered as the property of the nation. The right of domain is unlimited; that is, the state has the sole and exclusive right to the dominion and control of the territory and other property within the state.

In general, it is the duty of a nation to allow foreigners to enter and settle in the country. On being admitted into a state, the state becomes pledged for their protection, and they become subject to its laws while they reside in it; and in consideration of the protection they receive, they are obliged to aid in defending it, and in supporting its government, even before they are admitted to all the rights of citizens.

But when persons who have committed crimes in one state, flee into another for shelter, the state into which they flee is not bound to rescue them from justice. A person charged with crime, can be tried only in the state whose laws he has violated. It is therefore the duty of the government to surrender the fugitive, on demand being made by the proper authorities of the state from which the person has fled, and after due examination by a civil magistrate, if it shall appear to the magistrate that there are sufficient grounds for the charge. The surrender of criminals is often provided for in treaties.

That rule of the law of nations, which makes foreigners amenable to the laws of the state into which they remove, does not apply to ambassadors. They are wholly exempt from all responsibility to the laws of the country to which they are sent, even when guilty of crime. All that can be done is, when their conduct is dangerous to the government and its citizens, either to deprive them of liberty by confinement, or to send them home, and demand their punishment.

As the interests of nations are pro-

moted by intercourse, it is necessary that there should be some means of treating with each other, with the view of maintaining friendly relations. This can be done in no other way so well as through the medium of persons representing their respective governments. Each nation having a right to treat and communicate with every other, it ought not to be deprived of the services of its representative. Hence, by the general consent of nations, the persons and property of ambassadors and other public ministers, are held sacred and inviolable.

Embassadors are, by the laws of nations, entitled to the same protection in the countries through which they pass, in going to, and returning from, the government to which they are sent. And to insure them a safe passage, it has been the practice with some governments to grant passports, to be shown in case they were required. A *passport* is a written license from the authority of a state, granting permission or safe conduct for one to pass through its territory. Passports, though named in our law, are not known in practice, being deemed unnecessary.

An ambassador is entitled to protection, by the law of nations, on his entering the territory of the nation to which he is sent, and making himself known; though he is not insured the enjoyment of all his rights until he is formally received by the sovereign, and has presented his credentials; which are letters of attorney from his own sovereign, giving him his authority. In this country, ministers from abroad are received by the president.

If a minister at a foreign court treats the sovereign with disrespect, the fact is sometimes communicated to the government that sent him, with a request for his recall. Or, if the offense is a more serious one, the offended sovereign refuses intercourse with him while his master's answer is awaited. Or, if the case is an aggravated one, he expels him from the country. Every government has a right to judge for itself whether the language or conduct of a foreign minister is offensive.

Ministers at foreign governments, in their negotiations or business correspondence with those governments, sometimes consider themselves ill-treated, and their own nation dishonored, and take their leave and return home; or the minister informs his sovereign, who either recalls him, or takes such other measure as he shall think the honor and interest of his nation demand.

The peculiar condition of a country, the nature of the business upon which an ambassador is sent, or the personal character of the ambassador, may be such as to justify a government in refusing to receive such ambassador. But in order to pre-

serve the amicable relations of the two countries, satisfactory explanations ought to be made, or good reasons offered for the refusal.

Ministers have not power to bind their sovereigns to any treaty or agreement. An ordinary credential, or letter of attorney, does not authorize a minister to bind his sovereign conclusively. He could not do so without a special power, containing express authority so to bind his principal. Few governments would act so imprudently. Their ministers act under secret instructions, which they are not bound to disclose. Even the treaties signed by plenipotentiaries, (a word signifying *full power*,) are, according to present usage, of no force, until ratified by their sovereigns.

We have used the words ambassador and minister without distinction. The different titles applied to representatives at foreign courts, do not indicate any material difference between them as to their powers and privileges, but the different degrees of dignity and respectability which custom has attached to them. They are differently classed by different writers. Perhaps the following is correct: Embassadors. (2) Envoys and ministers plenipotentiary. (3) Ministers resident. (4) Chargés d'affairs. The United States are represented abroad by ministers and chargés d'affairs.

Consuls are not entitled to the privileges enjoyed by ministers; but are subject to the laws of the country in which they reside. The principal duties of consuls have been described. The office of consul has been found to be one of great utility; hence, every trading nation has a consul in every considerable commercial port in the world. Their duties and privileges are generally limited and defined in treaties of commerce, or by the laws of the country which they represent. As in the case of ministers, consuls carry a certificate of their appointment, and must be acknowledged as consuls by the government within whose sovereignty they reside, before they can perform any duties pertaining to their office.

#### **Offensive and Defensive War; Just Causes and objects of War; Reprisals; Alliances in War.**

Considering the immense cost of a war; the vast sacrifice of human life, and the misery and sorrow consequent thereon; and its demoralizing effects upon a people; men have formed the conclusion, that all wars are inconsistent with the principles of Christianity, and therefore wrong. But it is not our purpose to discuss the question of the lawfulness of war. The general opinion prevalent among Christian nations will be assumed; namely, that self-preservation, or the right of self-defense, is a

part of the law of our nature; and that it is the duty of civil society to protect the lives and property of its members; and further, that such protection is an essential consideration on which they enter into the social compact.

Wars are offensive and defensive. The use of force to obtain justice for injuries done, is *offensive war*. The making use of force against any power that attacks a nation or its privileges, is *defensive war*. A war may be defensive in its principles, though offensive in its operation. Thus, one nation is preparing to invade another; but before the threatened invasion takes place, the latter attacks the former as the best mode of repelling the invasion. In this case, the party making the attack would be acting on the *defensive*. The contending parties are called *belligerents*. The word *belligerent* is from the Latin *bellum*, war, and *gero*, to wage, or carry on.

Nations that take no part in the contest, are called *neutrals*.

War ought never to be undertaken without the most cogent reasons. In the first place, there must be *aright* to make war, and *just grounds* for making it. Nations have no right to employ force any further than is necessary for their own defense, and for the maintenance of their rights. Secondly, it should be made from *proper motives*; the good of the state, and the safety and common advantage of the citizens. Hence, there may be just cause for war, when it would be inexpedient or imprudent to involve the nation in such calamity.

The numerous objects of a lawful war may be reduced to these three: (1.) To recover what belongs to us, or to obtain satisfaction for injuries. (2.) To provide for our future safety by punishing the offender. (3.) To defend or protect ourselves from injury by repelling unjust attacks. The first and second are objects of an *offensive war*; the third is that of a *defensive war*.

Injury to an individual citizen of a state, by the subjects of another state, is deemed a just cause of war, if the persons offending, or the government of the state to which they belong, do not make reparation for the injury; for every nation is responsible for the good behaviour of its subjects. But, although this would, according to the law of nations, afford justifiable cause of war, neither the honor nor the true interests of a nation, require, that war should always be made for so slight a cause.

The honor and dignity of a nation would, in some cases, be best maintained by its making indemnity to its injured citizens, if satisfaction is refused, and suffer the wrong to pass unredressed. An individual who, though under the sanction of law, should avenge every slight act of

violence committed upon his person, by inflicting personal chastisement upon the offender, would forfeit the public esteem. Nor, as we suppose, is it necessary for a nation, in order to retain the respect of civilized nations, to seek redress for every trifling injury, by a resort to war. A just sense of duty would suggest forbearance, at least until remonstrance against the repetition of injuries should be found unavailing.

A government that unnecessarily involves a whole nation in war, assumes a fearful responsibility. Generally the injury sought to be redressed should be serious, and satisfaction be demanded and refused, before recourse is had to arms. And where there is a question of right between the parties, the government making war ought to have no reasonable doubt of the justice of its claim. And even when no such doubt exists, it would be the duty of such government to prevent a war, if possible, by proposals of compromise. And it is believed that, in no case ought war to be made until attempts have been made to effect an adjustment of difficulties by compromise, or by offers to submit them for arbitration.

These sentiments, it is admitted, do not accord with the general practice of nations; probably they will not receive the assent of every reader. But it is believed, that those who are well instructed in the precepts of revealed religion, and draw their ideas of moral obligation from that system of morality, will find in these sentiments nothing to condemn. In this enlightened, Christian age, almost all national controversies might be honorably settled without bloodshed, even when, according to the law of nations, just cause of war exists, if the party aggrieved should faithfully endeavor, by all proper means, to effect a peaceable adjustment.

One of the means by which satisfaction is sought without making war, is that of *reprisals*. If a nation has taken what belongs to another, or refuses to pay a debt, or to make satisfaction for an injury, the offended nation seizes something belonging to the former or to her citizens, and retains it, or applies it to her own advantage, till she obtains satisfaction: and when there shall be no longer any hope of satisfaction, the effects thus seized are confiscated, and the reprisals are complete. To *confiscate* is to adjudge property to be forfeited, and to appropriate it to the use and benefit of the state. But as the loss in this case would fall upon unoffending citizens, it is the duty of their government to grant them indemnity.

But to justify reprisals by the law of nations, the grounds upon which they are authorized must be just and well ascertained. If the right of the party demand-

ing satisfaction is doubtful, he must first demand an equitable examination of his claim, and next be able to show that justice has been refused, before he can justly take the matter into his own hands. He has no right to disturb the peace and safety of nations on a doubtful pretension. But if the other party refuses to have the matter brought to the proof, or to accede to any proposition for terminating the dispute in a peaceable manner, reprisals become lawful.

By treaties of alliance, nations sometimes agree to assist each other in case of war with a third power. It is a question not clearly settled, whether the government that is to afford the aid, is bound to do so when it deems the war to be unjust. The reasonable conclusion seems to be, that, in cases simply doubtful, the justice of the war is to be presumed; and the government pledging its aid is bound to fulfill its engagement. The contrary doctrine would furnish a nation with too ready a pretext for violating its pledge. In cases only of the clearest injustice on the part of its ally, can a nation rightfully avoid a positive engagement to afford assistance.

When, however, the object of the war is hopeless, or when the state under such engagement would, by furnishing the assistance, endanger its own safety, it is not bound to render the aid. But the danger must not be slight, remote, or uncertain. None but extreme cases would afford sufficient cause for withholding the promised assistance.

When the alliance is defensive, the treaty binds each party to assist the other only when engaged in a defensive war, and unjustly attacked. By the conventional law of nations, the government that first declares, or actually begins the war, is considered as making *offensive* war; and though it should not be the first actually to apply force, yet if it first renders the application of force necessary, it is the aggressor; and the other party, though first to apply force, is engaged in a *defensive* war.

#### **Declaration of War; Its Effect upon the Person and Property of the Enemy's Subjects; Stratagems in War.**

When a nation has resolved on making war, it is usual to announce the fact by a public declaration. In monarchical governments, the power to declare war, which of course includes the right of determining the question whether it shall be made, is vested in the king. In our own country, this power is, by the constitution, given to the representatives of the people, for reasons elsewhere stated.

It was the custom of the Romans, first to send a herald to demand satisfaction of the offending nation; and if, within a certain period, (thirty-three days,) a satisfactory

answer was not returned, and war was resolved on, the herald was sent back as far as the frontier, where he declared it. It was considered due to the people of the offending nation, that their chief, knowing the consequences of refusing satisfaction, might be induced to do justice, and to preserve the lives and peace of his subjects. War, without such demand and notice, was regarded as unlawful.

Although the practice of all these formalities was not observed by nations in later times, it was usual to make a simple declaration, and communicate it to the enemy. But according to modern practice, war may lawfully exist without a formal declaration to the enemy. Any manifesto or paper from an official source, duly recognized by the government, announcing that the country is in a state of war, is considered sufficient. The act of recalling a minister has alone been regarded as a hostile act, and followed by war, without any other declaration. Such cases, however, have not been frequent. Under ordinary circumstances, the recall of a minister is not an offensive act.

In the war between the United States and Great Britain, declared in 1812, the declaration was not communicated to the British government; but the war was actually commenced on our part immediately after the act of Congress containing the declaration was passed. The purposes of a declaration are answered when due notice of a state of war is given by the government to its own citizens and those of neutral nations, that they may govern themselves accordingly; and the passage of the act of Congress was deemed a formal official notice to all the world.

The government of a state acts for and in behalf of all its citizens; and its acts are binding upon all. Hence, when a war is declared, it is not merely a war between the two governments; all the subjects of the government declaring it, become enemies to all the subjects of that against which it is declared.

The severity of the rules of ancient warfare has been greatly mitigated. On the breaking out of a war in any state, the persons of the enemy found within the state, and their property, became immediately liable to be captured. And it is still held to be the right of a state to confiscate the property of such, and to detain the persons themselves as prisoners of war. Only *movable* property is thus liable to confiscation. Houses and lands continue to be the enemy's property; the income thereof only being subject to confiscation.

Vattel, however, and some others, maintain, that neither the subjects of an enemy who are in a country when war is declared, nor their effects, can be rightfully detained. Permitting them to enter the state, and to

continue therein, is a tacit promise of protection and security of return. They are therefore allowed a reasonable time to retire with their effects. Although this mild construction of the law is supported by high authority and extensive practice, and is consistent, it would seem, with reason and common justice; the question has been settled in this country in favor of the more rigid rule.

By decisions of our national courts, war gives the sovereign power of the nation full right to take the persons and confiscate the property of the enemy wherever they may be found. But while these decisions claimed for Congress the *right* of confiscation, the confiscation could not be made without a special law of Congress authorizing it. So that, without any statute applying directly to the subject, the property would continue under the protection of the law, and might be claimed by the foreign owner at the restoration of peace.

But whatever may be the true construction of the national law on this subject, the government of every nation may grant such privileges as it thinks proper, to the subject of an enemy. Few civilized nations, at the present day, would, it is believed, deny such persons a reasonable time to retire with their property. It is probably owing, in a great measure, to the conflicting opinions of the writers on public law, that the privilege spoken of is now so generally secured by treaty.

When war is declared, all intercourse between the two countries at once ceases. All trade between the citizens, directly or indirectly, is strictly forbidden; and all contracts with the enemy, made during the war, are void.

Although a state of war makes all the subjects of one nation enemies of all those of the other, all are not allowed, at pleasure, to fall upon the enemy. They cannot lawfully engage in offensive hostilities without permission of their government. If they have no written commission as evidence of such permission, and if they should be taken by the enemy, they would not be entitled to the usual mild treatment which other prisoners of war receive, but might be treated without mercy as lawless robbers and banditti.

The object of a just war is to obtain justice by force when it cannot otherwise be had. When, therefore, a nation has declared war, it has a right to use all necessary means, and no other, for attaining that end. A just war gives us the right to take the life of the enemy; but there are limits to this right. If an enemy submits, and lays down his arms, we cannot justly take his life.

Although all the subjects of a government are to be considered enemies, justice and humanity forbid that women, children, feeble old men and sick persons, who make

no resistance, should be maltreated. Prisoners of war are not to be treated with cruelty. They may be confined, and even fettered, if there is reason to apprehend that they will rise against their captors, or make their escape.

Prisoners of war are detained to prevent their returning to join the enemy, or to obtain from their government a just satisfaction as the price of their liberty. Prisoners may be kept till the end of the war. Then, or at any time during the war, the government may exchange them for its own soldiers, taken prisoner by the enemy; or a ransom may be required for their release. It is the duty of the government to procure, at its own expense, the release of its citizens.

Ravaging a country, burning private dwellings, or otherwise wantonly destroying property, is not justifiable, except in cases of absolute necessity. But all fortresses, ramparts, and the like, being appropriated to the purposes of war, may be destroyed.

How far it is right to practice stratagems and deceit to obtain advantage of an enemy, we will not undertake to decide. To some extent they are justified by the law of nations; but in general they are dishonorable and wrong.

Spies are sometimes sent among the enemy, to discover the state of his affairs, to pry into his designs, and carry back information. This is a dishonorable office; and spies, if detected, are condemned to death.

The rights of a nation in war at sea are essentially different from those in war upon land. The object of a maritime war is to destroy the commerce and navigation of the enemy, with a view of weakening his naval power. To this end, the capture or destruction of private property is necessary, and is justified by the law of nations. Hence, for purposes of attack as well as defense, every nation of considerable power or commercial importance keeps a *navy*, consisting of a number of war vessels, which are kept ready for service.

Besides these national ships of war, there are armed vessels owned by private citizens, which are called *privateers*. Their owners receive from the government a commission to go on the seas, and to capture any vessel of the enemy, whether it is owned by the government or by private citizens, or whether it is armed or not. And to encourage privateering, the government allows the owner and crew to keep the property captured as their own.

This right being liable to great abuse, the owners are required to give security, that the cruise shall be conducted according to instructions and the usages of war; and that the rights of neutral nations shall not be violated; and that they will bring in the property captured for adjudication. When a prize is brought into port, the

captors make a writing, called *libel*, stating the facts of the capture, and praying that the property may be condemned; and this paper is filed in the proper court.

If it shall be made to appear that the property was taken from the enemy, the court condemns the property as *prize*, which is then sold, and the proceeds are distributed among the captors. All prizes, whether taken by a public or private armed vessel, primarily belong to the sovereign; and no person has any interest in it except what he receives from the state: and due proof must in all cases be made before the proper court, that the seizure was lawfully made. In this country, prizes are proved and condemned in a district court, which, when sitting for this purpose, is called a prize court.

#### **Rights and Duties of Neutral Nations;**

*Contraband Goods; Blockade; Rights of Search; Safe Conducts and Passports; Truces; Treaties of Peace, &c.*

A NEUTRAL nation is bound to observe a strict impartiality toward the parties at war. If she should aid one party to the injury of the other, she would be liable to be herself treated as an enemy. A loan of money to one of the belligerent parties, or supplying him with other means of carrying on a war, if done with the view of aiding such party in the war, would be a violation of neutrality. But an engagement made in time of peace to furnish a nation a certain number of ships, or troops, or other articles of war, may afterward, in time of war, be fulfilled.

A nation is not bound, on the occurrence of a war, to change its customary trade, and to cease supplying a belligerent with any articles of trade which such belligerent was wont to receive from her, although the goods may afford him the means of carrying on the war. This rule applies also to the loaning of money. If a nation has been accustomed to lend money to another for the sake of interest, and the latter should become engaged in a war with a third power, the neutral nation would not break her neutrality if she should continue so to lend her money. The wrong in any case lies in the *intention* of aiding one to the detriment of the other.

Vattel, however, in laying down this rule, supposes the case of a belligerent going himself to a neutral country to make his purchases. But in the case of a neutral nation *carrying goods* to the enemy of another, he does not appear to allow the same liberty. A nation in a just war, has a right to deprive her enemy of the means of resisting or injuring her, and therefore may lawfully intercept every thing of a warlike nature which a neutral is carrying to such enemy.

A neutral nation's being permitted to continue her commerce with belligerent

nations, and at the same time to furnish them with the means of war, renders it difficult sometimes to determine how far freedom of trade is consistent with the laws of war. In determining this question, it is necessary to distinguish correctly between goods that do not subserve the purposes of war, and those that do; for nations should enjoy full liberty to trade in the former. To attempt to stop this trade would be a violation of the rights of neutral nations.

Articles which are particularly useful in war, are those which a neutral is not allowed to carry to an enemy. The goods thus prohibited are called *contraband goods*. What these are, it is impossible to say with precision, as some articles may in certain cases be lawfully carried, which would be justly prohibited under other circumstances. Among the articles usually contraband, are arms, ammunition, materials for ship-building, naval stores, horses, and sometimes even provisions.

Contraband goods, when ascertained to be such, are confiscated to the captors as lawful prize. Formerly the vessel also was liable to be condemned and confiscated; but the modern practice, it is said, exempts the ship, unless it belongs to the owner of the contraband articles, or the carrying of them is connected with aggravating circumstances.

One of the rights of a belligerent nation, and one which a neutral is bound to regard, is the right of blockade. *Blockade* is a blocking up. A war blockade is the stationing of ships of war at the entrance of an enemy's ports, to prevent all vessels from coming out or going in. The object of a blockade is to hinder supplies of arms, ammunition and provisions from entering, with a view to compel a surrender by hunger and want, without an attack. A neutral vessel attempting to enter or depart, becomes liable to be seized and condemned. Towns and fortresses also may be shut up by posting troops at the avenues.

A simple decree or order declaring a certain coast or country in a state of blockade does not constitute a lawful blockade. A force must be stationed there, competent to maintain the blockade, and to make it dangerous to enter. And it is necessary, also, that the neutral should have due notice of the blockade in order to subject his property to condemnation and forfeiture. According to modern usage, if a place is blockaded by sea only commerce with it by a neutral may be carried on by inland communication. Also, a neutral vessel, loaded before the blockade was established, has a right to leave the port with her cargo.

To prevent the conveyance of contraband goods, the law of nations gives a belligerent nation the *right of search*; that is, the right, in time of war, to search neu-



tral vessels, to ascertain their character, and what articles are on board. A neutral vessel refusing to be searched by a lawful cruiser, would thereby render herself liable to condemnation as a prize. Private merchant vessels only are subject to search; the right does not extend to public ships of war.

To prove the neutral character of a vessel, she must be furnished with the necessary documents. The papers required are, sea-letters or passports, describing the name, property, and burden of the ship; the name and residence of the commander; and certificates containing the particulars of the cargo, and place whence the ship sailed, signed by the officers of the port. In a time of universal peace the register of the vessel has been deemed sufficient.

The property of an enemy found on board of a neutral vessel, may be seized, if the vessel is beyond the limits of the jurisdiction of the nation to which she belongs; but the vessel is not confiscated; and the master is moreover entitled to freight for the carriage of the goods. The *property of neutrals* found in an *enemy's vessels*, is to be restored to the owners.

A neutral is forbidden, by the law and practice of nations, to permit a belligerent to arm and equip vessels of war within her ports. And our own government has, in conformity with the law of nations, declared it to be a misdemeanor for any of our citizens to fit out any vessel within the United States, or to accept or exercise a commission, or to enlist, or hire another to enlist, to go beyond the limits of the United States, to assist any people in war against another with whom we are at peace.

It has been observed, that, in time of peace, the people of one nation are entitled to an innocent passage over the lands and waters of another. It is held that this right extends to troops of war. But he who desires to march his troops through a neutral country must apply to the government of the neutral nation for permission; for it rests with the sovereign authority to judge whether the passage would be innocent. Such passage can scarcely be made without damage.

If a passage is granted to the troops of one belligerent, the other has no just ground of complaint against the neutral state. But if a neutral nation grants or refuses a passage to one of the parties at war, she ought also to grant or refuse it to the other, unless she was previously bound to the former by treaty; in which case a passage can be justly claimed under the provisions of the treaty.

It is sometimes agreed to suspend hostilities for a time. If the agreement is only for a short period, for the purpose of burying the dead after battle, or for a parley between the hostile generals, or if it

regards only some particular place, it is called a cessation or *suspension of arms*. If for a considerable time, and especially if general, it is called a *truce*. By a partial truce, hostilities are suspended in certain places, as between a town and the general besieging it; and generals have power to make such truces. By a general truce, hostilities are to cease generally, and in all places, and are made by the governments or sovereigns. Such truces afford opportunities for nations to settle their disputes by negotiation.

A truce binds the contracting parties from the time it is made; but individuals of the nation are not responsible for its violation before they have had due notice of it. And for all prizes taken after the time of its commencement, the government is bound to make restitution. During the cessation of hostilities, each party may, within his own territories, continue his preparations for war, without being chargeable with a breach of good faith.

*Safe conducts* and *passports* are written licenses insuring safety to persons in passing and repassing, or insuring a safe passage of property. The right to grant safe conducts rests in the supreme authority of a state; but the right is either expressly delegated to subordinate officers, or they derive it from the nature of their trust. If a person suffers damage by a violation of his passport, he is entitled to indemnity from him who promised security.

War is generally terminated, and peace secured, by treaties, called *treaties of peace*. The manner of making treaties has been described. A treaty of peace puts an end to the war, and leaves the contracting parties no right to take up arms again for the same cause. Hence, the parties agree to preserve "perpetual peace," which, however, relates only to the war which the treaty terminates; but does not bind either party never to make war on the other for any cause that may thereafter arise.

The contracting parties to a treaty of peace are bound by it from the time of its conclusion, which is the day on which it is signed; but, as in the case of a truce, persons are not held responsible for any hostile acts committed before the treaty was known; and their government is bound to order and to enforce the restitution of property captured subsequently to the conclusion of the treaty.

War is sometimes terminated by *mediation*. A friend to both parties, desirous of stopping the destruction of human life, kindly endeavors to reconcile the parties. The friendly sovereign who thus interposes, is called *mediator*. Many desolating wars might have been early arrested in this way, had there always been among friendly powers generally a disposition to reconcile contending nations.

**An Act relating to Pensions.**

CHAP. CCCCXXXVIII. Sec. 4,702, title 57, of the Revised Statutes, is amended to read as follows:

"If any person embraced within the provisions of sections 4,692 and 4,693 has died since the 4th day of March, 1861, or hereafter dies, by reason of any wound, injury, or disease which under the conditions and limitations of such sections would have entitled him to an invalid pension had he been disabled, his widow, or if there be no widow, or in case of her death without payment to her of any part of the pension hereinafter mentioned, his child or children, under sixteen years of age, shall be entitled to receive the same pension as the husband or father would have been entitled to had he been totally disabled, to commence from the death of the husband or father, to continue to the widow during her widowhood, and to his child or children until they severally attain the age of 16 years, and no longer; and if the widow remarry, the child or children shall be entitled from the date of remarriage, except when such widow has continued to draw the pension money after her remarriage, in contravention of law, and such child or children have resided with and been supported by her, their pension will commence at the date to which the widow was last paid."

That marriages, except such as are mentioned in Section 4,705 of the Revised Statutes, shall be proven in pension cases to be legal marriages according to the law of the place where the parties resided at the time of marriage or at the time when the right to pension accrued; and open and notorious adulterous cohabitation of a widow who is a pensioner shall operate to terminate her pension from the commencement of such cohabitation.—[Approved, August 7, 1882.]

CHAP. CCCCLXXIV. The following provision is added to section 4,766, Revised Statutes: In case of an insane invalid pensioner having no guardian, but having a wife or children dependent upon him (the wife being a woman of good character), the Commissioner of pensions is authorized to cause the pension to be paid to the wife, or in case there is no wife, to the guardian of the children, and in like manner to cause the pension of invalid pensioners who are or may hereafter be imprisoned as punishment for offences against the laws, to be paid while so imprisoned to their wives or the guardians of their children. And pensions to Indian pensioners residing in the Indian Territory may be paid in person by the pension agent; such payments to be made in standard silver, at least once in each current year. And payments in

person shall be made to the pensioner in cash, by the pension agent whenever in the discretion of the Commissioner of Pensions such personal payment shall be by him deemed necessary or proper to secure the pensioner his rights.—[Approved August 8, 1882.]

CHAP. CCCXLIV. No person who is now receiving or shall hereafter receive a pension under a special act, shall be entitled to receive in addition thereto a pension under the general law, unless the special act expressly states that the pension granted thereby is in addition to the pension which said person is entitled to receive under the general law.—[Approved July 25, 1882.]

**Soldiers' Pay and Bounty, in Certain Cases.**

CHAP. CCCXLII. The charge of desertion now standing on the rolls of the United States against any soldier who served in the late war in the volunteer service shall be removed in all cases where it shall be made to appear to the satisfaction of the Secretary of War, from such rolls, or from other satisfactory testimony, that any such soldier served faithfully until the expiration of his term of enlistment, or until the 22d of May, 1865, or was prevented from completing his term of service by reason of wounds received or disease contracted in the line of duty, but who, by reason of absence from his command at the time the same was mustered out, failed to be mustered out and to receive an honorable discharge; also, where it shall appear that such soldier charged with desertion or with absence without leave did not intend to desert, and after such charge of desertion or absence without leave voluntarily returned to his command and served in the line of his duty until he was mustered out of the service and received a certificate of honorable discharge. That when the charge of desertion shall be removed from the record of any soldier, such soldier, or, in case of his death, the heirs or legal representatives of such soldier, shall receive all pay and bounty which may have been withheld on account of such charge of desertion or absence without leave; *Provided*, that this act shall not be so construed as to give to any such soldier as may be entitled to relief under the provisions of this act, or, in case of his death, to the heirs or legal representatives of any such soldier, the right to receive pay, and bounty for any period of time during which such soldier was absent from his command, without leave of absence; *and provided*, that no such soldier, nor the heirs or legal representatives of any soldiers who served in the Army a period of less than 12 months, or who intentionally deserted, shall be entitled to the benefit of the provisions of this act.—[Approved August 7, 1882.]

AMERICAN POLITICS.

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BOOK VI.

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A FEDERAL BLUE BOOK.

SHOWING THE  
OFFICES, SALARIES AND METHODS OF APPOINTMENT.



# AMERICAN POLITICS.

## BOOK VI.

### A FEDERAL BLUE BOOK,

SHOWING THE

OFFICES, SALARIES, AND METHODS OF APPOINTMENT.

#### Executive.

	COMPENSATION.
President.....	\$50,000.
Vice President.....	8,000.
Private Secretary.....	3,250.
Ass't. Secretary.....	2,250.
Executive Clerks, two, each.....	2,000.
Stenographer.....	1,800.
Clerks, three, \$1,800, \$1,400,	1,200.
Steward.....	1,800.
Usher.....	1,400.
Messengers, five.....	1,200.
Doorkeepers, four.....	1,200.
Watchman.....	900.
Furnace-keeper.....	864.

[All of the minor officers in the Executive Chamber are appointed by the President, as a rule, without other influence than his own knowledge and wish.]

#### Governmental Duties.

*The Federal Government* is the central authority of the United States. It was organized in 1789, in accordance with the provisions of the Federal constitution. The instrument provides for a legislative, a judicial, and an executive department.

*The Legislative Department* consists of Congress, which is a body of men representing the people and acting in the place of them. This body meets yearly in the Capitol at Washington, on the first Monday in December. The regular sessions of Congress begin at this time, and close by custom, at twelve o'clock at night, on the third of the following March. The President can call an extra session whenever circumstances demand it. A Congress is

said to exist two years, because the larger number of those who compose that body are elected for that time. ["To determine the years covered by a given Congress, double the number of the Congress and add the product to 1789; the result will be the year in which the Congress closed. To find the number of a Congress sitting in any given year, subtract 1789 from the year; if the result is an even number, half that number will give the Congress, of which the year in question will be the closing year. If the result is an odd number, add one to it, and half the result will give the Congress, of which the year in question will be the first year."—Am. Almanac.] Congress enacts laws, and consists of the Senate and the House of Representatives. These bodies, when acting in a legislative capacity, have the same duties and powers. Laws are passed by the concurrent action of both houses.

*The Senate* is composed of two members from each state, chosen for six years by the legislatures thereof. Over this body the Vice-President presides. Without the concurrence of the House, the Senate aids as a high court to try cases of impeachment; authorizes the President to make treaties; and rejects or confirms the President's nominations to office.

*The House of Representatives* is composed of members chosen for two years by the people. The number of representatives changes with the increase of population. The House has the exclusive power of originating bills for raising revenues and providing for trials by impeachment.

*The Judicial Department* determines the

meaning of the laws, and consists of the Supreme Court and Inferior Courts.

*The Supreme Court*, the highest judicial tribunal in the Union, is composed of the Chief Justice and eight associates. It is held annually at Washington city, commencing its sessions on the second Monday in October. Most of its labors are confined to hearing and determining appeals from Inferior Courts. The decisions of the Supreme Court are regularly reported, and furnish authority for all judicial tribunals in the Union. The reports, extending to more than one hundred volumes, are highly valued in foreign countries, especially in cases where the laws of the nations and of the sea are involved.

*The Inferior Courts* are Circuit Courts, District Courts, the Court of Claims, Local Courts in the District of Columbia, and Territorial Courts. Circuit Courts are held within nine circuits, which include the states of the Union. The District Courts are held in judicial districts, and the Court of Claims, at Washington.

*The Executive Department* executes the laws, and consists of the President, aided by the heads of departments with their under-officials. Attached to this branch of the government are the Departments of State, Treasury, War, Navy, Post-Office, Justice, and Interior. The seven officials who head these departments constitute the cabinet, a name given to the body of men whom the President appoints as his executive officers and advisers.

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#### DEPARTMENT DUTIES.

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##### Department of State. \*

###### THE SECRETARY OF STATE.

The Secretary of State is charged, under the direction of the President, with the duties appertaining to correspondence with the public ministers and consuls of the United States, and with the representatives of foreign powers accredited to the United States; and to negotiations of whatever character relating to the foreign affairs of the United States. He is also the medium of correspondence between the President and the chief executive of the several States of the United States; he has the custody of the great seal of the United States, and countersigns and affixes such seal to all executive proclamations, to various commissions, and to warrants for pardon, and the extradition of fugitives from justice. He is regarded as the first in rank among the members of the Cabinet. He is also the custodian of the treaties made with foreign states, and of the laws of the United States. He grants and

issues passports, and exequaturs to foreign consuls in the United States are issued through his office. He publishes the laws and resolutions of Congress, amendments to the Constitution, and proclamations declaring the admission of new States into the Union. He is also charged with certain annual reports to Congress relating to commercial information received from diplomatic and consular officers of the United States.

###### THE ASSISTANT SECRETARY OF STATE

Becomes the Acting Secretary of State, in the absence of the Secretary. Under the organization of the Department the Assistant Secretary, Second Assistant Secretary, and Third Assistant Secretary are respectively charged with the immediate supervision of all correspondence with the diplomatic and consular officers in the countries named in Division A, B, and C, of those bureaus, and of the miscellaneous correspondence relating thereto, and, in general, they are entrusted with the preparation of the correspondence upon any question arising in the course of the public business that may be assigned to them by the Secretary.

###### THE CHIEF CLERK.

The Chief Clerk has the general supervision of the clerks and employes and of the business of the Department.

###### BUREAU OF INDEXES AND ARCHIVES.

The duty of opening the mails; preparing, registering, and indexing daily all correspondence to and from the Department, both by subjects and persons; the preservation of the archives; answering calls of the Secretary, Assistant Secretaries, Chief Clerk, and chiefs of bureaus for correspondence, &c.

###### DIPLOMATIC BUREAU.

Diplomatic correspondence and miscellaneous correspondence relating thereto.

*Division A.*—Correspondence with France, Germany, and Great Britain, and miscellaneous correspondence relating to those countries.

*Division B.*—Correspondence with Argentine Republic, Austria, Belgium, Brazil, Chili, Denmark, Greece, Italy, Netherlands, Paraguay, Peru, Portugal, Russia, and Uruguay, and miscellaneous correspondence relating to those countries.

*Division C.*—Correspondence with Barbary States, Bolivia, Central America, Columbia, China, Ecuador, Egypt, Fiji Islands, Friendly and Navigator's Islands, Hawaiian Islands, Hayti, Japan, Liberia, Madagascar, Mexico, Muscat, San Domingo, Siam, Society Islands, Turkey, Venezuela, and other countries, not assigned, and miscellaneous correspondence relating to those countries.

\* From Ben Perley Poore's Congressional Directory.

## CONSULAR BUREAU.

Correspondence with consulates, and miscellaneous correspondence relating thereto.

There are three divisions, A, B, and C, with certain countries allotted to each, as in the Diplomatic Bureau.

## BUREAU OF ACCOUNTS.

Custody and disbursement of appropriations under direction of the Department; charged with custody of indemnity funds and bonds; care of the building and property of the Department.

## ROLLS AND LIBRARY.

Custody of the rolls, treaties, &c.: promulgation of the laws, &c.; care and superintendence of the library and public documents; care of the revolutionary archives, and of papers relating to international commissions.

## STATISTICS.

Preparation of the reports on Commercial Relations.

## EXAMINER OF CLAIMS.

From the Department of Justice.]

The examination of questions of law and other matters submitted by the Secretary or the Assistant Secretary, and of all claims.

**The Treasury Department.**

## THE SECRETARY OF THE TREASURY.

The Secretary of the Treasury has charge of the national finances. He digests and prepares plans for the improvement and management of the revenue and support of the public credit; he superintends the collection of the revenue, and prescribes the forms of keeping and rendering all public accounts, and making returns; grants all warrants for money to be issued from the Treasury in pursuance of appropriations by law; makes report and gives information to either branch of Congress, as may be required, respecting all matters referred to him by the Senate or House of Representatives, and generally performs all such services relative to the finances as he is directed to perform; controls the erection of public buildings, the coinage and printing of money, the collection of commercial statistics, the marine hospitals, the revenue-utter service, the life-saving service. Under his superintendence the Light-House Board discharges the duties relative to the construction, illumination, inspection, and superintendence of light-houses, light-vessels, beacons, buoys, sea-marks and their appendages; makes provision for the payment of the public debt under enactment of Congress, and publishes statements con-

cerning it, and submits to Congress, at the commencement of each session, estimates of the probable receipts, and of the required expenditures, for the ensuing fiscal year.

The routine work of the Secretary's office is transacted in the following offices: Division of Appointments; Division of Warrants, Estimates, and Appropriations; Division of Public Moneys; Division of Customs; Division of Internal Revenue and Navigation; Division of Loans and Currency; Division of Revenue Marine; Division of Stationery, Printing, and Blanks; Division of Special Agents; and two disbursing-clerks pay the salaries and compensation of the officers and employes of the Department, and disburse, upon the orders of the Secretary, such moneys as have been appropriated to be expended under the direction of the Department.

## ASSISTANT SECRETARIES OF THE TREASURY.

One of the two Assistant Secretaries (now Hon. J. K. Upton) has the general supervision of all the work assigned to the Divisions of Appointments, Warrants, Estimates, and Appropriations, Public Moneys, Stationery, Printing and Blanks, Loans and Currency, Bureau of Engraving and Printing, and office of the Director of the Mint; the signing of all letters and papers as Assistant Secretary, or "by order of the Secretary," relating to the business of the foregoing divisions and bureau, that do not by law require the signature of the Secretary of the Treasury; the performance of such other duties as may be prescribed by the Secretary or by law.

The other Assistant Secretary (now Hon. H. F. French) has the general supervision of all the work assigned to the Divisions of Customs, Special Agents, Revenue Marine, Internal Revenue and Navigation, and to the offices of Supervising Architect, General Superintendent Life-Saving Service, Supervising Surgeon-General of the Marine Hospital Service, Bureau of Statistics, and Supervising Inspector-General of Steamboats; the signing of all letters and papers as Assistant Secretary, or "by order of the Secretary," relating to the business of the foregoing divisions, that do not by law require the signature of the Secretary of the Treasury; the performance of such other duties as may be prescribed by the Secretary or by law.

## THE FIRST COMPTROLLER.

The First Comptroller countersigns all warrants issued by the Secretary of the Treasury, covering the public revenues into the Treasury, and authorizing payments therefrom. All accounts examined by the First Auditor, except those which go to the Commissioner of Customs, and all examined by the Fifth Auditor, and accounts

and examined by the Commissioner of the General Land-Office, are re-examined and revised in the First Comptroller's Office. Here, also, are examined and reported on the drafts for salaries and expenses drawn by ministers and consuls abroad, and the requisition for advances drawn by marshals, collectors of internal revenue, secretaries of the Territories, and other disbursing-officers. Powers of attorney for the collection of drafts on the Treasury are examined; and many other duties, having reference to the adjustment of claims against the United States, pertain to the office, but are of too varied a character to be enumerated.

#### THE SECOND COMPTROLLER.

Accounts received from the Second, Third, and Fourth Auditors against the United States are examined, revised, and certified to, viz: Reported by the Second Auditor—for organizing volunteers, recruiting, pay of the Army, special military accounts, Army ordnance, the Indian service, the Army Medical Department, contingent military expenses, bounty to soldiers, the Soldiers' Home, and the National Home for Disabled Volunteers. Reported by the Third Auditor—disbursements by the Quartermaster's Department, the Subsistence Department, the Engineer Department, Army pensions, property taken by military authority for the use of the Army, and miscellaneous war-claims. Reported by the Fourth Auditor—disbursements for the Marine Corps, by the Navy paymasters for pay and rations, by the paymasters at the navy-yards, for Navy pensions at foreign stations, and the financial agent at London.

These accounts are examined in *Divisions*, devoted respectively to the affairs of *Army Paymasters, Army Quartermasters, Navy Paymasters and the Marine Corps, Army Pensions, Miscellaneous Claims, and Indian Affairs.*

#### THE COMMISSIONER OF CUSTOMS.

The Commissioner of Customs revises and certifies the accounts of revenue collected from duties on imports and tonnage; of moneys received on account of the marine-hospital fund, fines, penalties, and forfeitures under the customs and navigation laws; steamboat inspection; licenses to pilots, engineers, &c.; and from miscellaneous sources connected with customs matters, accounts of the importation, withdrawal, transportation, and exportation of goods under the warehouse system; for disbursements for the expenses of collecting the revenue from customs, revenue-cutter service, construction and maintenance of lights, marine hospitals, debentures, excess of deposits for unascertained duties, refund of duties exacted in excess, life-saving service, construction of custom-houses

and marine hospitals; fuel, light, water, &c., for custom-houses, &c.; approves and files the official bonds given by customs officers, and transmits their commissions; files the oaths of office of the persons paid in the accounts certified by him; and prepares for the use of the law-officers of the Department the accounts of those in arrears under the heads above mentioned.

The office is organized in four Divisions, viz: *Customs, Book-keeper's, Bond, and Miscellaneous.*

#### THE FIRST AUDITOR.

It is the duty of the First Auditor to receive all accounts accruing in the Treasury Department (except those arising under the internal-revenue laws), and, after examination, to certify the balance, and transmit the accounts, with the vouchers and certificate, to the First Comptroller or to the Commissioner of Customs, having respectively the revision thereof. The subordinate Divisions of his office are—

*Customs Division.*—Receipts and expenditures of the customs service, including fines, emoluments, forfeitures, debentures, drawbacks, marine-hospital service, revenue-cutter service, &c.

*Judiciary Division.*—Salaries of United States marshals, district attorneys, commissioners and clerks; rent of court-houses, support of prisoners, &c.

*Public Debt Division.*—Redemption of the public debt, including principal, premium, and interest; payment of interest; redemption of certificates of deposit; notes destroyed.

*Warehouse and Bond Division.*—Examination of accounts received from custom-houses.

*Miscellaneous Division.*—Accounts of mints and assay offices; Territories; Coast Survey; salaries and contingent expenses of the legislative, executive, and judicial departments of the Government; construction, repair, and preservation of public buildings; Treasurer of the United States for general receipts and expenditures.

#### THE SECOND AUDITOR.

The Second Auditor examines, adjusts, and transfers to the Second Comptroller all accounts relating to bounties, the recruiting service, the pay and clothing of the Army, the subsistence of officers, medical and hospital accounts, the pay of private physicians, and the expenses of the War Department, contingent disbursements of the Army, and all accounts relating to Indian Affairs. The Divisions are—

*Paymasters' Division.*—Army paymasters' accounts and payments to the Soldiers' Home and the National Home for Disabled Volunteers.

*Miscellaneous Claims Division.*—Accounts of the Ordnance and Medical De-



partments of the Army, contingent expenses, Army Medical Museum and publications, regular and volunteer recruiting, freemen's bounty and pay.

*Indian Affairs Division.*—Disbursements for the Indians, money accounts and property returns of Indian agents, and claims for goods supplied and services rendered.

*Pay and Bounty Division.*—Examination and adjustment of claims of white and colored soldiers and their legal heirs for pay and bounty.

*Investigation of Frauds Division.*—Investigation of alleged cases of forgery, fraud, over-payments, unlawful withholding of money, &c., in the payment of white and colored soldiers.

*Book-keeper's Division.*—Accounts of the numerous requisitions drawn by the Secretaries of War and Interior, examined and charged to various appropriations.

#### THE THIRD AUDITOR.

The Third Auditor examines, adjusts, and transfers to the Second Comptroller all accounts relating to the Quartermaster-General's Department, the Engineer Corps, and the Commissary-General's Department of the Army; claims for lost horses, accounts of unpaid pensions, State war-claims, and the claims of States for organizing, arming, and equipping volunteers after 1861. The Divisions of the Third Auditor's Office are—

*Book-keeper's Division.*—Accounts of the numerous requisitions drawn by the Secretary of War and of the Interior, examined and charged to various appropriations.

*Quartermaster's Division.*—Accounts of disbursements for barracks and quarters, hospitals, offices, stables, and transportation of supplies; the purchase of clothing, camp and garrison equipage, horses, fuel, forage, straw, bedding, and stationery; payments of hired men and of extra-duty men; expenses incurred in the apprehension of deserters; for the burial of officers and soldiers; for hired escorts, expresses, interpreters, spies, and guides; for veterinary surgeons and medicines for horses; for supplying posts with water; and for all other authorized outlays connected with the movements of the Army not expressly assigned.

*Subsistence and Engineer Division.*—Accounts of all commissaries and acting commissaries in the Army, whose duties are to purchase the provisions and stores necessary for its subsistence, and to see to their proper distribution; also, accounts of officers of the Corps of Engineers who disburse money for the expenses of the Military Academy, the improvement of rivers and harbors, the construction and pre-

servation of fortifications, the surveys on the coasts, the surveys of lakes and rivers, and the construction and repair of breakwaters.

*Army Pension Division.*—The duties of this division embrace the settlement of all accounts which pertain to the payment of Army pensions throughout the United States. An account is kept with each pension agent, charging him with all moneys advanced for payment to pensioners, under the proper bond and fiscal year. At the end of each month the agent forwards his vouchers, abstract of payments, and money statement direct to this office, where a preliminary examination is made to see if the money advanced is properly accounted for. The receipt of the account is then acknowledged, and the account filed for audit. Each voucher is subsequently examined, and the payment entered on the roll-book opposite the pensioner's name. The agent's account, when audited, is reported to the Second Comptroller for his revision, and a copy of the statement of errors, if any, sent to the agent for his information and explanation. The account, when revised, is returned by the Second Comptroller to this office and placed in the settled files, where it permanently remains.

*State War and Horse Claims Division.*—The settlement of all claims of the several States and Territories for the expenses incurred by them for enrolling, subsisting, clothing, arming, paying, and transporting their troops while employed by the Government in aiding to suppress the recent insurrection against the United States; also, the settlement of claims for the loss of horses and equipages sustained by officers and enlisted men while in the military service, and for horses, mules, &c., lost while in service by impressment or contract.

*Miscellaneous Claims Division.*—The adjustment of claims for the appropriation of stores, the purchase of vessels, railroad stock, horses, and other means of transportation; the occupation of real estate, court-martial fees, traveling expenses, &c.; claims for compensation for vessels, cars, engines, &c., lost in the military service; claims growing out of the Oregon and Washington war of 1855 and 1856, and other Indian wars; claims of various descriptions under special acts of Congress, and claims not otherwise assigned for adjudication.

*Collection Division.*—Prepares accounts for suits against defaulting officers; answers all calls for information from the files of the office; examines all claims for bounty-land and pensions granted to the soldiers of 1812, and certifies them to the Commissioner of Pensions.

## THE FOURTH AUDITOR.

The Fourth Auditor examines, adjusts, and transfers to the Second Comptroller all accounts concerning the pay, expenditures, pensions, and prize-money of the Navy and the accounts of the Navy Department. The subordinate Divisions of the Bureau are—

*Record Prize Division.*—Adjusts the prize-money accounts and prepares tabulated statements called for by Congress.

*Navy-Agents' Division.*—Examines the accounts of the disbursements by the navy-agents at Portsmouth, Boston, New York, Philadelphia, Baltimore, Washington, and San Francisco.

*Paymasters' Division.*—Examines the accounts of paymasters, including mechanics' rolls.

## THE FIFTH AUDITOR.

The Fifth Auditor examines, adjusts, and transfers to the First Comptroller the diplomatic and consular accounts, the expenditures of the Department of State and the Bureau of Internal Revenue. There are two Divisions:

*Diplomatic and Consular Division.*—Adjustment is made of the expenses of all missions abroad for salaries, contingencies, and loss by exchange; consular fees, salaries, and emoluments; consular courts and prisons; the relief of American seamen; the return of American seamen charged with crime; the expenses of claims, commissions, boundary-surveys, &c.

*Internal-Revenue Division.*—Accounts for assessing and of collecting the internal revenue, including the salaries, commissions, and allowances of the assessors and collectors, their contingent expenses, &c.; the cost of revenue-stamps; the accounts for salaries and expenses of supervisors, agents, and surveyors of distilleries; the fees and expenses of gaugers; counsel-fees, and taxes refunded.

## THE SIXTH AUDITOR.

The Sixth Auditor examines and adjusts all accounts relating to the postal service, and his decisions on these are final, unless an appeal be taken in twelve months to the First Comptroller. He superintends the collection of all debts due the Post-Office Department, and all penalties imposed on postmasters and mail-contractors; directs suits and legal proceedings, civil and criminal, and takes all such measures as may be authorized by law to enforce the payment of moneys due to the Department. There are eight subordinate divisions, viz:

*Collecting Division.*—The collection of balances due from all postmasters, late postmasters, and contractors; also the payment of all balances due to late and present postmasters, and the adjustment and final settlement of postal accounts.

*Stating Division.*—The general postal accounts of postmasters and those of late postmasters, until fully stated, are in charge of this division.

*Examining Division.*—Receives and audits the quarterly accounts-current of all post-offices in the United States. It is divided into four subdivisions, viz, the opening-room, the stamp-rooms, the examining corps proper, and the error-rooms.

*Money-Order Division.*—Accounts of money-orders paid and received are examined, assorted, checked, and filed; remittances are registered and checked; errors corrected.

*Foreign Mail Division.*—Has charge of the postal accounts with foreign governments, and the accounts with steamship companies for ocean transportation of the mails.

*Registering Division.*—Receives from the examining division the quarterly accounts-current of all the post-offices in the United States, re-examines and registers them, and exhibits in the register ending June 30 of each year the total amount of receipts and expenditures for the fiscal year.

*Pay Division.*—The adjustment and payment of all accounts for the transportation of the mails, whether carried by ocean-steamers, railroads, steamboats, or any mail-carrier; the accounts of the railway postal-service, railway postal clerks, route-agents, and local agents, mail depredations, special agents, free-delivery system, postage-stamps, postal-cards, envelopes, stamps, maps, wrapping-paper, twine, mail-bags, mail-locks and keys, advertising, fees in suits on postal matters, and miscellaneous accounts.

*Book-keeping Division.*—The duty of keeping the ledger-accounts of the Department, embracing postmasters, late postmasters, contractors, late contractors, and accounts of a general, special, and miscellaneous character.

## THE TREASURER OF THE UNITED STATES.

The Treasurer of the United States is charged with the custody of all public moneys received into the Treasury at Washington, or in the sub-treasuries at Boston, New York, Philadelphia, Baltimore, Charleston, Cincinnati, St. Louis, and San Francisco, or in the depositories and depository banks; disburses all public moneys upon the warrants of the Secretary of the Treasury, and upon the warrants of the Postmaster-General; issues and redeems Treasury notes; is agent for the redemption of the circulating notes of national banks, is trustee of the bonds held for the security of the circulating notes of national banks, and of bonds held as security for public deposits; is custodian of Indian trust funds; is agent for paying the interest on the public debt, and for

paying the salaries of the members of the House of Representatives. The subordinate divisions of the Treasury are—

*Issue Division.*—Issues are made of legal-tender notes, currency, coin-certificates, &c.

*Redemption Division.*—Coin-certificates, national bank notes, fractional currency, &c., are redeemed, and generally destroyed by maceration.

*Loan Division.*—Bonds are issued, purchased, retired, cancelled, or converted.

*Accounts Division.*—The accounts of the Treasury, the sub-treasuries, and the national banks used as depositories are kept.

*National-Bank Division.*—Bonds held as security for national-bank circulation are examined, notes issued, redeemed, and cancelled.

*National-Bank Redemption Agency.*—Notes of banks are redeemed and accounted for.

#### THE REGISTER OF THE TREASURY.

The Register of the Treasury has charge of the great account-books of the United States, which show every receipt and disbursement, and from which statements are annually made for transmission to Congress. He signs and issues all bonds, Treasury notes, and other securities; registers all warrants drawn by the Secretary upon the Treasurer; transmits statements of balances due to individuals after their settlement by the First Comptroller, on which payment is made; issues ships' registers, licenses, and enrolments; prepares annual reports of all vessels built, lost, or destroyed; and also prepares statements of the tonnage of vessels in which importations and exportations are made, with the various articles and their values. These duties are attended to in five divisions, viz:

*Coupon and Note Division.*—Bonds, interest-coupons, gold-certificates, certificates of deposit and of indebtedness are examined, registered, and issued or redeemed.

*Note and Fractional Currency Division.*—Treasury notes, notes of national banks which have gone into liquidation, and mutilated fractional currency are examined, cancelled, and destroyed.

*Loan Division.*—Registered and coupon bonds are issued, embracing the transfer of all registered bonds; the conversion of coupon into registered; the ledger accounts with holders of registered bonds, and schedules made out upon which interest on same is paid.

*Receipts and Expenditures Division.*—The ledgers of the United States are kept, showing the civil, diplomatic, internal-revenue, miscellaneous, and public-debt receipts and expenditures; also, statements of the warrants and drafts registered.

*Tonnage Division.*—Accounts are kept

showing the registered, and the enrolled and licensed tonnage, divided into different classes, and exhibiting what is annually built and what is engaged in the fisheries of different kinds.

#### THE COMPTROLLER OF THE CURRENCY.

The Comptroller of the Currency has, under the direction of the Secretary of the Treasury, the control of the national banks. The Divisions of this Bureau are—

*Issue Division.*—The preparation and issue of national-bank circulation.

*Redemption Division.*—The redemption and destruction of notes issued by national banks.

*Reports Division.*—Examination and consolidation of the reports of national banks.

*Organization Division.*—The organization of national banks.

#### THE DIRECTOR OF THE MINT.

The Director of the Mint has general supervision of all mints and assay offices, reports their operations and condition to the Secretary of the Treasury, and prepares and lays before him the annual estimates for their support.

He prescribes regulations, approved by the Secretary of the Treasury, for the transaction of business at the mints and assay offices, the distribution of silver coin, and the charges to be collected of depositors. He receives for adjustment the monthly and quarterly accounts of superintendents and officers in charge of mints and assay offices, superintends their expenditures, and the annual settlements of the operative officers, and makes such special examinations as may be deemed necessary. All appointments, removals, and changes of clerks, assistants, and workmen in the mints and assay offices are submitted for his approval. The purchase of silver bullion, and allotment of its coinage at the mints are made through the office of the Director, and transfers of public moneys in the mints and assay offices, and advances from appropriations for the mint service, are made at his request.

The monthly coinage of mints is tested, and ores, bullions and coins are assayed, at the Assay Laboratory under his charge. The values of the standard coins of foreign countries are annually estimated by the Director, and the collection of the statistics of the annual production of precious metals in the United States is assigned to him.

#### THE SOLICITOR.

The Solicitor of the Treasury is an officer in the Department of Justice, having a seal, and is required by law to take cognizance, under the direction of the Secre-

tary of the Treasury, of all frauds or attempted frauds upon the revenue, and exercises a general supervision over all legal measures for their prevention and detection; also to establish regulations, with the approbation of the Secretary of the Treasury, for the observance of collectors of the customs; and, with the approbation of the Attorney-General, for the observance of United States attorneys, marshals and clerks respecting suits in which the United States is a party or interested. He is also empowered and directed to instruct the district attorneys, marshals, and clerks of the circuit and district courts in all matters and proceedings appertaining to suits in which the United States is interested, except those arising under the internal-revenue laws.

He is required to examine reports of collectors and district attorneys upon bonds delivered for suit: to inform the President of false reports of bonds delivered for suit, and supervise statements from district attorneys concerning suits, and those from marshals relating to proceedings on execution; also reports from clerks as to judgments and decrees; and is charged by the Attorney-General with all post-office litigation.

He also has charge of the secret-service employés engaged in the detection of persons counterfeiting the coin, currency, and public securities of the United States, and all other frauds on the Government. In addition to the duties prescribed by law, the Secretary of the Treasury refers to the Solicitor for opinion a very large number of cases arising in his Department relating to duties, remission of fines, penalties, and forfeitures, navigation and registry laws, steamboat-inspection acts, claims, &c.

#### THE COMMISSIONER OF INTERNAL REVENUE.

The Commissioner of Internal Revenue makes all assessments and superintends the collection of all taxes; preparation of instructions for special-tax stamps, (formerly licenses,) forms and stamps of all kinds; and pays into the Treasury, daily, all moneys received by him.

The business of the bureau is transacted in seven divisions, viz:

*Appointment Division.*—Is charged with all matters pertaining to issuing of commissions, leaves of absence, office-discipline, assorting and disposition of the mail, registry and copying of all letters, with the care of the general files; and all matters relating to messengers, laborers, office-stationery, printing, advertising, blanks, and blank books for the bureau.

*Law Division.*—It is charged with all questions (except as hereinafter stated) relating to seizures, suits, abatement, and re-

funding claims, and those relating to special taxes, documentary stamp-taxes, taxes on incomes, legacies, and successions, and on dividends, &c.; also lands purchased for the United States on distraint, and the extension of time on distraints.

*Tobacco Division.*—Is charged with all matters (including special taxes) relating to tobacco, snuff, and cigars not in suit or in bond, stamp-tax on medicines and preparations.

*Division of Accounts.*—Has charge of the examination and reference of the revenue and disbursing accounts, the estimates of collectors and of their applications for special allowances, and other matters relative to advertising and the purchase of blank books, newspapers, and stationery for collectors, revenue-agents, &c.; also has charge of the examination and reference of the monthly bills of revenue-agents, gaugers, and distillery-surveyors, and of all miscellaneous claims presented to this bureau arising under any appropriation made for carrying into effect the various internal-revenue laws, (excepting claims for abatement, refunding, and drawback,) and the preparation of estimates for appropriations by Congress, together with the preparation of the statistical records of the bureau.

*Division of Distilled Spirits.*—This division is charged with the supervision of all matters pertaining to distilleries, distilled spirits, fermented liquors, wines, rectification, gaugers' fees and instruments, approval of bonded warehouses, and the assignment of storekeepers.

*Stamp Division.*—This division is charged with the supervision of the preparation, safe-keeping, issue, and redemption of stamps for distilled spirits, tobacco, snuff, and cigars, fermented liquors, special taxes, documentary and proprietary stamps, and the keeping of all accounts pertaining thereto, also the supervision of all business with Adams Express Company, and the preparation, custody, and issue of steel dies for cancelling stamps.

*Division of Assessments.*—Is charged with the preparation of the assessment-lists, with the consideration of all reports and returns, except those received from distillers, rectifiers, and brewers, affording data from which assessments may be made; also, with keeping the bonded account, and with the consideration of claims for the allowance of drawback.

*Division of Revenue Agents.*—Is charged with general supervision, under the direction of the Commissioner, of the work of revenue agents throughout the country, examination of their reports and accounts, and the measures taken for the discovery and suppression of violations of internal-revenue law.

THE SUPERINTENDENT OF THE COAST AND  
GEODETIC SURVEY.

The Coast and Geodetic Survey is charged with the survey of the coasts of the United States and rivers emptying into the Ocean and the Gulf of Mexico, and with the interior triangulation of the country, including that of connecting the surveys of the Eastern and Western coasts, determining geographical positions in latitude and longitude, and furnishing points of reference for State surveys.

Besides the annual reports to Congress the Survey publishes maps and charts of our coasts and harbors, books of sailing directions, and annual tide tables, computed in advance, for all ports of the United States.

SUPERVISING SURGEON-GENERAL, U. S.,

(*Mercantile*.) *Marine-Hospital Service.*

The Supervising Surgeon-General is charged with the supervision of "all matters connected with the Marine-Hospital Service and with the disbursement of the fund for the relief of sick and disabled seamen" employed on the vessels of the mercantile marine of the oceans, lakes, and rivers, and of the Revenue-Cutter Service, the general superintendence of the Marine Hospitals, and purveying of supplies, the orders, details and assignment of medical officers, and the examination of the property returns.

SUPERVISING INSPECTOR-GENERAL OF  
STEAM-VESSELS.

The Supervising Inspector-general superintends the administration of the steamboat inspection laws, presides at the meetings of the Board of Supervising Inspectors, receives all reports, and examines all accounts of inspectors.

The Board of Supervising Inspectors meets in Washington annually, on the third Wednesday in January, to establish regulations for carrying out the provisions of the steamboat inspection laws.

GENERAL SUPERINTENDENT OF THE LIFE-  
SAVING SERVICE.

It is the duty of the General Superintendent to supervise the organization and government of the employés of the service; to prepare and revise regulations therefor as may be necessary; to fix the number and compensation of surfmen to be employed at the several stations within the provisions of law; to supervise the expenditure of all appropriations made for the support and maintenance of the Life-Saving Service; to examine the accounts of disbursements of the district superintendents, and to certify the same to the accounting officers of the Treasury Department; to examine the property returns of

the keepers of the several stations, and see that all public property thereto belonging is properly accounted for; to acquaint himself, as far as practicable, with all means employed in foreign countries which may seem to advantageously affect the interest of the service, and to cause to be properly investigated all plans, devices, and inventions for the improvement of life-saving apparatus for use at the stations, which may appear to be meritorious and available; to exercise supervision over the selection of sites for new stations the establishment of which may be authorized by law, or for old ones the removal of which may be made necessary by the encroachment of the sea or by other causes; to prepare and submit to the Secretary of the Treasury estimates for the support of the service; to collect and compile the statistics of marine disasters contemplated by the act of June twentieth, eighteen hundred and seventy-four, and to submit to the Secretary of the Treasury, for the transmission to Congress, an annual report of the expenditures of the moneys appropriated for the maintenance of the Life-Saving Service, and of the operations of said service during the year.

**The War Department.**

THE SECRETARY OF WAR.

The Secretary of War performs such duties as the President of the United States, who is Commander-in-Chief, may enjoin upon him concerning the military service, and has the superintendence of the purchase of Army supplies, transportation, &c.

The Chief Clerk receives in the Secretary's Office the public mail and correspondence; distributes, records, and answers it; keeps the accounts of appropriations and estimates; is the medium of communication between the Secretary and officers of the Department, and has the general superintendence of the Department.

MILITARY BUREAUS OF THE WAR DEPARTMENT.

The chiefs of the military bureaus of the War Department are officers of the Regular Army of the United States, and a part of the military establishment, viz:

*The Adjutant-General* promulgates the orders of the President and the General commanding the Army, and conducts correspondence between the General and the Army, receives reports, issues commissions and resignations, superintends recruiting and the military prison at Leavenworth, has charge of the papers concerning the enlistment and drafting of volunteers, re-

ceives all muster-rolls, and furnishes consolidated reports of the entire Army, and has charge, under the General, of details affecting the discipline of the Army.

*The Inspector-General*, with his assistants, inspect and report upon the *personnel* and the *matériel* of the Army, at all posts, stations, and depots, and give instruction relative to the correct interpretation of doubtful points of law, regulations, and orders, and upon other mooted questions regarding the proper performance of military duties; and they also inspect the money accounts of all disbursing officers of the Army.

*The Quartermaster-General*, aided by assistants, provides quarters and transportation for the Army, clothing, camp and garrison equipage, horses and mules, forage, wagons, stoves, stationery, fuel, lights, straw, hospitals, and medicines; he pays the expenses of guides, spies, and interpreters, and veterinary surgeons; pays the funeral expenses of officers and men, and is in charge of the national cemeteries.

*The Commissary-General* has administrative control of the Subsistence Department—of the disbursement of its appropriations; the providing of rations and their issue to the Army; the purchase and distribution of articles authorized to be kept for sale to officers and enlisted men; and the adjustment of accounts and returns for subsistence funds and supplies, preliminary to their settlement by the proper accounting officers of the Treasury.

*The Surgeon-General*, under the immediate direction of the Secretary of War, is charged with the administrative duties of the Medical Department; the designation of the stations of medical officers, and the issuing of all orders and instructions relating to their professional duties. He directs as to the selection, purchase, and distribution of the medical supplies of the Army. The Army Medical Museum and the official publications of the Surgeon-General's Office are also under his direct control.

*The Paymaster-General* and his assistants pay the Army, also Second Auditor's Treasury certificates, and keep a record of said payments.

*The Chief of Engineers* commands the Corps of Engineers, which is charged with all duties relating to fortifications, whether permanent or temporary; with torpedoes for coast defence; with all works for the attack and defence of places; with all military bridges, and with such surveys as may be required for these objects, or the movement of armies in the field. It is also charged with the harbor and river improvements; with military and geographical explorations and surveys; with the survey of the lakes; and with any other engineer work specially assigned to the

Corps by acts of Congress or orders of the President.

*The Chief of Ordnance* commands the Ordnance Department, the duties of which consist in providing, preserving, distributing, and accounting for every description of artillery, small-arms, and all the munitions of war which may be required for the fortresses of the country, the armies in the field, and for the whole body of the militia of the Union. In these duties are comprised that of determining the general principles of construction and of prescribing in details the models and forms of all military weapons employed in war. They comprise also the duty of prescribing the regulations for the proof and inspection of all these weapons, for maintaining uniformity and economy in their fabrication, for insuring their good quality, and for their preservation and distribution; and for carrying into effect the general purposes here stated large annual appropriations are made, and in order to fulfil the purposes, extensive operations are conducted at the national armories, arsenals, and ordnance depots.

*The Judge-Advocate General* and his assistants receive, review, and have recorded the proceedings of the courts-martial, courts of inquiry, and military commissions of the Armies of the United States, and furnish reports and opinions on such questions of law and other matters as may be referred to the Bureau of Military Justice by the Secretary of War.

*The Chief Signal Officer* superintends the instruction of officers and men in signal duties, supervises the preparation of maps and charts, and has the reports from the numerous stations received at Washington consolidated and published.

### The Navy Department.

#### THE SECRETARY OF THE NAVY.

The Secretary of the Navy performs such duties as the President of the United States, who is Commander-in-Chief, may assign him, and has the general superintendence of construction, manning, armament, equipment, and employment of vessels of war.

*The Chief Clerk* has general charge of the records and correspondence of the Secretary's Office.

#### NAVAL BUREAUS OF THE NAVY DEPARTMENT.

The chiefs of the naval bureaus of the Navy Department are officers of the United States Navy, and a part of the naval establishment, viz:

*The Chief of the Bureau of Yards and Docks* has charge of the navy-yards and naval stations, their construction and re

pair; he purchases timber and other materials.

*The Chief of the Bureau of Navigation* supplies vessels of war with maps, charts, chronometers, barometers, flags, signal-lights, glasses, and stationery; he has charge of the publication of charts, the Nautical Almanac, and surveys; and the Naval Observatory and Hydrographic Office at Washington are under the direction of this Bureau.

*The Chief of the Bureau of Ordnance* has charge of the manufacture of naval ordnance and ammunition; the armament of vessels of war; the arsenals and magazines; the trials and tests of ordnance, small-arms, and ammunition; also of the torpedo-service, and torpedo-station at Newport, and experimental battery at Annapolis.

*The Chief of the Bureau of Provisions and Clothing* has charge of all contracts and purchases for the supply of provisions, water for cooking and drinking purposes, clothing, and small stores for the use of the Navy.

*The Chief of the Bureau of Medicine and Surgery* superintends everything relating to medicines, medical stores, surgical instruments, and hospital supplies required for the treatment of the sick and wounded of the Navy and the Marine Corps.

*The Chief of the Bureau of Construction and Repair* has charge of dry-docks and of all vessels undergoing repairs; the designing, building, and fitting-out of vessels, and the armor of iron-clads.

*The Chief of the Bureau of Equipment and Recruiting* has charge of the equipment of all vessels of war, and the supply to their sails, rigging, anchors, and fuel; also of the recruiting of sailors of the various grades.

*The Engineer-in-Chief* directs the designing, fitting-out, running, and repairing of the steam marine-engines, boilers and appurtenances, used on vessels of war, and the workshops in the navy-yards where they are made and repaired.

### The Department of the Interior.

#### THE SECRETARY OF THE INTERIOR.

The Secretary of the Interior is charged with the supervision of public business relating to patents for inventions; pensions and bounty-lands; the public lands, including mines; the Indians; education; railroads; the public surveys; the census, when directed by law; the custody and distribution of public documents; and certain hospitals and eleemosynary institutions in the District of Columbia. He also exercises certain powers and duties in relation to the Territories of the United States.

#### THE ASSISTANT SECRETARY OF THE INTERIOR.

The Assistant Secretary of the Interior performs such duties as are prescribed by the Secretary or required by law, aiding in the general administration of the affairs of the Department. In the absence of the Secretary, he acts as the head of the Department.

*The Chief Clerk* has the general supervision of the clerks and employes, order of business, records and correspondence, and contingent expenditures in the Secretary's Office; also superintendence of the Department Building, which is transacted in divisions, viz: Appointment Division, Disbursement Division, Land and Railroad Division, Indian Division, Pension and Miscellaneous Division, Document Division, Stationery Division and Returns Office.

#### COMMISSIONER OF PATENTS.

The Commissioner of Patents is charged with the administration of the patent-laws, and supervises all matters relating to the issue of letters-patent for new and useful discoveries, inventions, and improvements. He is aided by an Assistant Commissioner, three Examiners-in-Chief, an Examiner of Interferences, an Examiner of Trade-marks, and twenty-five Principal Examiners.

#### COMMISSIONER OF PENSIONS.

The Commissioner of Pensions supervises the examination and adjudication of all claims arising under laws passed by Congress granting bounty-land or pension on account of service in the Army or Navy during the Revolutionary War and all subsequent wars in which the United States has been engaged. He is aided by two Deputy Commissioners and a Medical Referee.

#### COMMISSIONER OF THE GENERAL LAND-OFFICE.

The Commissioner of Public Lands is charged with the survey, management, and sale of the public domain, and the issuing of titles therefor, whether derived from confirmations of grants made by former governments, by sales, donations, or grants for schools, railroads, military bounties, or public improvements. The Land-Office audits its own accounts. The divisions of the office are: the Chief Clerk's, Recorder's, Public Lands, Private Land-Claims, Surveys, Railroad-Lands, Pre-emption Claims, Swamp-Lands, Drafting, Accounts, Mineral Claims, and Timber Depredations.

#### COMMISSIONER OF INDIAN AFFAIRS.

The Commissioner of Indian Affairs has charge of the several tribes of Indians in

the States and Territories. He issues instructions to, and receives reports from, Agents, Special Agents, and Traders; superintends the purchase, transportation, and distribution of presents and annuities; and reports, annually, the relations of the Government with each tribe.

#### COMMISSIONER OF EDUCATION.

The duties of the Commissioner of Education are to collect such statistics and facts as shall show the condition and progress of education in the several States and Territories, and to diffuse such information respecting the organization and management of schools and school systems, and methods of teaching, as shall aid the people of the United States in the establishment and maintenance of efficient school systems, and otherwise promote the cause of education throughout the country.

#### COMMISSIONER OF RAILROADS.

The Commissioner of Railroads is charged with prescribing a system of reports to be rendered to him by the railroad companies, whose roads are in whole or in part west, north, or south of the Missouri River, and to which the United States have granted any loan of credit or subsidy in lands or bonds; to examine the books, accounts, and property of said companies; to see that the laws relating to said companies are enforced; and to assist the Government Directors of any of said railroad companies in all matters which come under their cognizance, whenever they may officially request such assistance.

#### DIRECTOR OF THE GEOLOGICAL SURVEY.

The Director of the Geological Survey has charge of the classification of the public lands, and examination of the geological structure, mineral resources, and products of the national domain.

#### SUPERINTENDENT OF THE CENSUS.

The Superintendent of the Census supervises the taking of the census of the United States every tenth year, and the subsequent arrangement, compilation, and publication of the statistics collected.

### **The Post-Office Department.**

#### THE POSTMASTER-GENERAL.

The Postmaster-General has the direction and management of the Post-Office Department. He appoints all officers and employés of the Department, except the three Assistant Postmasters-General, who are appointed by the President, by and with the advice and consent of the Senate; appoints all postmasters whose compensation does not exceed one thousand dollars;

makes postal treaties with foreign governments, by and with the advice and consent of the President, awards and executes contracts, and directs the management of the domestic and foreign mail service.

#### THE FIRST ASSISTANT POSTMASTER-GENERAL.

The First Assistant Postmaster-General has charge of the Appointment Office, which includes five Divisions, viz.:

*Appointment Division.*—The duty of preparing all cases for the establishment, discontinuance, and change of name or site of post-offices, and for the appointment of all postmasters, agents, postal clerks, mail-messengers, and Department employés, and attending to all correspondence consequent thereto.

*Bond Division.*—The duty of receiving and recording appointments; sending out papers for postmasters and their assistants to qualify; receiving, entering, and filing their bonds and oaths; and issuing the commissions for postmasters.

*Salary and Allowance Division.*—The duty of readjusting the salaries of postmasters and the consideration of allowances for rent, fuel, lights, clerk-hire and other expenditures.

*Free Delivery.*—The duty of preparing cases for the inauguration of the system in cities, the appointment of letter-carriers, and the general supervision of the system.

*Blank-Agency Division.*—The duty of sending out the blanks, wrapping-paper, and twine, letter-balances, and canceling-stamps, to offices entitled to receive the same.

#### SECOND ASSISTANT POSTMASTER-GENERAL.

The Second Assistant Postmaster-General has charge of the Contract Office, mail equipments, &c., including the following three Divisions:

*Contract Division.*—The arrangement of the mail service of the United States, and placing the same under contract, embracing all correspondence and proceedings respecting the frequency of trips, mode of conveyance, and times of departures and arrivals on all the routes, the course of the mails between the different sections of the country, the points of mail distribution, and the regulations for the government of the domestic mail service. It prepares the advertisements for mail proposals, receives the bids, and has charge of the annual and occasional mail lettings, and the adjustment and execution of the contracts. All applications for the establishment or alteration of mail arrangements and for mail messengers should be sent to this office. All claims should be submitted to it for transportation service not under contract.



From this office all postmasters at the end of routes receive the statement of mail arrangements prescribed for the respective routes. It reports weekly to the Auditor all contracts executed, and all orders affecting the accounts for mail transportation; prepares the statistical exhibits of the mail service, and the reports to Congress of the mail lettings, giving a statement of each bid; also of the contracts made, the new service originated, the curtailments ordered, and the additional allowances granted within the year.

*Inspection Division.*—The duty of receiving and examining the registers of the arrivals and departures of the mails, certificates of the service of route-agents, and reports of mail failures; noting the delinquencies of contractors, and preparing cases thereon for the action of the Postmaster-General, furnishing blanks for mail registers, reports of mail failures, and other duties which may be necessary to secure a faithful and exact performance of all mail service.

*Mail-Equipment Division.*—The issuing of mail locks and keys, mail pouches and sacks, and the construction of mail-bag catchers.

#### THIRD ASSISTANT POSTMASTER-GENERAL.

The Third Assistant Postmaster-General has charge of the Finance Office, &c., embracing the following four Divisions:

*Division of Finance.*—The duty of issuing drafts and warrants in payment of balances reported by the Auditor to be due to mail contractors or other persons; the superintendence of the collection of revenue at depository, draft, and depositing offices, and the accounts between the Department and the Treasurer and Assistant Treasurers and special designated depositories of the United States. This Division receives all accounts, monthly or quarterly, of the depository and draft offices, and certificates of deposit from depositing offices.

*Division of Postage-Stamps and Stamped Envelopes.*—The issuing of postage-stamps, stamped envelopes, newspaper-wrappers and postal cards; also the supplying of postmasters with envelopes for their official use, and registered-package envelopes and seals.

*Division of Registered Letters.*—The duty of preparing instructions for the guidance of postmasters relative to registered letters, and all correspondence connected therewith; also, the compilation of statistics as to the transactions of the business.

*Division of Dead Letters.*—The examination and return to the writers of dead letters, and all correspondence relating thereto.

*The Superintendent of Foreign Mails* has charge of all foreign postal arrangements, and the supervision of the ocean mail-steamship service.

*The Superintendent of the Money-Order System* has the general supervision and control of the postal money-order system throughout the United States, and the supervision of the international money-order correspondence with foreign countries.

### Department of Justice.

#### THE ATTORNEY-GENERAL.

The Attorney-General is the head of the Department of Justice, and the chief law officer of the Government. He represents the United States in matters involving legal questions; he gives his advice and opinion on questions of law when they are required by the President, or by the heads of the other Executive Departments on questions of law arising upon the administration of their respective departments; he exercises a general superintendence and direction over United States Attorneys and Marshals in all judicial districts in the States and Territories; and he provides special counsel for the United States whenever required by any Department of the Government.

He is assisted by a Chief Clerk and other clerks and employes in the executive management of the business of the Department.

The Law Clerk, who is also an Examiner of Titles, assists the Attorney-General in the investigation of legal questions and in the preparation of opinions.

#### THE SOLICITOR-GENERAL.

The Solicitor-General assists the Attorney-General in the performance of his general duties, and by special provision of law in the case of a vacancy in the office of Attorney-General, or in his absence, exercises all these duties. Except when the Attorney-General in particular cases otherwise directs, the Attorney-General and Solicitor-General conduct and argue all cases in the *Supreme Court*, and in the *Court of Claims*, in which the United States are interested; and, when the Attorney-General so directs, any such case in *any Court of the United States* may be conducted and argued by the Solicitor-General; and in the same way the Solicitor-General may be sent by the Attorney-General to attend to the interests of the United States in *any State Court, or elsewhere*.

#### THE ASSISTANT ATTORNEYS-GENERAL.

Two Assistant Attorneys-General assist the Attorney-General and the Solicitor-General in the performance of their duties. One assists in the argument of causes in the *Supreme Court* and in the preparation of legal opinions; the other is charged with the conduct of the defense of the United States in the *Court of Claims*.

Under the act of 1870 the different law-officers of the Executive Departments exercise their functions under the supervision and control of the Attorney-General. They are: the *Assistant Attorney-General for the Department of the Interior*; the *Assistant Attorney-General for the Post Office Department*; the *Solicitor of the Treasury*, and the *Solicitor of Internal Revenue*, Treasury Department; the *Naval Solicitor*, Navy Department; and the *Examiner of Claims*, State Department.

### The Department of Agriculture.

#### THE COMMISSIONER OF AGRICULTURE.

The Commissioner of Agriculture is required to collect and diffuse useful information on subjects connected with agriculture. He is to acquire and preserve in his office all information he can obtain concerning agriculture by means of books and correspondence, and by practical and scientific experiments, the collection of statistics, and other appropriate means; to collect new and valuable seeds and plants; to learn by actual cultivation such of them as may require such tests; to propagate such as may be worthy of propagation, and to distribute them among agriculturists.

*The Statistician.*—He collects reliable information as to the condition, prospects, and results of the cereal, cotton, and other crops, by the instrumentality of four correspondents in each county of every State; this information is gathered at stated periods of each month, carefully studied, estimated, tabulated, and published.

*The Entomologist.*—He obtains information with regard to insects injurious to vegetation; investigates the character of insects sent him, to point out their modes of infliction and the means by which their depredations may be avoided; and arranges specimens of their injuries and nest architecture.

*The Botanist.*—He receives botanical contributions, and after making desirable selections for the National Herbarium, distributes the duplicate plants among foreign and domestic scientific societies, institutions of learning, and botanists; and answers inquiries of a botanico-agricultural character.

*The Chemist.*—He makes analyses of natural fertilizers, vegetable products, and other materials which pertain to the interests of agriculture. Applications are constantly made from all portions of the country for the analysis of soils, minerals, liquids, and manures.

*The Microscopist.*—He makes original investigations, mostly relating to the habits of parasitic fungoid plants, which are frequently found on living plants and ani-

mals, producing sickly growth and in many cases premature death.

*The Propagating Garden.*—Large numbers of exotic, utilizable, and economic plants are propagated and distributed. The orange family is particularly valuable, and the best commercial varieties are propagated and distributed to the greatest practicable extent.

*The Seed Division.*—Seeds are purchased in this and foreign countries of reliable firms, whose guarantee of good quality and genuineness cannot be questioned; they are packed at the Department, and distributed to applicants in all parts of the country.

*The Library.*—Exchanges are made, by which the library receives reports of the leading agricultural, pomological, and meteorological societies of the world.

### Supreme Court of the United States.

Mr. Chief-Justice Waite, 1717 Rhode Island avenue, N. W., Salary, \$10,500.

Mr. Justice Miller, 1415 Massachusetts avenue, N. W., Salary, \$10,000.

Mr. Justice Field, 21 First street east, Capitol Hill, Salary, \$10,000.

Mr. Justice Bradley, 201 I street, corner of New Jersey avenue, Salary, \$10,000.

Mr. Justice Harlan, 1623 Massachusetts avenue, N. W., Salary, \$10,000.

Mr. Justice Woods, 1323 Thirteenth St., N. W., Salary, \$10,000.

Mr. Justice Matthews, corner of Connecticut avenue and N Street, Salary, \$10,000.

Mr. Justice Gray, 1721 Rhode Island avenue, Salary, \$10,000.

Mr. Justice Blatchford, 1432 K Street, N. W., Salary, \$10,000.

### OFFICERS OF THE SUPREME COURT.

*Clerk.*—James H. McKenney, 1517 Rhode Island avenue, N. W., Fees, \$2,000.

*Deputy Clerk.*—Chas. B. Beall, 927 P street, N. W., Fees, \$2,000.

*Marshall.*—John G. Nicolay, 212 B street, S. E., Fees, \$3,000.

*Reporter.*—William T. Otto, 931 K street, N. W., Fees, \$2,500.

### Circuit Court of the United States.

(Salaries, \$6,000 each.)

*First Judicial Circuit.*—Mr. Justice Gray, of Boston, Massachusetts. Districts of Maine, New Hampshire, Massachusetts, and Rhode Island.

Circuit Judge.—John Lowell, Boston, Mass.

*Second Judicial Circuit.*—Mr. Justice Blatchford, of New York. Districts of

Vermont, Connecticut, Northern New York, Southern New York, and Eastern New York.

Circuit Judge.—William J. Wallace, New York City.

*Third Judicial Circuit.*—Mr. Justice Bradley, of Newark, New Jersey. Districts of New Jersey, Eastern Pennsylvania, Western Pennsylvania, and Delaware.

Circuit Judge.—William McKennan, Washington, Pa.

*Fourth Judicial Circuit.*—Mr. Chief-Justice Waite. Districts of Maryland, West Virginia, Virginia, North Carolina, and South Carolina.

Circuit Judge.—Hugh L. Bond, Baltimore, Md.

*Fifth Judicial Circuit.*—Mr. Justice Woods, of Atlanta, Georgia. Districts of Georgia, Northern Florida, Southern Florida, Northern Alabama, Southern Alabama, Mississippi, Louisiana, Eastern Texas, and Western Texas.

Circuit Judge.—Don. A. Pardee, of New Orleans, La.

*Sixth Judicial Circuit.*—Mr. Justice Matthews, of Cincinnati, Ohio. Districts of Northern Ohio, Southern Ohio, Eastern Michigan, Western Michigan, Kentucky, Eastern Tennessee, and Western Tennessee.

Circuit Judge.—John Baxter, Knoxville, Tenn.

*Seventh Judicial Circuit.*—Mr. Justice Harlan, of Louisville, Kentucky. Districts of Indiana, Northern Illinois, Southern Illinois, and Wisconsin.

Circuit Judge.—Thomas Drummond, Chicago, Ill.

*Eighth Judicial Circuit.*—Mr. Justice Miller. Districts of Minnesota, Iowa, Eastern Missouri, Western Missouri, Kansas, Eastern Arkansas, Western Arkansas, and Nebraska.

Circuit Judge.—George W. McCrary, Keokuk, Iowa.

*Ninth Judicial Circuit.*—Mr. Justice Field, of San Francisco, California. Districts of California, Oregon, and Nevada.

Circuit Judge.—Lorenzo Sawyer, San Francisco, Cal.

#### United States Court of Claims.

(1509 Pennsylvania avenue.)

Chief-Justice Charles D. Drake, 2117 G street, N. W., Salary, \$4,500.

Judge Charles C. Nott, 826 Connecticut avenue, N. W., Salary, \$4,500.

Judge William A. Richardson, 924 Mepherston Square, Salary, \$4,500.

Judge Glenni W. Scofield, Riggs House, Salary, \$4,500.

*Chief Clerk.*—Archibald Hopkins, 1826 Massachusetts avenue, N. W., Salary, \$3,000.

*Assistant Clerk.*—John Randolph, 28 I street, N. W., Salary, \$2,000.

*Bailiff.*—Stark B. Taylor, 485 H street, S. W., Salary, \$1,200.

*Messenger.*—Richard F. Kearney, 1811 Twelfth street, N. W., Salary, \$1,200.

#### DISTRICT JUDGES.

*Alabama.*—John Bruce, Montgomery, Fifth Circuit, Salary, \$3,500.

*Arkansas, (E. D.)*—Henry C. Caldwell, Little Rock, Eighth Circuit, Salary, \$3,500.

*Arkansas, (W. D.)*—Isaac C. Parker, Fort Smith, Eighth Circuit, Salary, \$3,500.

*California*—Ogden Hoffman, San Francisco, Ninth Circuit, \$4,000.

*Colorado*—Moses Hallett, Denver, Eighth Circuit, \$3,500.

*Connecticut*—Nathaniel Shipman, Hartford, Second Circuit, \$3,500.

*Delaware*—Edward G. Bradford, Wilmington, Third Circuit, \$3,500.

*Florida (N. D.)*—Thomas Settle, Jacksonville, Fifth Circuit, \$3,500.

*Florida (S. D.)*—James W. Locke, Key West, Fifth Circuit, \$3,500.

*Georgia*—John Erskine, Atlanta, Fifth Circuit, \$3,500.

*Illinois (N. D.)*—Henry W. Blodgett, Chicago, Seventh Circuit, \$3,500.

*Illinois (S. D.)*—Samuel H. Treat, jr., Springfield, Seventh Circuit, \$3,500.

*Indiana*—Walter Q. Gresham, Indianapolis, Seventh Circuit, \$3,500.

*Iowa*—James M. Love, Keokuk, Eighth Circuit, \$3,500.

*Kansas*—Cassius G. Foster, Atchison, Eighth Circuit, \$3,500.

*Kentucky*—John W. Barr, Louisville, Sixth Circuit, \$3,500.

*Louisiana*—Edward C. Billings, New Orleans, Fifth Circuit, \$4,500.

*Maine*—Edward Fox, Portland, First Circuit, \$3,500.

*Maryland*—Thomas J. Morris, Baltimore, Fourth Circuit, \$4,000.

*Massachusetts*—T. L. Nelson, Boston, First Circuit, \$4,000.

*Michigan (E. D.)*—Henry B. Brown, Detroit, Sixth Circuit, \$3,500.

*Michigan (W. D.)*—Solomon L. Withey, Grand Rapids, Sixth Circuit, \$3,500.

*Minnesota*—Rensselaer R. Nelson, St. Paul, Eighth Circuit, \$3,500.

*Mississippi*—Robert A. Hill, Oxford, Fifth Circuit, \$3,500.

*Missouri (E. D.)*—Samuel Treat, St. Louis, Eighth Circuit, \$3,500.

*Missouri (W. D.)*—Arnold Krekel, Jefferson City, Eighth Circuit, \$3,500.

*Nebraska*—Elmer S. Dundy, Falls City, Eighth Circuit, \$3,500.

*Nevada*—Edgar W. Hillyer, Carson, Ninth Circuit, \$3,500.

*New Hampshire*—Daniel Clark, Manchester, First Circuit, \$3,500.

*New Jersey*—John T. Nixon, Trenton, Third Circuit, \$4,000.

*New York (N. D.)*—William J. Wallace, Syracuse, Second Circuit, \$4,000.

*New York (S. D.)*—Addison Brown, Second Circuit, \$4,000.

*New York (E. D.)*—Charles L. Benedict, Brooklyn, Second Circuit, \$4,000.

*North Carolina (E. D.)*—George W. Brooks, Elizabeth City, Fourth Circuit, \$3,500.

*North Carolina (W. D.)*—Robert P. Dick, Greensboro, Fourth Circuit, \$3,500.

*Ohio (E. D.)*—Martin Welker, Wooster, Sixth Circuit, \$3,500.

*Ohio (W. D.)*—Philip B. Swing, Batavia, Sixth Circuit, \$4,000.

*Oregon*—Matthew P. Deady, Portland, Ninth Circuit, \$3,500.

*Pennsylvania (E. D.)*—William Butler, Philadelphia, Third Circuit, \$4,000.

*Pennsylvania (W. D.)*—Mark W. Acheson, Pittsburg, Third Circuit, \$4,000.

*Rhode Island*—Le Baron B. Colt, Providence, First Circuit, \$3,500.

*South Carolina*—George S. Bryan, Charleston, Fourth Circuit, \$3,500.

*Tennessee (E. and M. D.)*—David M. Key, Knoxville, Sixth Circuit, \$3,500.

*Tennessee (W. D.)*—Eli S. Hammond, Memphis, Sixth Circuit, \$3,500.

*Texas (E. D.)*—Amos Morrill, Galveston, Fifth Circuit, \$3,500.

*Texas (W. D.)*—Ezekiel B. Turner, Austin, Fifth Circuit, \$3,500.

*Texas (N. D.)*—A. P. McCormick, Dallas, Fifth Circuit, \$3,500.

*Vermont*—Hoyt H. Wheeler, Burlington, Second Circuit, \$3,500.

*Virginia (E. D.)*—Robert W. Hughes, Richmond, Fourth Circuit, \$3,500.

*Virginia (W. D.)*—Alexander Rives, Charlottesville, Fourth Circuit, \$3,500.

*West Virginia*—John J. Jackson, jr., Parkersburg, Fourth Circuit, \$3,500.

*Wisconsin (E. D.)*—Charles E. Dyer, Racine, Seventh Circuit, \$3,500.

*Wisconsin (W. D.)*—Romanza Bunn, Madison, Seventh Circuit, \$3,500.

#### COURT OF CLAIMS.

*Chief-Justice*—Charles D. Drake, of Missouri, appointed in 1870 by Ulysses S. Grant. Salary, \$4,500.

*Associate-Justice*—Charles C. Nott, of New York; appointed in 1865, by Abraham Lincoln. Salary, \$4,500.

*Associate-Justice*—William A. Richardson, of Massachusetts; appointed in 1874, by Ulysses S. Grant. Salary, \$4,500.

*Associate-Justice*—Glenni W. Scofield, of Pennsylvania; appointed in 1881, by James A. Garfield. Salary, \$4,500.

#### UNITED STATES COURTS IN THE TERRITORIES.

ARIZONA — *Chief-Justice*: C. J. W.

French. *Associates*: Charles Silent, De-Forest Porter. \$2,600 each.

DAKOTA—*Chief-Justice*: Peter C. Shannon. *Associates*: Gideon C. Moody, Alanson H. Barnes, Jefferson P. Kidder. \$2,600 each.

IDAHO—*Chief-Justice*: John T. Morgan. *Associates*: Henry E. Prickett, Norman Buck. \$2,600 each.

MONTANA—*Chief-Justice*: Decius S. Wade. *Associates*: E. J. Conger, Wm. J. Galbraith. \$2,600 each.

NEW MEXICO—*Chief-Justice*: L. Bradford Prince. *Associates*: Warren Bristol, Samuel C. Parks. \$2,600 each.

UTAH—*Chief-Justice*: John A. Hunter. *Associates*: Philip E. Emerson, S. B. Twiss. \$2,600 each.

WASHINGTON—*Chief-Justice*: Roger S. Greene. *Associates*: John P. Hoyt, Samuel C. Wingard. \$2,600 each.

WYOMING—*Chief-Justice*: James B. Sener. *Associates*: Jacob B. Blair, Wm. Ware Peck. \$2,600 each.

#### Foreign Legations in the United States.

##### ARGENTINE REPUBLIC.

Señor Don Manuel Rafael Garcia, Envoy Extraordinary and Minister Plenipotentiary. (Absent.)

Señor Don Julio Carrié, Secretary of Legation and Chargé d'Affaires *ad interim*, 60 Wall street, New York.

##### AUSTRIA-HUNGARY.

Count Lippe-Weissenfeld, Councillor of Legation and Chargé d'Affaires *ad interim*, 1015 Connecticut avenue.

##### BELGIUM.

Mr. Bounder de Melsbroeck, Envoy Extraordinary and Minister Plenipotentiary, 1015 Connecticut avenue.

Baron A. d'Anethan, Councillor of Legation and Chargé d'Affaires *ad interim*, 1015 Connecticut avenue.

##### BOLIVIA.

Señor Don Ladislao Cabrera, Envoy Extraordinary and Minister Plenipotentiary, 1714 Pennsylvania avenue.

Doctor Apolinar Aramayo, Secretary of Legation. Absent.

##### BRAZIL.

Señhor J. G. de Amaral Valente, Chargé d'Affaires *ad interim*, 1710 Pennsylvania avenue.

Señhor Dom Henrique de Miranda, Attaché, 1710 Pennsylvania avenue.

##### CHILI.

Señor Don Marcial Martinez, Envoy Extraordinary and Minister Plenipotentiary, 1400 Massachusetts avenue.

Señor Don Federico Pinto, First Secretary of Legation, 1400 Massachusetts avenue.

Señor Don José Bernales, Second Secretary of Legation, 1400 Massachusetts avenue.

Señor Nemecio Davila, Attaché, 125 West Fifteenth street, New York.

Señor Arturo Edwards, Attaché. Absent.

## CHINA.

Chen Lan Pin, Envoy Extraordinary and Minister Plenipotentiary, 1705 K street.

Mr. Yung Wing, Assistant Envoy Extraordinary and Minister Plenipotentiary, Hartford, Connecticut.

Chen Song Liang, Secretary of Legation, 1705 K street.

Tseng Yin Nan, Secretary of Legation, 1705 K street.

Mr. D. W. Bartlett, Secretary of Legation, 1337 L street.

Tsai Sih Yung, Interpreter and Translator, 1705 K street.

Chang Sze Shun, Interpreter and Translator, 1705 K street.

Ho Shen Chee, Interpreter and Translator, 1705 K street.

Chen Moo, Attaché, 1705 K street.

Yen Sze Chee, Attaché, 1705 K street.

Lee Ta Lun, Attaché, 1705 K street.

## COLOMBIA.

(No diplomatic representative at present.)

## COSTA RICA.

Señor Don Manuel M. Peralta, Minister Resident. (Absent.)

## DENMARK.

Mr. Carl Steen Andersen de Bille Chargé d'Affaires and Consul General, 2109 Pennsylvania avenue.

## FRANCE.

Mr. Maxime Outrey, Envoy Extraordinary and Minister Plenipotentiary, 1025 Connecticut avenue.

Mr. Auguste Gérard, Second Secretary of Legation, 1714 Pennsylvania avenue.

Mr. Phillippe Bérard, Third Secretary, 1408 N street.

Mr. Henri Bertout, Attaché.

Mr. Henri de Lachère, Military Attaché.

Mr. Charles Riballier des Isles, Chancellor, 1100 O street.

## GERMAN EMPIRE.

Mr. Kurd von Schlözer, Envoy Extraordinary and Minister Plenipotentiary, 734 Fifteenth street.

Count Henry von Beust, Secretary of Legation, and Chargé d'Affaires *ad interim*, 734 Fifteenth street.

Captain Adolf Mensing, Naval Attaché, New York.

Mr. P. W. Büddecke, Chancellor of Legation, 72 Defrees street.

## GREAT BRITAIN.

The Hon. L. S. Sackville West, Envoy Extraordinary and Minister Plenipotentiary, British Legation, Connecticut avenue.

Victor Arthur Wellington Drummond, Esq., Secretary of Legation, 826 Fourteenth street.

Captain William Arthur, C. B. R. N., Naval Attaché, Wormley's.

Henry Howard, Esq., C. B., Second Secretary, 1617 I street.

Charles Fox Frederick Adam, Esq., Second Secretary, 1711 Rhode Island ave.

Lord George F. Montagu, Third Secretary, 1340 I street.

H. G. G. Cadogan, Esq., Attaché, British Legation, Connecticut avenue.

## GUATEMALA.

[See also Salvador.]

Señor Don Arturo Ubico, Envoy Extraordinary and Minister Plenipotentiary, the Arlington, and 318 Madison avenue New York.

Señor Doctor Lorcuzo Montúfar, Minister of State of Guatemala, Envoy Extraordinary and Minister Plenipotentiary, on Special Mission, the Arlington.

## HAWAII.

Mr. Elisha H. Allen, Envoy Extraordinary and Minister Plenipotentiary, 216 West Forty-fourth street, New York and the Riggs House, Washington.

## HAYTI.

Mr. Stephen Preston, Envoy Extraordinary and Minister Plenipotentiary, 1403 K street.

Mr. Charles A. Preston, Secretary of Legation, 54 East Twenty-fifth street, New York.

## ITALY.

Baron de Fava, Envoy Extraordinary and Minister Plenipotentiary, Willard's.

Prince de Camporeale, First Secretary of Legation. (Absent.)

## JAPAN.

Jushie Yoshida Kiyonari, Envoy Extraordinary and Minister Plenipotentiary, 1310 N street.

Mr. Takahira Kogoro, Attaché, 1300 Vermont avenue.

Mr. Hashiguchi Naoyemou, Attaché, 945 K street.

## MEXICO.

Señor Don Manuel M. de Zamacona, Envoy Extraordinary and Minister Plenipotentiary, 1416 and 1418 K street.

Señor Don José T. de Cuellar, First Secretary of Legation, 1313 Riggs street.

Señor Don Cayetano Romero, Second Secretary, 1316 I street.

Señor Don Miguel Covarrubias, Auxiliary Secretary, 1418 K street.

Señor D. Heberto E. Rodriguez, Auxiliary Secretary, 1013 Fourteenth street.

Señor Don Rafael Pardo, Attaché. (Absent.)

## NETHERLANDS.

Mr. Rudolph de Pestel, Minister Resident, 1415 G street. (Absent.)

Mr. Rudolph C. Burlage, Chargé de Affairs *ad interim*, Netherlands Consulate General, New York.

## NICARAGUA.

(No representative at present.)

## PERU.

Señor Don J. Federieo Elmore, Minister Resident, the Hamilton, Fourteenth and K streets.

## PORTUGAL.

Viscount das Nogueiras, Envoy Extraordinary and Minister Plenipotentiary, 1724 I street.

## RUSSIA.

Mr. Michel Bartholomei, Envoy Extraordinary and Minister Plenipotentiary, 1015 Connecticut avenue.

Mr. Grégoire de Willamov, Secretary of Legation.

Mr. Wladimir de Meissner, Second Secretary, 1736 N street.

## SALVADOR.

[See also Guatemala.]

Señor Don Arturo Ubico, Envoy Extraordinary and Minister Plenipotentiary, the Arlington. Summer address: 35 Broadway, New York.

## SPAIN.

Señor Don Francisco Barea, Envoy Extraordinary and Minister Plenipotentiary, 1925 F street.

Señor Don Eduardo Bosch, First Secretary of Legation. (Absent.)

Señor Don José de Soto, Second Secretary of Legation, 813 Fifteenth street.

Señor Don Fernando Roca de Togores, Third Secretary, 503 Thirteenth street.

Señor Don José Viudes Giron, Attaché, 1340 I street.

Señor Don Rafael Moore y de Pedro, Attaché, 1340 I street.

Colonel Don José Ramon de Olafleta, Military Attaché, Windsor Hotel, New York.

Com. Don Juan Montojo, Naval Attaché, 1916 F street.

Office of the Legation, 1916 F street.

## SWEDEN AND NORWAY.

Count Carl Lewenhaupt, Envoy Extraordinary and Minister Plenipotentiary, 1021 Connecticut avenue.

Mr. de Bildt, Secretary of Legation, 920 Seventeenth street.

## TURKEY.

Grégoire Aristarchi Bey, Envoy Extraordinary and Minister Plenipotentiary, 804 Seventeenth street.

Rustem Effendi, Secretary of Legation 725 Fifteenth street.

## VENEZUELA.

Señor Don Simon Camacho, Chargé d'Affaires, 1325 F street Washington, or P O. box 1368, New York.

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**List of Senators and Representatives.**

*Of the 48th Congress,—Sessions 1883–85.*

*With their Home Post-Offices.*

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**SENATORS.**

*Salary, \$5,000 each and Mileage.*

GEORGE F. EDMUNDS. *Pres. pro tem.* (*Salary, \$8,000.*) Burlington, Vt.

## ALABAMA.

1889 *John T. Morgan*, Selma.

1885 *James L. Pugh*, Eufaula.

## ARKANSAS.

1889 *Augustus H. Garland*, Little Rock.

1885 *James D. Walker*, Fayetteville.

## CALIFORNIA.

1885 *James T. Furley*, Jackson.

1887 *John F. Miller*, San Francisco.

## COLORADO.

1889 *Thomas M. Bowen*, Pueblo.

1885 *Nathaniel P. Hill*, Denver.

## CONNECTICUT.

1885 *Orville H. Platt*, Meriden.

1887 *Joseph R. Hawley*, Hartford.

## DELAWARE.

1889 *Eli Saulsbury*, Dover.

1887 *Thomas Francis Bayard*, Wilmington

## FLORIDA.

1885 *Wilkinson Call*, Jacksonville.

1887 *Charles W. Jones*, Pensacola.

## GEORGIA.

1889 *Alfred H. Colquitt*,

1885 *Joseph E. Brown*, Atlanta.

## ILLINOIS.

1889 *Shelby L. Cullom*,

1885 *John A. Logan*, Chicago.

## INDIANA.

1885 *Daniel W. Voorhees*, Terre Haute.

1887 *Benjamin Harrison*, Indianapolis.

## IOWA.

- 1889 *James F. Wilson*, Afton.  
1885 *William B. Allison*, Dubuque.

## KANSAS.

- 1889 *Preston B. Plumb*, Emporia.  
1885 *John J. Ingalls*, Atchison.

## KENTUCKY.

- 1889 *James B. Beck*, Lexington.  
1885 *John S. Williams*, Mt. Sterling.

## LOUISIANA.

- 1889 *Randall Gibson*.  
1885 *Benjamin F. Jonas*, New Orleans.

## MAINE.

- 1889 *William P. Frye*, Lewiston.  
1887 *Eugene Hale*, Ellsworth.

## MARYLAND.

- 1885 *James B. Groome*, Elkton.  
1887 *Arthur P. Gorman*, Laurel.

## MASSACHUSETTS.

- 1889 *George F. Hoar*, Worcester.  
1887 *Henry L. Dawes*, Pittsfield.

## MICHIGAN.

- 1887 *Omar D. Conger*, Port Huron.  
1889 *Thomas W. Palmer*, Detroit.

## MINNESOTA.

- 1889 *Dwight M. Sabin*,  
1887 *Samuel J. R. McMillan*, St. Paul.

## MISSISSIPPI.

- 1889 *Lucius Q. C. Lamar*, Oxford.  
1887 *James C. George*, Jackson.

## MISSOURI.

- 1885 *George G. Vest*, Kansas City  
1887 *Francis M. Cockrell*, Warrensburg.

## NEBRASKA.

- 1889 *Charles F. Manderson*, Omaha.  
1887 *Charles H. Von Wyck*, Nebraska City.

## NEVADA.

- 1885 *John P. Jones*, Gold Hill.  
1887 *James G. Fair*, Virginia City.

## NEW HAMPSHIRE.

- 1883 *Austin F. Pike*, Franklin.  
1885 *Henry W. Blair*, Plymouth.

## NEW JERSEY.

- 1889 *John R. McPherson*, Jersey City.  
1887 *William J. Sewell*, Camden.

## NEW YORK.

- 1885 *Eldridge G. Lapham*, Canandaigua.  
1887 *Waren Miller*, Herkimer.

## NORTH CAROLINA.

- Vacancy—Election in June, 1883.  
1885 *Zebulon B. Vance*, Charlotte.

## OHIO.

- 1885 *George H. Pendleton*, Cincinnati.  
1887 *John Sherman*, Mansfield.

## OREGON.

- 1889 *J. N. Dolph*.  
1885 *James H. Slater*, Le Grande.

## PENNSYLVANIA.

- 1885 *J. Donald Cameron*, Harrisburg.  
1887 *John I. Mitchell*, Wellsboro.

## RHODE ISLAND.

- 1889 *Henry B. Anthony*, Providence.  
1887 *Nelson W. Aldrich*, Providence.

## SOUTH CAROLINA.

- 1889 *Matthew C. Butler*, Edgefield.  
1885 *Wade Hampton*, Columbia.

## TENNESSEE.

- 1889 *Isham G. Harris*, Memphis.  
1887 *Howell E. Jackson*, Jackson.

## TEXAS.

- 1889 *Richard Coke*, Waco.  
1887 *Sam Bell Maxey*, Paris.

## VERMONT.

- 1885 *Justin S. Morrill*, Strafford.  
1887 *George F. Edmunds*, Burlington.

## VIRGINIA.

- 1889 *H. H. RIDDELBERGER*,  
1887 *WILLIAM MAHONE, Re.*, Petersburg.

## WEST VIRGINIA.

- 1885 *John E. Kenna*.  
1887 *Johnson N. Camden*, Parkersburg.

## WISCONSIN.

- 1885 *Angus Cameron*, La Crosse.  
1887 *Philetus Sawyer*, Oshkosh.

[Republicans (in Roman), 38; Democrats (in *italics*), 36; Readjuster (in SMALL CAPS) 2; Total 76.]

## REPRESENTATIVES.

Salary \$5,000 each and Mileage.

## ALABAMA.

- 1 *Thomas H. Herndon*.\*
- 2 *Hilary A. Herbert*.\*
- 3 *William C. Oates*.\*
- 4 *Charles M. Shelley*.\*
- 5 *Thomas Williams*.\*
- 6 *Goldsmith W. Hewitt*.\*
- 7 *William H. Forney*.\*
- 8 *Luke Pryor*.‡

## ARKANSAS.

- 1 *Poindexter Dunn*.\*
  - 2 *James K. Jones*.\*
  - 3 *John H. Rogers*.
  - 4 *Samuel W. Peel*.
- At large—*Clifton R. Breckinridge*.

## CALIFORNIA.

- 1 *William S. Rosecrans.\**
  - 2 *James H. Budd.*
  - 3 *Barclay Henley.*
  - 4 *Patrick B. Tully.*
- At large—Charles A. Sumner, John R. Glasscock.*

## COLORADO.

- James B. Belford.\*

## CONNECTICUT.

- 1 *William W. Eaton.†*
- 2 *Charles L. Mitchell.*
- 3 *John T. Wait.\**
- 4 *Edward W. Seymour.*

## DELAWARE.

- Charles B. Lore.*

## FLORIDA.

- 1 *Robert H. M. Davidson.\**
2. *Horatio Bisbee, jr.\**

## GEORGIA.

- 1 *John C. Nicholls.†*
  - 2 *Henry G. Turner.\**
  - 3 *Charles F. Crisp.*
  - 4 *Hugh Buchanan.\**
  - 5 *Nathaniel J. Hammond.\**
  - 6 *James H. Blount.\**
  - 7 *Judson C. Clements.\**
  - 8 *Seaborn Reese.*
  - 9 *Allen D. Candler.*
- At Large—Thos. Hardeman.*

## ILLINOIS.

- 1 Ransom W. Dunham.
- 2 JOHN F. FINNERTY, *Ind.*
- 3 George R. Davis.\*
- 4 George E. Adams.
- 5 Reuben Ellwood.
- 6 Robert R. Hitt.\*
- 7 Thomas J. Henderson.\*
- 8 William Cullen\*
- 9 Lewis E. Payson.\*
- 10 *Nicholas E. Worthington.*
- 11 *William H. Neece.*
- 12 *James M. Riggs.*
- 13 *William M. Springer.\**
- 14 Jonathan H. Rowell.
- 15 Joseph G. Cannon.\*
- 16 *Aaron Shaw.*
- 17 *Samuel W. Moulton.\**
- 18 *William R. Morrison.\**
- 19 *Richard W. Townshend.\**
- 20 John R. Thomas.\*

## INDIANA.

- 1 *John J. Kleiner*
- 2 *Thomas R. Cobb.\**
- 3 *Strother M. Stockslager.\**
- 4 *William S. Holman.\**
- 5 *Courtland C. Matson.\**
- 6 Thomas M. Browne.\*
- 7 Stanton J. Peelle.\*
- 8 *John E. Lamb.*
- 9 *Thomas B. Ward.*
- 10 *Thomas J. Wood.*
- 11 George W. Steele.\*
- 12 *Robert Lowry.*
- 13 William H. Calkins.\*

## IOWA.

- 1 Moses A. McCoid.\*
- 2 *Jeremiah H. Murphy.*
- 3 David B. Henderson.
- 4 LUMAN H. WELLER, *Gbk.*
- 5 James Wilson.†
- 6 Marsena E. Cutts.\*
- 7 John A. Kasson.\*
- 8 William P. Hepburn.
- 9 *Wm H. M. Pusey.*
- 10 Adoniram J. Holmes.
- 11 Isaac S. Struble.

## KANSAS.

- 1 John A. Anderson.\*
  - 2 Dudley C. Haskell.\*
  - 3 Thomas Ryan.\*
- At Large—Edmund N. Morrill, Lewis Hanback, Samuel R. Peters, Bishop W. Perkins.*

## KENTUCKY.

- 1 *Oscar Turner.\**
- 2 *James F. Clay.*
- 3 *John E. Halsell,*
- 4 *Thomas A. Robertson.*
- 5 *Albert S. Willis.\**
- 6 *John G. Carlisle.\**
- 7 *Joseph C. S. Blackburn.\**
- 8 *Philip B. Thompson, jr.\**
- 9 William W. Culbertson.
- 10 John D. White.\*
- 11 *Frank L. Wolford.*

## LOUISIANA.

- 1 *Carleton Hunt.*
- 2 *E. John Ellis.*
- 3 William P. Kellogg.†
- 4 *Newton C. Blanchard.\**
- 5 *J. Floyd King.\**
- 6 *Andrew S. Heron.¶*

## MAINE.

- At Large—Thos. B. Reed,\* Nelson Dingley jr.,\* Charles A. Boutelle, Seth L. Milliken.*

## MARYLAND.

- 1 *George W. Covington.\**
- 2 *J. Frederick C. Tulbott.\**
- 3 *Fetter S. Hoblitzell.\**
- 4 *John V. L. Findlay.*
- 5 Hart B. Holton.
- 9 Louis E. McComas.

## MASSACHUSETTS

- 1 Robert T. Davis,
- 2 John D. Long.
- 3 Ambrose A. Ranney.\*
- 4 *Patrick A. Collins.*
- 5 *Leopold Morse.\**
- 6 *Henry B. Lovering.¶*
- 7 Eben F. Stone.\*
- 8 William A. Russell.\*
- 9 THEODORE LYMAN.¶
- 10 William W. Rice.\*
- 11 William Whiting.
- 12 George D. Robinson.\*



## MICHIGAN.

- 1 *William C. Maybury.*
- 2 *Nathan B. Eldredge.*
- 3 *Edward S. Lacey.\**
- 4 *George L. Yaple.*
- 5 *Julius Houseman.*
- 6 *Edwin B. Winans.*
- 7 *Ezra C. Curleton.*
- 8 *Roswell G. Horr.\**
- 9 *Byron M. Cuteheon.*
- 10 *Herschel H. Hateh.*
- 11 *Edward Breitung.*

## MINNESOTA.

- 1 *Milo White.*
- 2 *James B. Wakefield.*
- 3 *Horace B. Strait.\**
- 4 *William D. Washburn.\**
- 5 *Knute Nelson.*

## MISSISSIPPI.

- 1 *Henry L. Muldrow.\**
- 2 *JAMES R. CHALMERS.\* Ind.*
- 3 *E. S. Jeffords.*
- 4 *Hernando D. Money.\**
- 5 *Otho R. Singleton.\**
- 6 *Henry S. Van Eaton.*
- 7 *Ethelbert Barksdale.*

## MISSOURI.

- 1 *William H. Hatch.\**
- 2 *Armistead M. Alexander.*
- 3 *Alexander M. Dockery.*
- 4 *James N. Burnes.*
- 5 *Alexander Graves.*
- 6 *John Cosgrove.*
- 7 *Ayltton H. Buckner.\**
- 8 *John J. O'Neill.*
- 9 *James O. Broadhead.*
- 10 *Martin C. Clardy.*
- 11 *Richard P. Bland.\**
- 12 *Charles H. Morgan.†*
- 13 *Robert W. Fyan.*
- 14 *Lowndes H. Davis.\**

## NEBRASKA.

- 1 *Arhibald J. Weaver.*
- 2 *James Laird.*
- 3 *Edward K. Valentine.\**

## NEVADA.

*George W. Cassidy.\**

## NEW HAMPSHIRE.

- 1 *Martin A. Haynes.*
- 2 *Ossian Ray.\**

## NEW JERSEY.

- 1 *Thomas M. Ferrell.*
- 2 *J. Hart Brewer.\**
- 3 *John Keane, jr.*
- 4 *Benjamin F. Howey.*
- 5 *William Walter Phelps.†*
- 6 *William H. Fiedler.*
- 7 *William McAdoo.*

## NEW YORK.

- 1 *Perry Belmont.\**
  - 2 *William E. Robinson.\**
  - 3 *Darwin E. James.*
  - 4 *Felix Campbell.*
  - 5 *Nicholas Muller.†*
  - 6 *Samuel S. Cox.\**
  - 7 *William Dorsheimer.*
  - 8 *John J. Adams.*
  - 9 *John Hardy.\**
  - 10 *Abram S. Hewitt.\**
  - 11 *Orlando B. Potter.*
  - 12 *Waldo Hutchins.\**
  - 13 *John H. Ketcham.\**
  - 14 *Lewis Beach.\**
  - 15 *John Bagley, jr.†*
  - 16 *Henry G. Burleigh.*
  - 17 *Frederick A. Johnson.*
  - 18 *Thomas J. Van Alstyne.*
  - 19 *Abraham X. Parker.\**
  - 20 *Edward Wemple.*
  - 21 *George W. Ray.*
  - 22 *Charles R. Skinner.\**
  - 23 *J. Thomas Spriggs.*
  - 24 *Newton W. Nutting.*
  - 25 *Frank Hiscoek.\**
  - 26 *Sereno E. Payne.*
  - 27 *James W. Wadsworth.\**
  - 28 *Stephen C. Millard.*
  - 29 *John Arnot.*
  - 30 *Halbert S. Greenleaf.*
  - 31 *Robert S. Stevens.*
  - 32 *William F. Rogers.*
  - 33 *Francis B. Brewer.*
- At Large—Henry W. Slocum.*

## NORTH CAROLINA.

- 1 *Walter R. Pool.*
  - 2 *James E. O'Hara.*
  - 3 *Wharton J. Green.*
  - 4 *William R. Cox.\**
  - 5 *Alfred M. Scales.\**
  - 6 *Clement Dowd.\**
  - 7 *TYRE YORK, Ind.*
  - 8 *Robert B. Vance.\**
- At Large—Risden I. Bennett.*

## OHIO.

- 1 *John H. Follett.*
- 2 *Isaac M. Jordan,*
- 3 *Robert M. Murray.*
- 4 *Benjamin Le Fevre.\**
- 5 *George E. Seney.*
- 6 *William D. Hill.†*
- 7 *Henry L. Morey.\**
- 8 *J. Warren Keifer.\**
- 9 *James S. Robinson.†*
- 10 *Frank H. Hurd.\**
- 11 *John W. McCormick.*
- 12 *Alphonso Hart.*
- 13 *George L. Converse.\**
- 14 *George W. Geddes.\**
- 15 *Adoniram J. Warner.†*
- 16 *Beriah Wilkins.*
- 17 *Jonathan T. Updegraff.††*
- 18 *William McKinley, jr.\**
- 19 *Ezra B. Taylor,\**
- 20 *David R. Paige.*
- 21 *Martin A. Foran.*

## OREGON.

*Melvin C. George.\**

## PENNSYLVANIA.

- 1 Henry H. Bingham.
  - 2 Charles O'Neill.\*
  - 3 Samuel J. Randall.\*
  - 4 William D. Kelley.\*
  - 5 Alfred C. Harmer.\*
  - 6 James B. Everhart.
  - 7 I. Newton Evans.†
  - 8 Daniel Ermentrout.\*
  - 9 A. Herr Smith.\*
  - 10 William Mutchler.\*
  - 11 John B. Storm.†
  - 12 Daniel W. Connolly.
  - 13 CHARLES N. BRUMM,\* Gbk.
  - 14 Samuel F. Barr.\*
  - 15 George A. Post.
  - 16 William W. Brown.
  - 17 Jacob M. Campbell.\*
  - 18 Louis E. Atkinson.
  - 19 William A. Duncan.
  - 20 Andrew G. Curtin.\*
  - 21 Charles E. Boyle.
  - 22 James H. Hopkins.†
  - 23 Thomas M. Bayne.\*
  - 24 George N. Lawrence.†
  - 25 John D. Patton.
  - 26 Samuel H. Miller.\*
  - 27 Samuel M. Brainerd.
- At Large—Mortimer F. Elliot.]*

## RHODE ISLAND.

- 1 Henry J. Spooner.\*
- 2 Jonathan Chace.\*

## SOUTH CAROLINA.

- 1 Samuel Dibble.\*
- 2 George D. Tillman.\*
- 3 D. Wyatt Aiken.\*
- 4 John H. Evins.\*
- 5 John H. Hemphill.
- 6 George W. Dargan.
- 7 Edmund W. M. Mackey.\*

## TENNESSEE.

- 1 Augustus H. Pettibone.
- 2 Leonidas C. Houk.\*
- 3 George G. Disrell.\*
- 4 Benton McMillin.\*
- 5 Richard Warner.\*
- 6 Andrew J. Caldwell.
- 7 John G. Ballantyne.
- 8 John M. Taylor.
- 9 Rice A. Pearce.
- 10 Casey Young.†

## TEXAS.

- 1 Charles Stewart.
- 2 John H. Reagan.\*
- 3 James H. Jones.
- 4 David B. Culberson,\*
- 5 James W. Throckmorton.†
- 6 Olin Welborn.\*
- 7 THOS. P. OCHILTREE, *Ind.*
- 8 James F. Miller.
- 9 Roger Q. Mills.\*
- 10 John Hancock.
- 11 Samuel W. T. Lanham.

## VERMONT.

- 1 John W. Stewart.
- 2 Luke P. Poland.†

## VIRGINIA.

- 1 ROBERT M. MAYO, *Re.*
  - 2 HARRY LIBBEY, *Re.*
  - 3 George D. Wise.\*
  - 4 BENJAMIN S. HOOPER, *Re.*
  - 5 George C. Cubell.\*
  - 6 John Randolph Tucker.\*
  - 7 JOHN PAUL, *Re.\**
  - 8 John S. Barbour.\*
  - 9 HENRY S. BOWEN, *Re.*
- At Large—* JOHN S. WISE, *Re.*

## WEST VIRGINIA:

- 1 Nathan Goff, jr.
- 2 William L. Wilson:
- 3 John E. Kenna.\*
- 4 Eustace Gibson.

## WISCONSIN:

- 1 John Winans.
- 2 Daniel H. Sumner.
- 3 Burr W. Jones.
- 4 Peter V. Deuster.\*
- 5 Joseph Rankin.
- 6 Richard Guenther.\*
- 7 Guibert M. Woodward:
- 8 William T. Price.
- 9 Isaac Stephenson.

Republicans in Roman), 119.

Regular Democrats (in *italics*), 191.

Readjusters (in SMALL CAPS), 6.

Greenback-Labor (in SMALL CAPS), 2.

Independent (in SMALL CAPS), 5.

Vacancies, 2. Total, 325 : Majority, 163.

Representatives in the XLVIIth Congress marked with a \*.

Those in a preceding Congress with a †.

‡ Formerly U. S. Senator.

¶ And Greenback.

|| Civil Service Reform and Democrat.

¶ Died November 27, 1882.

†† Died November 30, 1882.

[For salaries of clerks and other employees of both the Senate and House, see the New Act in Book V. of Existing Laws, this volume.] They are appointed by their respective chiefs, pursuant to the recommendations of majority Senators or Representatives, and with some regard to an equal division among the States. During the Senate Sessions of 1882, the minor offices remained in the hands of the Demo-

crats, owing to a tie vote, President Davis refusing to remove them by his vote; but the Republicans have the majority of the Committees, and each Chairman has on these the appointment of a clerk, at a compensation fixed by the Appropriation Bill.

The committees of the Senate are appointed by the caucuses of their respective parties, and previous rank is as closely observed as party lines will permit. Those of the House are appointed by the Speaker. It is the rule in all parliamentary bodies to give the majority party, in addition to the Chairmanship, a majority on the committees, whether special or standing committees. Exceptions are rare and usually unimportant.

#### The Library of Congress.

*Librarian of Congress.*—Ainsworth R. Spofford, 1621 Massachusetts avenue, N. W., salary \$4000.

*Assistants.*—Charles W. Hoffman, 332 Indiana avenue, salary \$2500.

Louis Solyom, Montgomery County, Maryland, salary \$2500.

And 15 additional clerks. These range from \$1200 to \$1400.

The Library of Congress occupies the entire western projection of the central Capitol building. The original library was commenced in 1800, but was destroyed with the Capitol in 1814 during the war with England. It was afterwards replenished by the purchase of the library belonging to Ex-President Jefferson, by Congress, embracing about 7,000 volumes. In 1851 it contained 55,000 volumes, and by an accidental fire in that year the whole collection was destroyed, except 20,000 volumes. It was rebuilt in 1852, when \$75,000 was appropriated in one sum to replenish the collection. The new library halls, three in number, are fitted up with ornamental iron cases and iron ceiling, the whole being perfectly fire-proof. The library is recruited by regular appropriations made by Congress, which average about \$11,000 per annum; also by additions received by copyright, and from the Smithsonian Institution. The library of the Smithsonian Institution has now been deposited in the Library of Congress, where it is secured against loss by fire. This collection is especially rich in scientific works, embracing the largest assemblage of the transactions of learned societies which exist in the country. The library of copyright books was removed here from the Patent Office in 1870, and all copyrights issued in the United States are now recorded in the books deposited in the office of the Librarian of Congress. The present number of volumes in the whole library, including law books, which are kept in a

separate library room under the Supreme Court, is over 400,000, besides about 150,000 pamphlets. A new building to contain its overflowing stores of learning and to afford room for their proper arrangement has become a necessity. This collection is very rich in history, political science, jurisprudence, and in books, pamphlets, and periodicals of American publication, or relating in any way to America. At the same time the library is a universal one in its range no department of literature or science being unrepresented. The public are privileged to use the books in the library, while members of Congress and about thirty official members of the government only can take away books. The library is open every day (Sunday excepted) during the session of Congress from 9 a. m. to the hour of adjournment. In the recess of Congress it is open between the hours of 9 a. m. and 4 p. m., except Saturdays, when the hour of closing is 3 p. m.

[All employees appointed on recommendation of members of Congress.]

#### United States Legations Abroad.

##### ARGENTINE REPUBLIC.

Thomas O. Osborn, Minister Resident, Buenos Ayres, salary, \$7,500.

##### AUSTRIA-HUNGARY.

Alphonso Taft, Envoy Extraordinary and Minister Plenipotentiary, Vienna, salary, \$12,000.

John F. Delaplaine, Secretary of Legation, Chargé d'Affaires *ad interim*, Vienna, salary, \$1,800.

##### BELGIUM.

Nicholas Fish, Minister Resident, Brussels, salary, \$7,500.

##### BOLIVIA.

George Maney, Minister Resident and Consul-General, La Paz, salary, \$5,000.

##### BRAZIL.

Thomas A. Osborn, Envoy Extraordinary and Minister Plenipotentiary, Rio de Janeiro, salary, \$12,000.

John C. White, Secretary of Legation, Rio de Janeiro, salary, \$1,800.

##### CENTRAL AMERICAN STATES.

(Costa Rica, Guatemala, Honduras, Nicaragua, and Salvador, paid by Fees.)

Henry C. Hall, Minister Resident, Guatemala City, salary, \$10,000.

##### CHILI.

Cornelius A. Logan, Envoy Extraordinary and Minister Plenipotentiary, Santiago, Salary, \$10,000.

## CHINA.

John Russell Young, Envoy Extraordinary and Minister Plenipotentiary, Peking, salary, \$12,000.

Chester Holcombe, Secretary of Legation and Interpreter, Chargé d'Affaires *ad interim*, Peking, salary, \$5,000.

## COLOMBIA.

Wm. L. Scruggs, Minister Resident, Bogota, salary, \$7,500.

## DENMARK.

J. P. Wickersham Chargé d'Affaires, Copenhagen, salary \$5,000.

## FRANCE.

Levi P. Morton, Envoy Extraordinary and Minister Plenipotentiary, Paris, salary, \$17,500.

E. J. Brulatour, Secretary of Legation, Paris, salary, \$2,625.

Henry Vignaud, Second Secretary of Legation, Paris, salary, \$2,000.

## GERMAN EMPIRE.

A. A. Sargent, Envoy Extraordinary and Minister, Plenipotentiary, Berlin, salary, \$17,500.

H. Sidney Everett, Secretary of Legation, Chargé d'Affaires *ad interim*, Berlin, salary \$2,625.

Chapman Coleman, Second Secretary of Legation, Berlin, salary, \$2,000.

## GREAT BRITAIN.

James Russell Lowell, Envoy Extraordinary and Minister Plenipotentiary, London, salary, \$17,500.

William J. Hoppin, Secretary of Legation, London, salary, \$2,625.

Ehrman S. Nadal, Second Secretary of Legation, London, salary, \$2,000.

## HAWAIIAN ISLANDS.

J. M. Comly, Minister Resident, Honolulu, salary, \$7,500.

## HAYTI.

John M. Langston, Minister Resident and Consul-General, Port au Prince, salary, \$7,500.

## ITALY.

George P. Marsh, Envoy Extraordinary and Minister Plenipotentiary, Rome, salary, \$12,000.

George W. Wurts, Secretary of Legation, Rome, salary, \$1,800.

## JAPAN.

John A. Bingham, Envoy Extraordinary and Minister Plenipotentiary, Tokei, salary, \$12,000.

Durham W. Stevens, Secretary of Legation, Tokei, salary, \$2,500.

Samuel R. Frazier, Interpreter, Tokei, salary, \$2,500.

## LIBERIA.

John H. Smyth, Minister Resident and consul-General, Monrovia, salary, \$4,000.

## MEXICO.

Philip H. Morgan, Envoy Extraordinary and Minister Plenipotentiary, Mexico, salary, \$12,000.

Edward M. Neill, Secretary of Legation, Mexico, salary, \$1,800.

## THE NETHERLANDS.

Wm. L. Dayton, Minister Resident, the Hague, salary, \$7,500.

## PARAGUAY AND URUGUAY

Wm. Williams, Chargé d'Affaires, Montevideo, Uruguay, salary, \$5,000.

## PERU.

James R. Partridge, Envoy, Extraordinary and Minister Plenipotentiary, Lima, salary, \$10,000.

## PORTUGAL.

John M. Francis, Chargé d'Affaires, Lisbon, salary, \$5,000.

## ROUMANIA.

Eugene Schuyler, Chargé d'Affaires and Consul General, Bucharest, Fees.

## RUSSIA.

Wm. H. Hunt, Envoy Extraordinary and Minister Plenipotentiary, St. Petersburg, salary, \$17,500.

Wickham Hoffman, Secretary of Legation, Chargé d'Affaires *ad interim*, St. Petersburg, salary, \$2,625.

## SPAIN.

Hannibal Hamlin, Envoy Extraordinary and Minister Plenipotentiary, Madrid, salary, \$12,000.

Dwight T. Reed, Secretary of Legation, Madrid, salary, \$1,800.

## SWEDEN AND NORWAY.

John L. Stevens, Minister Resident, Stockholm, salary, \$7,500.

## SWITZERLAND.

M. J. Cramer, Chargé d'Affaires, Berne, salary, \$5,000.

## TURKEY.

Lewis Wallace, Minister Resident, Constantinople, salary, \$7,500.

G. Harris Heap, Consul-General, and *ex officio* Secretary of Legation, Constantinople, salary, \$3,000.

A. A. Gargiulo, Interpreter, Constantinople, salary, \$3,000.

## VENEZUELA.

Jehu Baker, Minister Resident, Caracas, salary, \$7,500.

**Consuls and Commercial Agents.**

Argentine Republic, three Consuls, at Buenos Ayres, \$3,000 salary; at Cordoba and Rosario, fees.

Austria-Hungary, a Consul-General at \$3,000; three Consuls at Pesth, \$3,000; Prague and Trieste, \$2,000 each.

Barbary States, two Consuls at Tangier and Tunis, each \$3,000; Commercial Agent at Tetuan, fees.

Belgium, four Consuls, at Antwerp and Brussels, \$2,500 each; Ghent, fees; Verviers and Liege, \$1,500.

Bolivia, Commercial Agent at Cobija, fees.

Brazil, Consul-General, Rio de Janeiro, \$6,000; five Consuls, at Bahia, \$1,500; Para, \$1,000; Pernambuco, \$2,000; Rio Grande, \$1,000; Santos, fees.

Costa Rica, Consul at San Jose, fees.

Guatemala, Consul at Guatemala, fees.

Honduras, two Consuls, at Amapala, fees; Omoa and Truxillo, \$1,000.

Nicaragua, two Commercial Agents, at San Juan del Norte and Punta Arenas, \$1,000; at San Juan del Sur, fees.

Salvador, two Consuls, at La Union and Sonsonate, fees.

Chili, three Consuls, at Coquimbo, fees; Talcahuano, \$1,000; Valparaiso, \$3,000.

China, a Consul-General at Shanghai, \$5,000; eight Consuls, Amoy, \$3,500; Canton, \$3,500; Chin-Kiang, \$3,500; Foo-Chow, \$3,500; Hankow, \$3,500; New-Chwang, fees; Ningpo, \$3,500; Tien-Tsin, \$3,500.

Colombia, United States of, three Consuls, at Panama, \$2,000; Sabanella, \$1,000; Bogota, fees. Also seven Commercial Agents at Buenaventura, Carthagena, Medellin, Rio Hacha, San Andres, Santa Martha, fees; and at Aspinwall, \$3,000.

Denmark, two Consuls, at Copenhagen, \$1,500; St. Thomas, \$2,500.

Ecuador, one Consul at Guayaquil, \$1,000.

France, a Consul-General at Paris, \$6,000; nine Consuls, Bordeaux, \$2,500; Cayenne, fees; Guadaloupe, fees; Havre, \$3,000; Lyons, \$2,500; Marseilles, \$2,500; Martinique, \$1,500; Nice, \$1,500; Rheims, fees. Also eight Commercial Agents, at Algiers, Gaboon, La Rochelle, Rouen, St. Bartholomew, Etienne, St. Pierre, all on fees; Nantes, \$1,000.

Friendly and Navigator Islands, one Consul at Apia, \$1,000.

Germany, two Consuls-General, at Berlin, \$4,000; at Frankfort, \$3,000; fourteen Consuls, at Bremen, \$2,000; Bremen, \$2,500; Breslau, fees; Brunswick, fees; Chemnitz and Cologne, each, \$2,000; Dresden and Hamburg, each, \$2,500; Leipsic, Nuremberg, Sonneberg, each, \$2,000; Manheim, Munich and Stuttgart, each, \$1,500.

Great Britain, four Consuls-General, at

London, \$6,000; Calcutta, \$5,000; Melbourne, \$4,500; Montreal, \$4,000; Consuls sixty-four, Antigua, \$1,500; Auckland, \$1,500; Barbadoes, \$1,500; Belfast, \$2,500; Belleville, fees; Bermuda, \$1,500; Birmingham, \$2,500; Bombay, fees; Bradford, \$3,000; Bristol, \$1,50; Cape Town, \$1,500; Cardiff, \$2,000; Ceylon, \$1,000; Charlottetown, P. E. I. \$1,500; Clifton, \$1,500; Coaticook, \$2,000; Cork, \$2,000; Demerara, \$3,000; Dublin, \$2,000; Dundee, \$2,000; Falmouth, fees; Fort Erie, \$1,500; Gaspé Basin, \$1,000; Gibraltar, \$1,500; Glasgow, \$3,000; Halifax, \$2,000; Hamilton, Canada, \$2,000; Hobart Town, fees; Hong-Kong, \$4,000; Kingston, Canada, \$1,500; Kingston, Jamaica, \$2,000; Leeds, \$2,000; Leith, \$2,000; Liverpool, \$6,000; Londonderry, fees; Mahe, Seychelles, \$1,500; Malta, fees; Manchester, \$3,000; Nassau, \$2,000; Newcastle, \$1,500; Ottawa, fees; Pictou, \$1,500; Plymouth, fees; Port Louis, \$2,000; Port Sarnia, \$1,500; Port Stanley, F. I. \$1,500; Prescott, \$1,500; Quebec, \$1,500; Sheffield, \$2,500; Sierra Leone, fees; Singapore, \$2,500; Southampton, \$1,000; St. Helena, \$1,500; St. John, N. B. \$2,000; St. John's, N. F. fees; St. John's, Quebec, \$1,500; Sydney, fees; Toronto, \$2,000; Trinidad, fees; Tunstall, \$2,500; Turk's Island, fees; Victoria, fees; Windsor, N. S. \$1,000; Winnipeg, \$1,500; fourteen Commercial Agents, Belize, fees; Chatham, fees; Dunfermline, fees; Gloucester, fees; Goderich, \$1,500; Hull, fees; Lanthala, F. I. \$1,000; Nottingham, fees; Port Stanley and St. Thomas, fees; Sherbrooke, Canada, fees; St. Christopher, fees; St. George, Bermuda, fees; Stanbridge, fees; Windsor, Canada, \$1,500; Greece, one Consul at Patras, fees.

Hawaiian Islands, one Consul at Honolulu, \$4,000.

Hayti, one Consul, Cape Haytien, \$1,000; Commercial Agent, St. Marc, fees.

Italy, one Consul-General at Rome, \$3,000; ten Consuls, at Carrara, fees; Florence, Genoa, Leghorn, Messina, Naples and Palermo, at \$1,500 each; Milan, fees; Venice, \$1,000; one Commercial Agent at Castelmare, fees.

Japan, one Consul-General at Kanagawa, \$4,000; two Consuls at Nagasaki, \$3,000; Osaka and Hiogo, \$3,000.

Liberia, Commercial Agent at Grand Bassa, fees.

Madagascar, one Consul at Tamatave, \$2,000.

Mexico, one Consul-General at Mexico, \$2,000; sixteen Consuls at Acapulco, \$2,000; Guaymas, \$1,000; Matamoras, \$2,000; and fees at Campeachy, Chihuahua, La Paz, Manzanillo, Mazatlui, Marida, Monterey, Piedras Negras, Saltillo, San Jose, and Cape St. Lucas, Zacatecas. Nine Commercial Agents, all paid by fees at Camargo, Guerrero, Mier, Muatillon, Nuevo Lar-

edo, Oajaca, Pasa del Norte, Presidio del Norte and San Blas.

Muscat, Consul at Zanzibar, \$1,000.

Netherlands and Dominions, seven Consuls, Amsterdam, at \$1,500; Batavia, \$1,000; Rotterdam, \$2,000; on fees at Curacoa, Padang, Paramaribo and St. Martin.

Uruguay, two Consuls at Colonia, fees, Montevideo, \$2,000.

Peru, three Consuls at Callao, \$3,500; on fees at Iquique and Lambayeque.

Portugal, five Consuls at Fayal and Finigan, each \$1,500; Lisbon, \$2,000; Santiago, Cape Verde, and St. Paul de Loando each \$1,000.

Roumania, one Consul at Galatz, fees; one Commercial Agent at Bucharest, fees.

Russia, Consul-General at St. Petersburg, \$2,000; five Consuls at Odessa, \$2,000; fees at Archangel, Helsingfors, Moseow, and Warsaw.

San Domingo, Consul at San Domingo, \$1,500; two Commercial Agents on fees at Puerto Plata and Samana.

Siam, Consul at Bangkok, \$3,000.

Society Islands, Consul at Tahiti, \$1,000.

Spain and Dominions, Consul-General at Havana, \$6,000; fifteen Consuls, Matanzas, \$3,000; Santiago de Cuba, \$2,500; San Juan, P. R., \$2,000; Barcelona, Cadiz, Malaga, \$1,500 each; Cienfuegos, \$2,500; fees at Alicante, Carthagen, Corunna, Denia, Iloilo, Manila, Santandar, and Teneriffe. Seven Commercial Agents, all on fees, at Baracoa, Cardenas, Garrueha, Mayaguez, Ponee, Sagua la Grande, and San Juan de Los Remedios.

Sweden and Norway, four Consuls all on fees at Bergen, Christiana, Gottenberg, Stoekholm.

Switzerland, three Consuls at Basle and Zurich, \$2,000 each; Geneva, \$1,500. One Commercial Agent at St. Galle, fees.

Turkey and Dominions, Agent and Consul-General at Cairo, \$4,000. Four Consuls at Beirut and Smyrna, \$2,000 each; Tripoli, \$3,000; Jerusalem, \$1,500.

Venezuela, two Consuls on fees at Ciudad, Bolivar, and Puerto Cabello; two Commercial Agents at Laguayra, \$1,500; Maracaibo, fees.

#### Interpreters to Legations and Consulates.

China, Peking, \$5,000; Amoy, \$750; Canton, \$750; Foo Chow, \$1,500; Hankow, \$750; Hong-Kong, \$750; Shanghai, \$2,000; Tien-Tsin, \$2,000.

Japan, Yedo, \$2,500; Kanagawa, \$2,000.

Turkey, at Constantinople, \$3,000.

#### Marshals to Consular Courts.

China, five Marshals, Amoy, \$1,000; Foo Chow, \$1,000; Hankow, \$1,000; Shanghai, \$1,000; Tien-Tsin, \$1,000.

Japan, two Marshals, at Kanagawa, \$1,000; Nagasaki, \$1,000.

Turkey, one Marshal at Constantinople, \$1,000.

#### Consular Clerks.

At Shanghai, \$1,200; Havana, \$1,200; Algiers, \$1,200; Berlin, \$1,200; Havana, \$1,200; Rome, \$1,200; Cairo, \$1,200; Liverpool, \$1,000; Paris, \$1,000; Honolulu, \$1,000; Pago-Pago, \$1,000; Paris, \$1,000.

Ministers are appointed from the dominant party, and are in the main appointed as far as may be among the States, but regard is shown to the high abilities of the man. They are not directly applied for, but Congressional delegations press their claims. Consuls and Commercial Agents are appointed at the solicitation frequently, of business interests, but mainly at the request of Senators and Representatives. Commercial Agents frequently pay better than salaried Consulates, this pay depending on the fees, and in some instances on the liberty of the Agent to transact business. All applicants, for the convenience of the Department, should prepare briefs of their applications, backed by their letters and petitions. A well-arranged brief is in itself a business recommendation. Familiarity with foreign tongues where it exists, should be stated.

#### American and Spanish Claims Commission.

(Office in Department of State.)

*Arbitrator on the part of the United States.*—James Lowndes, 1649 K Street, Washington, D. C.

*Arbitrator on the part of Spain.*—Marquis de Postestad Fomari, 1714 Rhode Island avenue.

*Umpire.*—Count Carl Lewenhaupt, 1021 Connecticut avenue.

*Counsel on the part of the United States.*—C. C. Suydam.

*Counsel on the part of Spain.*—John D. McPherson, Georgetown.

*Secretary to the Commission.*—Eustace Collett, 707 Ninth street, N. E.

#### French and American Claims Commission.

(Offices, No. 1518 H street.)

*Commissioner on the part of the United States.*—Asa O. Aldis, 1617 Rhode Island avenue.

*Commissioner on the part of France.*—Mr. de Geofroy, 1617 I street.

*Third Commissioner, named by Brazil.*—Baron de Arinos, 1404 H street.

*Agent and Counsel on the part of the United States.*—George S. Boutwell, 810 Twelfth street.

*Associate Agent and Counsel on the part of the United States.*—John Davis, 1816 I street.

*Counsel on the part of France.*—Mr. de Chambrun, 1211 K street.

*Agent on the part of France.*—Mr. Gri-mand de Caux.

*Secretary of the Commission.*—Washington F. Peddrick, 1518 H Street.

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**PAY OF OFFICERS OF THE UNITED STATES.**

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**Heads of Departments.**

Secretary of State, \$8,000 per annum.

Secretary of the Treasury, \$8,000 per annum.

Secretary of War, \$8,000 per annum.

Secretary of the Navy, \$8,000 per annum.

Secretary of the Interior, \$8,000 per annum.

Postmaster-General, \$8,000 per annum.

Attorney-General, \$8,000 per annum.

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**Legislative Department.**

Speaker of House of Representatives, (mileage, 20 cents per mile,) \$8,000, per annum.

United States Senators, Members of Congress, and Delegates from Territories, \$5,000 per annum.

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**Judiciary (Supreme Court of United States.)**

Chief Justice, \$10,500 per annum.

Associate Justices, (eight in number; court meets second Monday in October), \$10,000 per annum.

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**Ministers and Diplomatic Agents of the United States in Foreign Countries.**

*Envoys Extraordinary and Ministers Plenipotentiary,*

Ministers to Great Britain \$17,500 per annum.

Minister to Russia, \$17,500 per annum.

Minister to France, \$17,000 per annum.

Minister to Germany, \$17,500 per annum.

Minister to Spain, \$12,000 per annum.

Minister to Austria, \$12,000 per annum.

Minister to Italy, \$12,000 per annum.

Minister to China, \$12,000 per annum.

Minister to Mexico, \$12,000 per annum.

Minister to Brazil, \$12,000 per annum.

Minister to Japan, \$12,000 per annum.

Minister to Chili, \$10,000 per annum.

Minister to Peru, \$10,000 per annum.

Minister to Central America, \$10,000 per annum.

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**Ministers Resident.**

Minister in Portugal, \$7,500 per annum.

Minister in Belgium, \$7,500 per annum.

Minister in Netherlands, \$7,500 per annum.

Minister in Denmark, \$7,500 per annum.

Minister in Sweden and Norway, \$7,500 per annum.

Minister in Switzerland, \$7,500 per annum.

Minister in Turkey, \$7,500 per annum.

Minister in Venezuela, \$7,500 per annum.

Minister in Ecuador, \$7,500 per annum.

Minister in Argentine Confederation, \$7,500 per annum.

Minister in Hawaiian Islands, \$7,500 per annum.

Minister in Greece, \$7,500 per annum.

Minister in Columbia, \$7,500 per annum.

Minister in Bolivia, \$7,500 per annum.

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**War Department.**

Secretary of War, \$8,000 per annum.

General, \$13,500 per annum.

Adjutant General, \$5,500 per annum.

Assistant Adjutant General, \$3,500 per annum.

Second Assistant Adjutant General, \$3,000 per annum.

Third Assistant Adjutant General, \$3,000 per annum.

Fourth Assistant Adjutant General, \$3,000 per annum.

Chief Clerk Adjutant General's Bureau, \$2,000 per annum.

Inspector General, \$3,500 per annum.

Judge Advocate General, \$5,500 per annum.

Assistant Judge Advocate \$3,500 per annum.

Quartermaster General, \$5,500 per annum.

Deputy Quartermaster General, \$3,000 per annum.

Assistant Quartermaster, \$3,500 per annum.

Chief Clerk Quartermaster's Bureau, \$2,000 per annum.

Chief of Engineer's Bureau, \$5,500 per annum.

Chief Clerk of Engineer's Bureau, \$2,000 per annum.

Surgeon General, \$5,500 per annum.

Assistant Surgeon General, \$3,500 per annum.

Chief Clerk Surgeon General's Bureau, \$2,000 per annum.

Chief of Ordnance, \$5,500 per annum.

Chief Clerk of Ordnance, \$2,000 per annum.

Paymaster General, \$3,500 per annum.

Deputy Paymaster General, \$3,000 per annum.

Assistant Paymaster General, \$3,500 per annum.

Chief Clerk Paymaster General's Bureau, \$2,000 per annum.

Commissary General of Subsistence, \$5,500 per annum.

Assistant Commissary General, \$3,500 per annum.

Chief Clerk Commissary General's Bureau, \$2,000 per annum.

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**General Officers.**

Lieutenant General, \$916.67 per month.

Aids-de-camp, according to rank.  
Major-General, \$625.00 per month.  
Brigadier-General, \$458.33 per month.

**Adjutant General's Department.**

Adjutant General—Brigadier General,  
\$458.33 per month.  
Assistant Adjutant General—Colonel,  
\$291.67 per month.  
Assistant Adjutant General—Lieutenant  
Colonel, \$250.60 per month.  
Assistant Adjutant General—Major,  
\$208.33 per month.  
Judge Advocate General—Colonel, \$291.67  
per month.  
Judge Advocate—Major, \$208.33 per  
month.

**Inspector General's Department.**

Inspector General—Colonel, \$291.67 per  
month.  
Assistant Inspector General—Major,  
\$208.33 per month.

**Signal Department.**

Signal Officer—Colonel, \$292.67 per month.

**Pay Department.**

Paymaster General, \$291.67 per month.  
Deputy Paymaster General, \$250.50 per  
month.  
Paymaster, \$208.33 per month.

**Officers of the Corps of Engineers, Topo-  
graphical Engineers, and Ordnance  
Department.**

Chief of Ordnance—Brigadier General,  
\$485.33 per month.  
Colonel, \$291.67 per month.  
Lieutenant Colonel, \$250.00 per month.  
Major, \$208.33 per month.  
Captain, \$150.00 per month.  
First Lieutenant, \$125.00 per month.  
Second Lieutenant, \$116.67 per month.

**Officers of Mounted Dragoons, Cavalry,  
Riflemen, and Light Artillery.**

Colonel, \$291.67 per month.  
Lieutenant Colonel, \$250.00 per month.  
Major, \$208.33 per month.  
Captain, \$166.67 per month.  
First Lieutenant, \$133.33 per month.  
Second Lieutenant, \$125.00 per month.

**Quartermaster's Department.**

Quartermaster General—Brigadier Gene-  
ral, \$485.33 per month.  
Assistant Quartermaster General—Colonel,  
\$291.61 per month.  
Deputy Quartermaster General—Lieuten-  
ant Colonel, \$250.00 per month.  
Quartermaster—Major, \$208.33 per month.  
Assistant Quartermaster—Captain, \$166.67  
per month.

**Subsistence Department.**

Commissary General of Subsistence—  
Brigadier General, \$458.33 per month.  
Assistant Commissary General—Colonel,  
\$291.67 per month.  
Commissary of Subsistence—Major, \$208.-  
33 per month.  
Commissary of Subsistence—Captain,  
\$150.00 per month.

**Medical Department.**

Surgeon General—Brigadier General,  
\$485.33 per month.  
Assistant Surgeon General, \$291.67 per  
month.  
Chief Medical Purveyor, \$291.67 per  
month.  
Assistant Medical Purveyor, \$250.00 per  
month.  
Surgeons—Majors, \$208.33 per month.  
Assistant Surgeons—Captains, \$150.00 per  
month.  
Adjutant Regimental Quartermaster,  
\$150.00 per month.

**Officers of Artillery and Infantry.**

Colonel, \$291.67 per month.  
Lieutenant-Colonel, \$250.00 per month.  
Major, \$208.33 per month.  
Captain, \$150.00 per month.  
First-Lieutenant, \$125.00 per month.  
Second Lieutenant, \$116.67 per annum.

**Monthly Payment of Enlisted Men of the  
United States Army.**

*First Enlistment.—Company.*

Private—Artillery, Cavalry, and Infantry,  
\$13.00 per month.  
Private, 2d class—Engineers and Ord-  
nance, \$13.00 per month.  
Musician—Engineers, Artillery, and In-  
fantry, \$13.00 per month.  
Trumpeter—Cavalry, \$13.00 per month.  
Wagoner—Artillery, Cavalry, and Infant-  
ry, \$14.00 per month.  
Artificer—Artillery and Infantry, \$15.00  
per month.  
Corporal—Artillery, Cavalry, and Infant-  
ry, \$15.00 per month.  
Blacksmith and Farrier—Cavalry, \$15.00  
per month.  
Saddler—Cavalry, \$15.00 per month.  
Quartermaster Sergeant, \$17.00 per month.  
Sergeant—Artillery, Cavalry and Infantry,  
\$17.00 per month.  
Private, 1st Class—Engineers and Ord-  
nance, \$20.00 per month.  
Corporal—Engineers and Ordnance, \$20.00  
per month.  
First Sergeant—Artillery, Cavalry, and  
Infantry, \$22.00 per month.  
Saddler—Sergeant—Cavalry, \$22.00 per  
month.  
Sergeant—Engineers and Ordnance \$34  
per annum.

*Regiment.*

Chief Trumpeter—Cavalry, 21.00 per  
month.



Principal Musician—Artillery and Infantry, \$22.00 per month.  
 Chief Musician—Artillery, Cavalry and Infantry, \$60.00 per month.  
 Sergeant Major—Artillery, Cavalry, and Infantry, \$23.00 per month.  
 Quartermaster Sergeant—Artillery, Cavalry, and Infantry, \$23.00 per month.  
 Sergeant Major and Quartermaster Sergeant—Engineers, \$36.00 per month.  
 Veterinary Surgeon—Senior, \$100.00 per month.  
 Veterinary Surgeon—Junior, \$75.00 per month.

*Port.*

Hospital Matron, \$10.00 per month.  
 Hospital Steward—1st class, \$30.00 per month.  
 Hospital Steward—2d class, \$22.00 per month.  
 Hospital Steward—3d class, \$20.00 per month.  
 Ordnance Sergeant, \$34.00 per month.  
 Commissary Sergeant, \$34.00 per month.

N. B.—The pay of enlisted men, excepting the wagoner, artificer, quartermaster sergeant, chief musician, veterinary surgeons, and hospital matron, during first enlistment increases \$1 per annum after the second year. First re-enlistment pay is increased \$2, and \$1 for second, third, and fourth re-enlistment, and is uniform in each.

**Sappers and Miners, and Pontooniers.**

Sergeant, \$34 per month.  
 Corporal, \$20 per month.  
 Private—1st class, \$17 per month.  
 Private—2d class, \$13 per month.  
 Musician, \$13 per month.

**PAY OF THE NAVY OF THE UNITED STATES.****Officers.**

Admiral, per year, \$13,000 on sea.  
 Vice Admiral, per year, \$9,000 on sea, \$8,000 on shore, \$6,000 on orders.  
 Rear Admirals, per year, \$6,000 on sea, \$5,000 on shore, \$4,000 on orders.  
 Commodores, per year, \$5,000 on sea, \$4,000 on shore, \$3,000 on orders.  
 Captains, per year, \$4,500 on sea, \$3,500 on shore, \$2,800 on orders.  
 Commanders, per year, \$3,500 on sea, \$3,000 on shore, \$2,300 on orders.  
 Lieut. Commanders—1st four years of commission, per year, \$2,800 on sea, \$2,400 on shore, \$2,000 on orders.  
 Lieut. Commanders—after four years, per year, \$3,000 on sea, \$2,600 on shore, \$2,200 on orders.  
 Lieutenants—1st five years of commission, per year, \$2,400 on sea, \$2,000 on shore, \$1,600 on orders.  
 Lieutenants—after five years, per year,

\$2,600 on sea, \$2,200 on shore, \$1,800 on orders.

Masters—1st five years of commission, per year, \$1,400 on sea, \$1,200 on shore, \$1,000 on orders.

Masters—after five years, per year, \$1,800 on sea, \$1,500 on shore, \$1,200 on orders.

Ensigns—1st five years of commission, per year, \$1,200 on sea, \$1,000 on shore, \$800 on orders.

Ensigns—after five years, per year, \$1,400 on sea, \$1,200 on shore, \$1,000 on orders.

Midshipmen, per year, \$1,000 on sea, \$800 on shore, \$600 on orders.

Fleet Surgeons—Medical and Pay Directors, per year, \$4,400 on sea.

Medical and Pay Inspectors and Chief Engineers, per year, \$4,400 on sea.

Surgeons—1st five years of commission, per year, \$2,800 on sea, \$2,400 on shore, \$2,000 on orders.

Surgeons—2d five years of commission, per year, \$3,200 on sea, \$2,800 on shore, \$2,400 on orders.

Surgeons—3d five years of commission, per year, \$3,500 on sea, \$3,200 on shore, \$2,600 on orders.

Surgeons—4th five years of commission, per year, \$3,700 on sea, \$3,600 on shore, \$2,800 on orders.

Surgeons—after twenty years, per year, \$4,200 on sea, \$4,000 on shore, \$3,000 on orders.

Past Assistant Surgeons—1st five years of commission, per year, \$2,000 on sea, \$1,800 on shore, \$1,500 on orders.

Past Assistant Surgeons—after five years, per year, \$2,200 on sea, \$2,000 on shore, \$1,700 on orders.

Assistant Surgeons—1st five years of commission, per year, \$1,700 on sea, \$1,400 on shore, \$1,000 on orders.

Assistant Surgeons—after five years, per year, \$1,900 on sea, \$1,600 on shore, \$1,200 on orders.

Paymaster—same as Surgeons.

Past Assistant paymasters—same as P. A. Surgeons.

Assistant Paymasters—1st five years of commission, per year, \$1,700 on sea, \$1,400 on shore, \$1,000 on orders.

Assistant Paymasters—after five years, per year, \$1,900 on sea, \$1,600 on shore, \$1,200 on orders.

Chaplains—1st five years of commission, per year, \$2,500 on sea, \$2,000 on shore, \$1,600 on orders.

Chaplains—after five years, per year, \$2,800 on sea, \$2,300 on shore, \$1,900 on orders.

Professors of Mathematics—1st five years of commission, per year, \$2,400 on sea, \$2,400 on shore, \$1,500 on orders.

Professors of Mathematics—2d five years of commission, per year, \$2,700 on sea, \$2,700 on shore, \$1,800 on orders.

Professors of Mathematics—3d five years

- of commission, per year, \$3,000 on sea, \$3,000 on shore, \$2,100 on orders.
- Professors of Mathematics—after fifteen years, per year, \$3,500 on sea, \$3,500 on shore, \$2,600 on orders.
- Boatswains—Gunners—Carpenters, per year, \$1,200 on sea, \$900 on shore, \$700 on orders.
- Sailmakers—1st three years of commission, per year, \$1,200 on sea, \$900 on shore, \$700 on orders.
- Sailmakers—2d three years of commission, per year, \$1,300 on sea, \$1,000 on shore, \$800 on orders.
- Sailmakers—3d three years of commission, per year, \$1,400 on sea, \$1,300 on shore, \$900 on orders.
- Sailmakers—4th three years of commission, per year, \$1,600 on sea, \$1,300 on shore, \$1,000 on orders.
- Sailmakers—after twelve years, per year, \$1,800 on sea, \$1,600 on shore, \$1,200 on orders.
- Naval Contractors—1st five years of commission, per year, \$3,200 on shore, \$2,200 on order.
- Naval Contractors—2d five years of commission, per year, \$3,400 on shore, \$2,400 on order.
- Naval Contractors—3d five years of commission, per year, \$3,700 on shore, \$2,700 on orders.
- Naval Contractors—4th five years of commission, per year, \$4,000 on shore, \$3,000 on orders.
- Naval Contractors—after twenty years, per year, \$4,200 on shore, \$3,200 on orders.
- Assistant Naval Contractors—1st four years of commission, per year, \$2,000 on shore, \$1,500 on orders.
- Assistant Naval Contractors—2d four years of commission, per year, \$2,200 on shore, \$1,700 on orders.
- Assistant Naval Contractors—after eight years, per year, \$2,600 on shore, \$1,900 on orders.
- Chief Engineers—same as Surgeons.
- Past Assistant Engineers—same as P. A. Surgeons.
- Assistant Engineers—same as Assistant Surgeons.
- Secretaries to Admiral and Vice Admiral, \$2500 per annum.
- Secretaries to Commanders of Squadrons, \$2000 per annum.
- Clerks to Commanders of Squadrons, \$750 per annum.
- Clerks to Commanders of Vessels, \$750 per annum.
- Clerks at Navy Yards—Boston and New York, \$1600 per annum.
- Clerks at Navy Yards—Washington, \$1600 per annum.
- Clerks at Navy Yards—Philadelphia, \$1600 per annum.
- Clerks at Navy Yards—Mare Island, \$1800 per year.
- Yeomen—first and second rate, \$61 50 per month.
- Yeomen—third rate, \$56 50 per month.
- “—fourth rate, \$51 50 “
- Armorers—first rate, \$36 50 “
- “—second, third and fourth rate, \$31 50 per month.
- Boatswain's Mate and Gunners, each \$28 50 per month.
- Carpenters, \$31 50 per month.
- Sailmaker's Mate, \$26 50 “
- Masters-at-arms—first and second rate, \$61 50 per month.
- Masters-at-arms—third rate, \$56 50 per month.
- Masters-at-arms—fourth rate, \$51 50 per month.
- Ship's Corporals, \$23 50 per month.
- Coxswains, Quarter Masters, Quarter Gunners, \$26 50 per month.
- Captains of Forecastle, Tops, After-guard, and Hold, \$26 50 per month.
- Coopers, \$23 50 per month.
- Painters—first class, \$26 50 “
- “—second “ \$23 50 “
- Stewards—of Cabin, \$36 50 “
- “—of Ward Room, \$31 50 per month.
- Stewards—of Steerage, 21 50 per month.
- “—of Warrant Officers, \$19 50 per month.
- Nurses—complement less than 200—one nurse, \$15 50 per month.
- Nurses—complement over 200—two nurses, \$15 50 per month.
- Cooks—Cabin, \$31 50 per month.
- “Ward Room, \$26 50 per month.
- “Steerage, \$19 50 “
- “Warrant Officers, \$15 50 “
- Musicians—Masters of Band, \$51 50 per month.
- Musicians—first class, \$36 50 per month.
- “second class, \$31 50 “
- Seamen, \$21 50 “
- “Ordinary, \$17 50 “
- Landsmen, \$15 50 “
- Firemen—first class, \$31 50 “
- “second class, \$26 50 “
- Coal Heavers, \$21 50 “
- Marine Corps—Brigadier General, \$5500 per annum.
- Marine Corps—Ass't Quartermaster, captain's rank, \$2000 per annum.
- Marine Corps—Colonel, \$3500 per ann.
- “Lieutenant Col., \$3000 per annum.
- Marine Corps—Major, \$2500 per annum
- “Captain, \$1800 “
- “1st Lieutenant and Aide-de-camp, \$1750 per annum.
- Marine Corps—1st Lieutenant, \$1500 per annum.
- Marine Corps—2d „ \$1400 per annum.
- All officers on retired list receive 75 or 50 per cent. of their sea pay, according as

they are retired for long and faithful service or for other causes.

The navy ration is commuted at 30 cents per day. The navy spirit ration was totally abolished July 1, 1870.

Navy officers are retired after 40 years' service, on their own application; and they are retired in any case after 62 years of age, with some exceptions. The compensation of retired officers is 75 per cent. of the active pay of the same rank, or 50 per cent. (according to the causes of retirement.)

Admissions to West Point and the Naval Academy are only received where vacancies occur in the State or section entitled. The appointments are apportioned among the Senators and Representatives, some being reserved to the President. In many Congressional Districts, to avoid favoritism, and to make sure of admission when appointed, local boards of examiners are appointed, and those who pass best in the English branches are given the first trial. The fortunate applicant must pass another and still more rigid examination at the Academy, and must do this without serious failure in each and every year. Those who pass are entitled, in the Army, to a Second Lieutenancy; in the Navy, to a Past Midshipman's rank. Those who fail can under an Act of Congress, be appointed to the lower grade of vacancies in the Army after all who pass are provided for. At either Academy the student receives sufficient allowance from the government.

#### **United States Military Academy at West Point.**

The United States Military Academy at West Point was founded by act of March 16, 1802, constituting the corps of engineers of the army, a military academy with fifty students or cadets, who were to receive instructions under the senior engineer officer as superintendent. Later acts established professorships of mathematics, engineering, philosophy, etc., and made the academy a military body, subject to the rules and articles of war. In 1815, a permanent superintendent was appointed, and a year later an annual board of visitors was provided for, to be named by the President, the Speaker of the House, and the President of the Senate. In 1843 the present system of the appointment of cadets was instituted, which assigns one cadet to each Congressional district and Territory in the Union, to be named by the Representative in Congress for the time being, and ten appointments at large, specially conferred by the President of the United States. The number of students is thus limited to 312. A large proportion of those appointed fail to pass the examination, and many others to complete the course, the proportion being stated at fully one half hitherto.

The course of instruction requires four years, and is largely mathematical and professional. The discipline is very strict, even more so than in the army, and the enforcement of penalties for offences is inflexible rather than severe. The whole number of graduates from 1802 to 1877 was about 2,700, of whom 1,200 are deceased and about 1,500 living. Of those surviving, 800 are still in the army, and about 700 out of service.

Appointees to the Military Academy must be between 17 and 22 years of age, at least five feet in height, and free from infirmity, and able to pass a careful examination in various branches of knowledge. Each cadet admitted must bind himself to serve the United States eight years from the time of admission to the academy. The pay of cadets, formerly fifty dollars per month and rations, was fixed at \$540 per year, with no allowance for rations, by the act of 1876. The aggregate amount of money appropriated by the United States for the Military Academy from 1802 to 1877 inclusive, was \$11,396,128, being an average of about \$149,949 annually. The number of actual members of the academy, by the official register of June, 1879, was 212.

#### **United States Naval Academy at Annapolis.**

The United States Naval Academy was opened October 10, 1845, and the credit of its foundation is attributed to Hon. George Bancroft, then Secretary of the Navy under President Polk. The course of instruction, designed to train midshipmen for the navy, at first occupied five years, of which three were passed at sea. Various changes have been made in the course of instruction, which was made seven years in 1850, four years in 1851, and six years, (the two last of which are spent at sea,) March 3, 1873, where it now remains, under the direct care and supervision of the Navy Department. There are to be allowed in the academy one cadet-midshipman for every member or delegate in the House of Representatives, appointed at his nomination, one for the District of Columbia, and ten appointed at large by the President. The number of appointments which can be made is limited by law to twenty-five each year, named by the Secretary of the Navy after competitive examinations, the cadets being from fourteen to eighteen years of age. The successful candidates become students of the academy, and receive the pay of cadet-midshipmen, \$500 per annum. Besides the cadet-midshipmen, 25 cadet-engineers may be appointed each year, from 16 to 20 years of age, on competitive examination involving a higher standard of knowledge. The course for cadet-engineers is 4 years at the academy, and 2

additional years at sea. All cadets who graduate are appointed assistant-engineers in the navy as fast as vacancies occur. The course of instruction is thorough, involving a close pursuit of mathematics, steam engineering, physics, mechanics, seamanship, ordnance, history, law, etc. The whole number of students, cadet-midshipmen, 204; cadet-engineers, 80; total, 284.

**PAY OF PRINCIPAL OFFICERS IN VARIOUS DEPARTMENTS.**

**Department of State.**

Secretary of State, Salary, \$8,000.  
 Assistant Secretary, Salary, \$3,500.  
 Second Assistant Secretary, Salary, \$3,500.  
 Third Assistant Secretary, Salary, \$3,500.  
 Chief Clerk, Salary, \$2,500.  
 Examiner of Claims, Salary, \$3,500.  
 Chief of Consular Bureau, Salary, \$2,100.  
 Chief of Indexes and Archives, Salary, \$2,200.  
 Chief of Bureau of Accounts, Salary, 2,100.  
 Librarian, Salary, \$1,800.

**Treasury Department.**

Secretary of the Treasury, Salary, \$8,000.  
 Assistant Secretary, Salary, \$4,500.  
 Assistant Secretary, Salary, \$4,500.  
 Chief Clerk of Department, Salary, \$2,700.  
 First Comptroller, Salary, \$5,000.  
 Second Comptroller, Salary, \$5,000.  
 Commissioner of Customs, Salary, \$4,000.  
 First Auditor, Salary, \$3,600.  
 Second Auditor, Salary, \$3,600.  
 Third Auditor, Salary, \$3,600.  
 Fourth Auditor, Salary, \$3,600.  
 Fifth Auditor, Salary, \$3,600.  
 Sixth Auditor, Salary, \$3,600.  
 Treasurer of the United States, Salary, \$6,000.  
 Assistant Treasurer, Salary, \$3,600.  
 Register of the Treasury, Salary, \$4,000.  
 Comptroller of the Currency, Salary, \$5,000.  
 Com'r of Internal Revenue, Salary, \$6,000.  
 Solicitor of Internal Revenue, Salary, \$4,500.  
 Solicitor of the Treasury, Salary, \$4,500.  
 Director of the Mint, Salary, \$4,500.  
 Chief of Bureau of Engraving and Printing, Salary, \$4,500.  
 Chief of Bureau of Statistics, Salary, \$2,400.  
 Supervising Architect, Salary, \$4,500.  
 Supt. of U. S. Coast Survey, Salary, \$6,000.  
 Assistant in Charge of Office, Salary, \$4,200.  
 Chairman Light-House Board.

Supervising Surgeon-General, Salary, \$4,000.  
 Supt. of Life-Saving Service, Salary, \$4,000.  
 Supervising Inspector-General of Steamboats, Salary, \$3,500.  
 Chief of Appointment Division, Salary, \$2,500.  
 Chief of Warrant Division, Salary, \$2,750.  
 Chief of Public Moneys Division, Salary, \$2,500.  
 Chief of Customs Division, Salary, \$2,750.  
 Chief Int. Rev. and Navigation, Salary, \$2,500.  
 Chief Loan and Currency Div'n, Salary, \$2,500.  
 Chief Revenue Marine, Salary, \$2,500.  
 Chief Stationery and Printing, Salary, \$2,500.

**Department of the Interior.**

Secretary of the Interior, Salary, \$8,000.  
 Assistant Secretary, Salary, \$3,500.  
 Chief Clerk and Superintendent, Salary, \$2,700.  
 Assistant Attorney-General, Salary, \$5,000.

**GENERAL LAND OFFICE.**

Commissioner, Salary, \$4,000.  
 Chief Clerk, Salary, \$2,000.

**PENSION OFFICE.**

Commissioner, Salary, \$3,000.  
 Deputy Commissioner, Salary, \$2,400.  
 Chief Clerk, Salary, \$2,000.

**PATENT OFFICE.**

Commissioner.....\$4,500  
 Assistant Commissioner..... 3,000  
 Chief Clerk ..... 2,500  
 Examiner-in-chief } ..... 3,000  
 } ..... 3,000  
 } ..... 3,000  
 1. Agriculture..... 2,400  
 2. Agricultural Products..... 2,400  
 3. Metallurgy, Refrigeration, and Distillation..... 2,400  
 4. Civil Engineering ..... 2,400  
 5. Fine Arts..... 2,400  
 6. Chemistry ..... 2,400  
 7. Harvesters and Mills..... 2,400  
 8. Household ..... 2,400  
 9. Hydraulics and Pneumatics..... 2,400  
 10. Carriages, Wagons, and Cars.... 2,400  
 11. Leather-working Machinery and Products..... 2,400  
 12. Mechanical Engineering..... 2,400  
 13. Metal-working, Class A..... 2,400  
 14. Metal-working, Class B..... 2,400  
 15. Plastics..... 2,400  
 16. Philosophical..... 2,400  
 17. Printing and Paper Manufacturing... 2,400  
 18. Steam Engineering..... 2,400

19. Calorifics, Stoves, and Lamps....	2,400
20. Builders' Hardware, Locks, and Surgery.....	2,400
21. Sewing Machines and Textile... Machinery.....	2,400
22. Fire-arms, Navigation, Signals, and Wood-working.....	2,400
23. Trade-Marks and Labels.....	2,500
24. Designs.....	2,400
Examiner of Interferences.....	2,500
Librarian.....	2,000

INDIAN OFFICE.

Commissioner.....	3,000
Chief Clerk.....	2,000

BUREAU OF EDUCATION.

Commissioner of Education.....	3,000
Chief Clerk.....	1,800

CENSUS OFFICE.

Superintendent.....	5,000
Chief Clerk.....	2,000
Auditor of Railroad Accounts.....	5,000
Director of Geological Survey.....	6,000
Superintendent of Government Hospital for Insane.....	2,500
President Columbia Institution for Deaf and Dumb.....	4,000
Architect U. S. Capitol Extension...	4,500

War Department.

OFFICE.	SALARY.
Secretary of War.....	\$8,000
Chief Clerk.....	2,500
Adjutant-General.....	5,500
Assistant Adjutant-General.....	4,500
Chief Clerk.....	2,000
Inspector-General.....	5,500
Quartermaster-General.....	5,500
Chief Clerk.....	2,000
Paymaster-General.....	5,500
Chief Clerk.....	2,000
Commissary-General.....	5,500
Chief Clerk.....	2,000
Surgeon-General.....	5,500
Assistants.....	{ 4,500 3,250 3,250 3,250
Chief Clerk.....	2,000
Judge-Advocate General.....	5,500
Chief Clerk.....	1,800
Chief of Engineers.....	5,500
Chief Clerk.....	2,000
Assistant in charge of Public Buildings and Grounds.....	3,000
Chief Signal Officer.....	5,500
Chief Clerk.....	1,800
Chief of Ordnance.....	5,500
Chief Clerk.....	2,000

Post-Office Department.

Postmaster-General.....	8,000
Chief Clerk.....	2,200
First Assistant Postmaster-General..	3,500

Second Assistant Postmaster-General	3,500
Third Assistant Postmaster-General	3,500
Superintendent of Foreign Mails....	3,000
Assistant Attorney-General for Post-Office Department.....	4,000
Superintendent of Money-Order System.....	3,000

Navy Department.

Secretary of the Navy.....	8,000
Naval Solicitor.....	3,500
Chief Clerk.....	2,500
Judge-Advocate General.....	4,500
Chief of Bureau of Yards and Docks	5,000
Chief of Bureau of Navigation.....	5,000
Chief of Bureau of Ordnance.....	5,000
Chief of Bureau of Provisions and Clothing.....	5,000
Chief of Bureau of Medicine and Surgery.....	5,000
Chief of Bureau of Equipment and Recruiting.....	5,000
Chief of Bureau of Construction and Repair.....	5,000
Chief of Bureau of Steam-Engineering.....	5,000
Commandant of Navy Yard, Washington.....	4,000

Navy Pay Office.

Paymaster.....	3,000
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Marine Corps.

Commandant Marine Corps.....	4,500
In charge Marine Barracks.....	3,500

Naval Observatory.

Superintendent.....	5,000
Professors.....	{ 3,500 3,500 3,500 3,500 2,700 2,400

Nautical Almanac.

Superintendent.....	3,500
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Signal Office.

In charge.....	3,500
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Hydrographic Office.

Hydrographer.....	3,500
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Department of Justice.

Attorney-General.....	8,000
Solicitor-General.....	7,000
Assistant Attorney-General.....	5,000
Assistant Attorney-General.....	5,000
Chief Clerk.....	2,200
Law Clerk.....	2,700

Department of Agriculture.

Commissioner.....	3,000
Chief Clerk.....	1,900

Collectors of Internal Revenue.			Districts.	Stations.	Salary, 1880.
Districts.	Stations.	Salary, 1880.			
Alabama.....	Mobile.....	\$2,500	N. Jersey.....	Newark.....	4,500
".....	Montgomery.....	2,500	N. Mexico.....	Santa Fe.....	2,500
Arizona.....	Prescott.....	2,250	N. York.....	Brooklyn.....	4,500
Arkansas.....	Little Rock.....	2,750	".....	New York.....	4,500
California.....	S. Francisco.....	4,500	".....	New York.....	4,500
".....	Sacramento.....	3,250	".....	Middletown.....	2,750
Colorado.....	Denver.....	2,750	".....	Hudson.....	3,625
Connecticut.....	Norwich.....	2,875	".....	Albany.....	3,750
".....	Bridgeport.....	3,000	".....	Troy.....	3,000
Dakota.....	Yankton.....	2,250	".....	Utica.....	3,125
Delaware.....	Wilmington.....	3,125	".....	Auburn.....	3,375
Florida.....	Jacksonville.....	2,875	".....	Binghamton.....	3,000
Georgia.....	Atlanta.....	4,000	".....	Rochester.....	4,375
".....	Savannah.....	3,000	".....	Buffalo.....	4,500
Idaho.....	Boise City.....	2,125	N. Carolina.....	New Bern.....	2,500
Illinois.....	Chicago.....	4,500	".....	Raleigh.....	4,375
".....	Aurora.....	3,000	".....	Winsted.....	4,250
".....	Sterling.....	4,000	".....	Statesville.....	3,500
".....	Quincy.....	4,375	Ohio.....	Cincinnati.....	4,500
".....	Peoria.....	4,500	".....	Dayton.....	4,500
".....	Champaign.....	2,375	".....	Bellefontaine.....	3,625
".....	Springfield.....	4,125	".....	Wash. C. H.....	3,875
".....	Cairo.....	4,375	".....	Columbus.....	3,625
Indiana.....	Evansville.....	3,000	".....	Toledo.....	4,500
".....	Greensburg.....	4,500	".....	Portsmouth.....	4,500
".....	Indianapolis.....	4,250	".....	Marietta.....	2,875
".....	Terre Haute.....	4,500	".....	Cleveland.....	4,000
".....	Warsaw.....	2,750	Oregon.....	Portland.....	2,500
".....	Anderson.....	2,625	Pennsylvania.....	Philadelphia.....	4,500
Iowa.....	Davenport.....	3,125	".....	Reading.....	3,750
".....	Dubuque.....	3,000	".....	Lancaster.....	4,500
".....	Burlington.....	2,750	".....	Wilkesbarre.....	3,250
".....	Des Moines.....	2,625	".....	Sunbury.....	2,875
Kansas.....	Leavenworth.....	3,000	".....	Somerset.....	2,875
Kentucky.....	Owensboro'.....	3,750	".....	Erie.....	2,625
".....	Louisville.....	4,500	".....	Greenville.....	2,500
".....	Covington.....	4,500	".....	Pittsburgh.....	4,500
".....	Lexington.....	4,500	".....	Allegheny City.....	3,875
".....	Lancaster.....	3,000	R. Island.....	Providence.....	2,875
".....	Maysville.....	2,750	S. Carolina.....	Columbia.....	3,500
Louisiana.....	N. Orleans.....	4,000	Tennessee.....	Knoxville.....	2,500
Maine.....	Portland.....	2,500	".....	Nashville.....	4,125
Maryland.....	Baltimore.....	4,500	".....	Memphis.....	2,625
".....	Cumberland.....	2,750	Texas.....	Galveston.....	3,000
Massachusetts.....	Boston.....	4,500	".....	Austin.....	2,500
".....	Newburyport.....	4,250	".....	Jefferson.....	2,375
".....	N. Adams.....	3,375	Utah.....	S. Lake City.....	2,375
Michigan.....	Detroit.....	4,500	Vermont.....	Montpelier.....	2,500
".....	Hillsdale.....	3,000	Virginia.....	Petersburg.....	4,250
".....	G. Rapids.....	2,750	".....	Richmond.....	4,500
".....	E. Saginaw.....	2,750	".....	Danville.....	4,500
Minnesota.....	Rochester.....	2,625	".....	Lynchburg.....	4,500
".....	St. Paul.....	3,000	".....	Harrisonburg.....	3,000
Mississippi.....	Jackson.....	2,625	Washington.....	Olympia.....	2,250
Missouri.....	St. Louis.....	4,500	W. Virginia.....	Wheeling.....	3,125
".....	C. Girardeau.....	2,375	".....	Grafton.....	2,375
".....	Louisiana.....	3,150	Wisconsin.....	Milwaukee.....	4,500
".....	Carthage.....	3,000	".....	Madison.....	2,750
".....	Kansas City.....	3,000	".....	Fond du Lac.....	2,875
Montana.....	Helena.....	2,125	".....	Sparta.....	2,625
Nebraska.....	Omaha.....	4,250	Wyoming.....	Cheyenne.....	2,125
Nevada.....	Virginia City.....	2,500			
N. Hampshire.....	Dover.....	3,125			
N. Jersey.....	Camden.....	3,000			
".....	Somerville.....	3,000			

The salaries of Internal Revenue Collectors are graduated annually in proportion to the amount of revenue collected by each—the maximum salary being limited to \$4,500 by law.

The number of the collection districts are those retained when the districts in various States were consolidated by law, and those bearing the intervening numbers were abolished.

[While some collectors have fixed salaries, other officers are paid, in whole or in part, by fees or commissions, to which the law fixes a maximum limit.]

<i>Alabama.</i>	
Mobile.....	\$4,195
<i>Alaska.</i>	
Sitka .....	3,376
<i>California.</i>	
San Francisco.....	7,000
San Diego.....	3,000
<i>Connecticut.</i>	
Fairfield.....	1,282
Middletown .....	1,141
New Haven .....	3,000
New London.....	2,995
Stonington.....	620
<i>Delaware.</i>	
Wilmington.....	2,781
<i>Dist. of Columbia.</i>	
Georgetown.....	1,388
<i>Florida.</i>	
Apalachicola.....	834
Fernandina.....	1,350
Key West.....	5,000
Jacksonville.....	1,431
Pensacola.....	3,000
St. Augustine.....	543
Cedar Keys.....	1,235
<i>Georgia.</i>	
Brunswick.....	2,594
Savannah.....	3,455
St. Mary's.....	1,038
<i>Illinois.</i>	
Chicago .....	4,500
<i>Louisiana.</i>	
Morgan City.....	1,568
New Orleans.....	7,000
<i>Maine.</i>	
Bangor.....	1,452
Bath.....	2,369
Belfast .....	1,229
Ellsworth.....	1,450
Kennebunk.....	188
Machias.....	1,614
Eastport.....	3,000
Castine.....	892
Portland.....	6,000
Saco.....	306
Houlton.....	1,500
Waldoborough.....	1,840
Wiscasset.....	752
York.....	258
<i>Maryland.</i>	
Annapolis.....	250
Baltimore.....	7,000
Crisfield.....	2,192

<i>Massachusetts.</i>	
Barnstable.....	\$2,523
Boston .....	8,000
Edgartown.....	884
Fall River.....	1,189
Gloucester.....	3,840
Marblehead.....	311
Nantucket.....	400
New Bedford.....	2,685
Newburyport.....	395
Plymouth.....	834
Salem.....	517
<i>Michigan.</i>	
Detroit.....	5,273
Grand Haven.....	2,700
Marquette .....	2,500
Port Huron.....	2,500
<i>Minnesota.</i>	
Pembina, D. T.....	2,500
Duluth.....	2,500
<i>Mississippi.</i>	
Natchez.....	500
Vicksburg.....	500
Pearl River.....	1,481
<i>Montana and Idaho.</i>	
Fort Benton.....	2,500
<i>New Hampshire.</i>	
Portsmouth.....	741
<i>New Jersey.</i>	
Bridgeton.....	666
Somer's Point.....	506
Trenton.....	261
Newark.....	1,218
Perth Amboy.....	1,970
Tuckerton.....	250
<i>New York.</i>	
Buffalo.....	2,500
Cape Vincent.....	2,500
Dunkirk.....	1,067
New York.....	12,000
Oswegatchie .....	2,500
Oswego.....	4,500
Plattsburgh.....	2,500
Rochester.....	2,550
Sag Harbor.....	490
Suspension Bridge.....	2,500
<i>North Carolina.</i>	
Beaufort.....	1,145
Edenton.....	1,244
Newbern .....	1,588
Wilmington.....	2,500
<i>Ohio.</i>	
Cleveland.....	2,500
Sandusky.....	2,500
Toledo .....	2,512
<i>Oregon.</i>	
Astoria.....	3,000
Portland.....	3,000
Empire City.....	1,078
<i>Pennsylvania.</i>	
Erie.....	1,869
Philadelphia .....	8,000
Camden, N. J. ....	1,500

*Rhode Island.*

Bristol.....	131
Newport .....	974
Providence.....	4,236

*South Carolina.*

Charleston.....	4,000
Georgetown.....	493
Beaufort.....	2,830

*Texas.*

Brownsville.....	4,500
Corpus Christi .....	3,617
El Paso .....	2,000
Galveston.....	3,179
Indianola.....	2,488

*Vermont.*

Burlington.....	2,500
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*Virginia.*

Alexandria.....	462
Eastville. ....	915
Norfolk.....	3,000
Petersburg.....	361
Richmond.....	1,900
Tappahannock.....	481
Yorktown.....	559

*Wisconsin.*

Milwaukee.....	2,500
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**Surveyors of Customs.**

Albany, N. Y., W. N. Sanders, salary, \$4,568.
Baltimore, Md., G. W. F. Vernon, \$4,500.
Boston, Mass., A. B. Underwood, \$500.
Burlington, Iowa, George Frazee, \$383.
Cairo, Ill., George Fisher, \$706.
Cincinnati, Ohio, R. H. Stephenson, \$5,000.
Dubuque, Iowa, Delos E Lyon, \$606.
Evansville, Ind., Joseph C. Jewell, \$925.
Galena, Ill., Daniel Wann, \$368.
La Crosse, Wis., Isaac H. Moulton, \$1,200.
Louisville, Ky., T. O. Shackelford, \$2,653.
Memphis, Tenn., William J. Smith, \$960.
Michigan City, Ind., Thomas Jernegan, Nashville, Tenn., Adam Woolf, \$817.
New Orleans, La., William B. Hyman, \$2,882.
New York, N. Y., Charles K. Graham, \$8,000.
Omaha, Neb., John Campbell, \$395.
Patchogue, N. Y., Edward T. Moore.
Philadelphia, Pa., E. O'Meara Goodrich, \$5,000.
Pittsburgh, Pa., James S. Rutan, \$4,200.
Port Jefferson, N. Y., Samuel R. Davis.
Portland, Maine, George W. True, \$4,500.
Portsmouth, Ohio, James E. Wharton.
St. Louis, Mo., Gustavus St. Gem, \$5,000.
San Francisco, Cal., John M. Morton, \$5,000.
Wheeling, W. Va., James Gilchrist, \$1,719.

**United States Naval Officers**

	<i>Salary.</i>
Boston, Mass.,.....	\$5,000
New York, N. Y.....	8,000
Philadelphia, Pa.,.....	5,000
Baltimore, Md.,.....	5,000
New Orleans, La.,.....	5,069
San Francisco, Cal.,.....	5,000

**United States Mint Officers.**

Director of the Mint, Washington, D. C., \$4,500.
Superintendent, Philadelphia, Pa., \$4,500.
Superintendent, San Francisco, Cal., \$4,500.
Superintendent, New Orleans, La., \$3,500.
Assayer, Charlotte, N. C., \$1,500.
Superintendent, New York, N. Y., \$4,500.
Assayer, Denver, Col., \$2,500.
Superintendent, Carson City, Nevada, \$3,000.
Assayer, Boise City, Idaho, \$2,000.
Assayer, Helena, Montana, \$2,500.

**Assistant Treasurers of the United States.**

Boston, Mass.,.....	\$4,500
New York, N. Y.,.....	8,000
Philadelphia, Pa., .....	4,500
Cincinnati, Ohio,.....	4,500
Chicago, Ill.,.....	4,500
New Orleans, La.,.....	4,000
St. Louis, Mo.,.....	4,500
San Francisco, Cal.,.....	5,500
Baltimore, Md.,.....	4,500
Washington, D. C.,.....	3,600

**OTHER DEPARTMENT OFFICES, THE PAY AND HOW OBTAINED.****State Department.**

In addition to the principal and consular officers previously named there are employed in the State Department about 50 clerks, watchmen, engineers, etc. The clerks are graded, the lowest class receiving \$900, the next \$1,000, then \$1,200, \$1,400, \$1,600 and \$1,800. The proof-reader gets \$1,300, lithographer \$1,200, chief-engineer \$1,200, assistant engineer \$1,000, messenger \$840, assistant messenger \$720, superintendent of watch \$1,000, six watchmen \$600 each, conductor for elevator \$720, eight laborers \$600 each, six firemen \$720 each.

**Treasury Department.**

This is regarded as the leading department in the value of its patronage, though the Postmaster General has more appointments if we include in his list all the Postmasters throughout the land.



In the Treasury Department, besides the principal officers enumerated, there are over *twelve thousand officers*. The salaries of the clerks range from \$900 to \$2,400, the latter for head clerks in bureaus or branches; female clerks, as a rule, \$900. The chief messengers get \$340, assistant messengers \$720, laborers \$660, and some female laborers \$1 per day; female messengers \$1.50 per day, female counters and laborers \$2 per day. There are great numbers of clerical and minor officers in all branches of the Department. Some of the male messengers are paid \$4 per day, and some of the female laborers get \$660 a year there being no uniform system, the appointments being pursuant to laws passed at different periods, and in many instances at the discretion of the Secretary. He has more discretion under the law than any other officer of the government.

The Special Agents, employed in different cities of the Union, as a rule, get \$8 per day, and while Treasury Agents in distant territories and possessions get salaries, ranging from \$2,190 to \$2,650 per annum, with an allowance of \$600 for traveling expenses.

In the Divisions of the Secretary's office about 600 persons, male and female, are employed at sums ranging from \$1 per day, for the simplest forms of labor, to \$2,500 per annum for high clerical duties.

In the Bureau of the Mint, eleven persons, male and female, get from \$660 to \$2,300—the examiner the larger figures; the clerks from \$1,000 to \$2,000, translator \$1,200, copyist \$900.

In the Bureau of Statistics, about forty persons, male and female, are employed, at salaries graded from laborer to chief clerk as follows: \$480, \$660, \$720, \$900, \$1,000, \$1,200, \$1,400, \$1,600, \$1,800, \$2,000 and \$2,400.

In the office of the Life-Saving Service about fifteen persons, male and female, are employed, at similar salaries to the above, the Superintendent getting \$4,000, Assistant General Superintendent \$2,500.

In the office of the Light-House Board, nearly sixty persons, male and female, are employed, the female laborers getting \$45 and \$60 per month; male laborers \$2 per day; custodian of light-house laboratory \$75 per month; clerk of committee on engineering \$50 per month; superintendent of repairs \$150 per month; superintendents of construction from \$5 per day to \$175 per month; draughtsmen from \$100 to \$150 per month; assistant chief engineer \$200 per month; about 30 writers from \$600 to \$1,400 each per year.

In the Supervising Surgeon General's Office about fifteen persons, male and female, are employed, the Supervising Surgeon General getting \$4,000, chief clerk \$2,000, other clerks from \$1,000 to \$1,600, copyists \$900, laborers \$25 per month.

In the Bureau of Engraving and Printing nearly fifteen hundred persons, male and female, are employed. These comprise the chief clerk at \$4,500, assistant chief \$2,250, accountant \$2,000, stenographer \$1,600, seven other clerks at from \$1,000 to \$1,600, a lady getting in this instance the highest figure, three female copyists at \$900 each, two assistant messengers at \$720, four laborers at \$660. In the Engraving Division the Superintendent gets \$12 per day, clerk \$3 per day, engravers from \$5 to \$8.75 per day, die sinkers \$3.50 per day, transferers from \$3.50 to \$7, provers \$5, plate cleaners \$4.50, machinist \$3, trimmer \$1.50, helpers, \$2 and \$2.50, apprentices \$1.25 to \$2. There are many other Divisions, all employing skilled and unskilled, male and female, labor. These comprise a custodian of plates, writing division, printing division, surface branch, examining division, binding, numbering and machine divisions, macerators, watch, vault, cleaning, chance employes and miscellaneous. The skilled laborers are principally paid by the piece, their assistants, generally female, by the day at \$1.125, \$1.50 and \$2.

In the Supervising Architect's Office many civil engineers, draughtsmen, computers, modelers, moulders, photographers, phonographers, copyists (all females) and others skilled in mechanical sciences are employed, at from \$1 to \$9 per day, according to the skill required, the clerks being on the usual salaries. Nearly 500 persons are thus employed.

There are First and Second Comptroller's Offices, each employing from 60 to 100 persons, males and females. The Comptrollers get \$5,000, the Deputies \$2,700, Chief of Division \$2,100, clerks from \$900 to \$1,800, messengers, watchmen, laborers, etc., same as in other branches.

In the office of the Commissioner of Customs about 40 persons, all males, are employed. The Commissioner gets \$4,000, Deputy 2,500, clerks from \$1,000 to \$2,100, messengers \$720, laborer \$660.

There are six Auditor's offices, which vary in the number employed from 50 to 100. The Auditor gets \$3,600, Deputy \$2,250, chiefs of Divisions \$2,000, clerks, both male and females, from \$900 to \$1,800, messengers, laborers, etc., the usual amount.

In the Treasurer's office about 300 are employed, more than half of the clerks being females. The Treasurer gets \$6,000, Assistant \$3,600, Cashier \$3,600, Assistant \$3,200, Supt. National Bank Redemption Division \$3,500, Chief Clerk, \$2,500, five Chiefs of Division each \$2,500, two principal book-keepers each \$2,500, two assistants each \$2,400, four tellers each \$2,500, four assistants from \$2,000, to \$2,250, clerks from \$900 to \$1,800, laborers, messengers, watchmen, etc., same as usual.

In the Register's office about 200 persons, male and female, are employed. The Register gets \$4,000; Assistant, \$2,250; Disbursing Clerk, \$2,000; Chief Clerk, \$2,000; other clerks, from \$900 to \$1,800; Counters, \$900; Laborers, \$660.

In the office of the Comptroller of the Currency, about 100 are employed. The Comptroller gets \$5,000; Deputy, \$2,800; Chiefs of Division, \$2,200; Bond Clerk, \$2,000; Superintendent, \$2,000; Teller, \$2,000; Book Keeper and Assistant, each, \$2,000; Stenographer, \$1,600; about 700 clerks, more than half of them females, from \$900 to \$1,800—the smaller sum, as a rule, being paid to the females; messengers, watchmen, laborers, same as heretofore.

In the office of Internal Revenue, about 250 persons, male and female, are employed. The Commissioner gets \$6,000; Deputy, \$3,200; Heads of Divisions from \$2,250 to \$2,500; Stenographer, \$1,800; nearly 200 clerks, half of them females, from \$900 to \$1,800—the females, as a rule, getting the smaller sum, though some of them run as high as \$1,600; messengers, \$720; ten laborers, \$660.

INTERNAL REVENUE AGENTS.

The Internal Revenue Agents, to the number of about 200, are employed in the larger towns and cities, and are appointed from the State in which they act. The following is the list, with their compensation:

<i>Where employed.</i>	<i>Pay per diem.</i>
Washington, D. C.....	\$12
Detroit, Mich.....	8
Ottumwa, Iowa.....	8
Cincinnati, Ohio.....	8
New York, N. Y.....	8
Boston, Mass.....	8
San Francisco, Cal.....	8
Saint Louis, Mo.....	8
Chicago, Ill.....	8
.....do.....	8
Buffalo, N. Y.....	8
Bangor, Me.....	8
New York, N. Y.....	8
La Porte, Ind.....	8
Philadelphia, Pa.....	8
Washington, D. C.....	8
Louisville, Ky.....	8
Huntsville, Ala.....	7
Pittsburg, Pa.....	7
New York, N. Y.....	7
Austin, Texas.....	8
Norwalk, Ohio.....	7
Burlington, Iowa.....	8
Nashville, Tenn.....	7
Omaha, Neb.....	6
Statesville, N. C.....	7

<i>Where employed.</i>	<i>Compensation.</i>
San Francisco, Cal.....	7
Washington, D. C.....	8
Atlanta, Ga.....	8
Raleigh, N. C.....	6
Cincinnati, Ohio.....	6
Philadelphia, Pa.....	6
New Orleans, La.....	8
New York, N. Y.....	6
Cincinnati, Ohio.....	6

Alabama.

Mobile.....	\$1,500
.....do.....	1,000
Eufaula.....	900
Tuscaloosa.....	1,000
Haw Ridge.....	900
Choctaw Bluff.....	900
Montgomery.....	1,500
.....do.....	650
Prattville.....	1,200
Huntsville.....	1,200
Wedowee.....	1,200
Tuscumbia.....	1,200
Talladega.....	1,200
Decatur.....	1,200
Marion.....	1,200
Montgomery.....	1,200

Arizona.

Prescott.....	500
Tucson.....	1,000
Yuma.....	400

Arkansas.

Helena.....	1,200
Little Rock.....	1,300
Fort Smith.....	1,200
Fayetteville.....	1,500
Augusta.....	1,200
Hot Springs.....	1,200
Little Rock.....	1,500
do.....	1,200
Harrison.....	1,200

California.

San Francisco.....	2,000
do.....	1,700
do.....	1,600
do.....	1,200
Los Angeles.....	1,900
Stockton.....	1,500
Santa Cruz.....	1,500
Santa Barbara.....	1,500
Visalia.....	1,500
.....do.....	1,500
San José.....	1,200
Mercede.....	900
Bishop Creek.....	900
San Francisco.....	1,500
do.....	1,200
do.....	1,200
do.....	.....
do.....	.....
do.....	600
do.....	2,000
do.....	.....
do.....	.....

La Porte.....	1,700
Napa City.....	1,700
Ukiah.....	600
Sacramento.....	1,900
Placerville.....	1,700
Yreka.....	1,600
Sacramento.....	1,200
Suisun.....	1,600
Arcatu.....	1,500
Sacramento.....	1,500
Nevada City.....	1,700

**Colorado.**

Denver.....	1,500
Colorado Springs.....	1,500
Del Norte.....	1,500
Central City.....	1,500
Leadville.....	1,250
Denver.....	900

**Connecticut.**

Norwich.....	1,400
Hartford.....	1,400
Suffield.....	1,400
Hartford.....	1,000
Norwich.....	1,200
do.....	600
Bridgeport.....	1,400
New Haven.....	1,400
Clinton.....	1,275
West Winsted.....	1,300
Waterbury.....	725
New Haven.....	1,000
Bridgeport.....	1,000
Deadwood.....	1,300
Yankton.....	1,600
do.....	500
Bismarck.....	1,050

**Delaware.**

Milford.....	1,400
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**Maryland.**

Port Deposit.....	1,400
Church Creek.....	1,400

**Delaware.**

Wilmington.....	1,400
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**Florida.**

Jacksonville.....	\$1,400
Tallahassee.....	1,500
Key West.....	1,400
Pensacola.....	1,400
Jacksonville.....	1,500
.....	1,400

**Georgia.**

Atlanta.....	1,200
Macon.....	1,200
Newman.....	1,100
Columbus.....	1,100
Cuthbert.....	900
Albany.....	900
Griffin.....	1,100
Athens.....	1,100
Gainesville.....	1,100
Toccoa City.....	1,100
Rome.....	1,100
Cartersville.....	900
Dahlonega.....	1,100

Atlanta.....	1,300
".....	1,500
".....	1,200
Savannah.....	1,400
".....	1,500
".....	1,200
Waynesborough.....	1,400
Milledgeville.....	1,300
Crawfordville.....	1,200
Augusta.....	1,500
".....	1,200
Brunswick.....	1,400
Thomasville.....	1,400
Gordon.....	1,400
Greensborough.....	1,200
Savannah.....	1,200

**Idaho.**

Boisé City.....	1,800
Lewiston.....	1,500

**Illinois.**

Chicago.....	2,000
do.....	1,800
do.....	1,600
do.....	1,600
do.....	1,600
do.....	1,600
do.....	1,600
do.....	1,600
do.....	1,500
do.....	1,500
do.....	1,200
do.....	1,200
do.....	1,200
do.....	1,200
do.....	1,000
do.....	840
Aurora.....	1,600
Chemung.....	1,100
Joliet.....	1,100
Aurora.....	600
Savannah.....	1,500
Freeport.....	900
Galena.....	900
Sterling.....	900
do.....	500
Quincy.....	1,100
Rock Island.....	1,100
Pittsfield.....	1,600
Canton.....	300
Jacksonville.....	300
Bushnell.....	200
Havana.....	200
Carrollton.....	200
Pana.....	250
Quincy.....	1,000
.....do.....	400
.....do.....	1,100
Rock Island.....	300
Pittsfield.....	200
Quincy.....	500
Peoria.....	1,700
.....do.....	1,500
.....do.....	1,500
.....do.....	1,500
.....do.....	1,000
Champaign.....	1,000
Springfield.....	1,800

Springfield.....	1,400
Bloomington.....	1,400
Pekin.....	1,400
Springfield.....	1,200
Bloomington.....	200
Alton.....	1,400
Olney.....	1,200
Cairo.....	1,200
Centralia.....	1,100
Lebanon.....	1,200
Cairo.....	1,500
Belleville.....	1,000

**Indiana.**

Evansville.....	1,600
New Medberry.....	1,400
.....	1,200
Tell City.....	100
Huntingburgh.....	100
Evansville.....	1,400
.....do.....	1,000
Brookville.....	240
Aurora.....	600
Madison.....	400
Madison.....	500
Lawrenceburgh.....	1,400
Osgood.....	1,250
Harrison.....	1,700
.....do.....	300
Greensburgh.....	700
Indianapolis.....	1,800
.....do.....	1,800
.....do.....	900
Shelbyville.....	300
La Fayette.....	1,100
Terre Haute.....	1,500
.....do.....	1,700
.....do.....	1,100
Bloomington.....	1,200
Fort Wayne.....	1,400
Warsaw.....	1,200
Logansport.....	1,200
South Bend.....	1,300
Warsaw.....	800
Anderson.....	1,200
Richmond.....	1,200
Anderson.....	900
.....do.....	300

**Iowa.**

Davenport.....	1,300
Clinton.....	600
Iowa City.....	600
Davenport.....	1,200
Dubuque.....	1,600
Dubuque.....	1,000
McGregor.....	800
Waterloo.....	1,000
Fort Dodge.....	1,000
Sioux City.....	1,000
Dubuque.....	1,000
Burlington.....	1,000
Newton.....	1,000
Oskaloosa.....	1,000
Keokuk.....	1,000
Burlington.....	1,000
.....do.....	900

Des Moines.....	800
Aston.....	800
Council Bluffs.....	800
Atlantic.....	800
Des Moines.....	600

**Kansas.**

Leavenworth.....	\$1,700
Chanute.....	1,700
Manhattan.....	1,700
Newton.....	1,700
Leavenworth.....	1,300
.....do.....	1,000

**Kentucky.**

Bowling Green.....	\$1,400
Greenville.....	1,400
Henderson.....	1,400
Paducah.....	1,400
Burkeville.....	1,400
Owensborough.....	1,500
.....do.....	1,400
.....do.....	900
Louisville.....	1,700
.....do.....	1,900
.....do.....	1,800
.....do.....	1,200
.....do.....	1,200
.....do.....	1,200
.....do.....	1,200
.....do.....	1,200
.....do.....	1,200
Lawrenceburg.....	1,100
New Castle.....	1,100
Lebanon.....	1,100
Bardstown.....	1,100
Louisville.....	800
Covington.....	1,900
.....do.....	1,800
.....do.....	1,400
.....do.....	1,400
Cynthiana.....	1,300
Covington.....	900
.....do.....	900
.....do.....	600
Lexington.....	1,900
.....do.....	1,200
.....do.....	1,500
.....do.....	1,500
Paris.....	1,300
Nicholasville.....	1,300
.....	400
Lancaster.....	1,400
Irvine.....	1,100
Richmond.....	1,100
Lancaster.....	900
Somerset.....	600
Lancaster.....	900
London.....	1,100
Maysville.....	1,400
.....do.....	1,000
Salyersville.....	800
Mount Sterling.....	800
Grayson.....	800

**Louisiana.**

New Orleans.....	\$1,500
.....	1,400





New York City.....	\$1,400	Auburn.....	\$1,100
do .....	1,200	Waterloo .....	900
do .....	1,200	Newark.....	900
do .....	600	Syracuse .....	1,100
do .....	4,500	" .....	1,200
do .....	2,000	Binghamton.....	1,100
do .....	1,800	Ithaca .....	1,100
do .....	1,600	Norwich .....	1,000
do .....	1,500	Oswego.....	450
do .....	1,400	Delhi .....	450
do .....	1,400	Binghamton .....	900
do .....	1,400	Rochester.....	1,800
do .....	1,400	" .....	1,200
do .....	1,400	" .....	1,200
do .....	1,400	" .....	1,200
do .....	1,400	" .....	1,500
do .....	1,400	Elmira .....	850
do .....	1,400	Penn Yan .....	1,250
do .....	1,400	Lockport.....	1,200
do .....	1,400	Buffalo .....	1,900
do .....	1,400	" .....	1,400
do .....	1,400	" .....	1,400
do .....	1,400	" .....	1,400
do .....	1,400	" .....	1,400
do .....	1,400	East Randolph.....	1,400
do .....	1,400	Buffalo .....	1,300
do .....	1,100	Williamsville.....	1,200
do .....	1,200	.....	1,200
do .....	1,100	Buffalo .....	1,000
do .....	1,400		
do .....	1,200	<b>North Carolina.</b>	
Middletown .....	1,400	New Berne.....	900
Kingston .....	1,400	" .....	900
Newburgh.....	1,200	" .....	600
Catskill .....	900	Goldsborough.....	1,000
Fosterdale.....	900	Tarborough.....	1,400
Middletown.....	600	Weldon.....	1,400
Hudson.....	800	Plymouth .....	1,100
do .....	800	South Mills.....	1,100
Dover Plains.....	800	New Berne.....	1,700
Hudson.....	1,200	Trenton .....	1,700
Morrisania.....	500	Oxford .....	1,000
Upper Red Hook.....	400	Clinton.....	1,000
Brewster's.....	1,200	Henderson .....	1,000
White Plains.....	1,080	Fayetteville.....	1,000
Poughkeepsie.....	1,200	Raleigh.....	1,000
Sing Sing.....	1,200	Chapel Hill .....	1,000
Lebanon Spa.....	200	Smithfield .....	1,000
Albany.....	1,700	Egypt Depot.....	1,000
Albany.....	1,350	Durham .....	1,200
Gloversville .....	1,350	Wadesborough .....	1,000
Albany.....	1,050	Grissom .....	1,000
Schenectady .....	1,350	" .....	1,200
Middleborough .....	500	Wilmington .....	1,000
Troy.....	1,700	Troy .....	1,000
Salem .....	600	Wilmington.....	300
Plattsburg .....	600	Raleigh.....	1,000
Troy .....	500	" .....	900
Troy .....	700	" .....	1,100
Oswego.....	1,100	Germantown.....	1,100
Malone.....	500	Winston .....	1,100
Watertown .....	250	do .....	1,700
Utica .....	600	Reidsville .....	1,100
Ogdensburg.....	500	Winston.....	1,100
Little Falls.....	450	Roxborough.....	1,100
Auburn.....	1,500	Greensborough.....	1,100
" .....		Ashborough.....	1,100





Philadelphia.....	\$800	Allegheny.....	1,400
do.....	1,000	do.....	1,200
Allentown.....	300		
Pottsville.....	1,100	<b>Rhode Island.</b>	
Lebanon.....	800	Providence.....	1,400
Pottsville.....	1,100	do.....	1,100
Berks County.....	1,100	Hope Valley.....	1,400
Lehigh County.....	1,100	Providence.....	1,400
Berks County.....	1,100		
Reading.....	1,150	<b>South Carolina.</b>	
do.....	500	Columbia.....	1,400
Lancaster.....	1,500	Charleston.....	1,100
West End.....	1,400	Beaufort.....	1,100
Hempfield.....	1,400	Chester.....	1,100
Lancaster.....	1,000	Columbia.....	1,100
Carlisle.....	1,400	Spartanburg.....	1,100
Lancaster.....	1,200	Walhalla.....	1,100
York.....	1,200	Newberry.....	1,100
Shrewsbury.....	1,500		
Towanda.....	1,400	<b>Tennessee.</b>	
Scranton.....	1,200	Athens.....	\$1,200
Wilkesbarre.....	1,400	Knoxville.....	1,300
Danville.....	1,200	Mossy Creek.....	1,200
Honesdale.....	1,000	Greenville.....	1,200
Easton.....	1,400	Johnson City.....	1,600
do.....	1,000	Knoxville.....	1,600
Wilkesbarre.....	1,200	do.....	600
do.....	600	Nashville.....	1,700
do.....	400	do.....	1,500
Williamsport.....	1,350	do.....	1,400
Wellsborough.....	1,050	Springfield.....	1,000
Sunbury.....	1,350	Columbia.....	1,000
Harrisburg.....	1,350	Shelbyville.....	1,080
do.....	250	Lynchburg.....	1,080
Williamsport.....	250	Chattanooga.....	1,000
Sunbury.....	1,200	McMinnville.....	1,125
Johnstown.....	1,100	Cookeville.....	1,000
Gettysburg.....	1,100	Chattanooga.....	360
Huntingdon.....	800	Clarksville.....	60
Somerset.....	900	Nashville.....	1,300
Chambersburg.....	1,100	do.....	1,000
Somerset.....	1,100	Memphis.....	1,200
Warren.....	1,300	do.....	1,100
Erie.....	600	Huntingdon.....	1,100
Warren.....	1,300	Memphis.....	1,800
Meadville.....	975	do.....	900
Oil City.....	1,450		
New Castle.....	1,175	<b>Texas.</b>	
Greenville.....	600	Galveston.....	1,500
do.....	600	Hockley.....	1,300
Pittsburg.....	1,400	Galveston.....	1,300
Washington.....	1,350	Victoria.....	1,300
Greensburg.....	1,350	Huntsville.....	1,300
Pittsburg.....	1,800	Corpus Christi.....	1,300
do.....	1,150	Galveston.....	1,400
do.....	1,500	do.....	1,400
do.....	1,400	Austin.....	1,600
do.....	1,500	San Antonio.....	1,600
do.....	1,500	Waco.....	1,400
do.....	900	Fort Worth.....	1,600
do.....	950	Austin.....	1,600
do.....	800	do.....	1,200
Allegheny.....	1,500	do.....	1,200
do.....	1,200	Jefferson.....	1,200
Beaver.....	1,400	Dallas.....	1,200
Freeport.....	1,400	Jefferson.....	1,200
Brookville.....	1,100	Marshall.....	1,200
		Salphur Springs.....	1,200

<b>Utah.</b>		Delaplane.....	1,400
Salt Lake City.....	1,300	Alexandria .....	1,400
Beaver.....	1,100	Harrisonburg.....	1,200
<b>Vermont.</b>		Lexington.....	1,400
Montpelier.....	950	Winchester .....	1,200
Brattleborough .....	600	Harrisonburg. ....	1,600
Bennington.....	500	Staunton.....	1,400
Burlington.....	500	Charlottesville.....	1,400
<b>Virginia.</b>		Walla Walla.....	1,300
Petersburg.....	1,000	do.....	1,100
do .....	1,400	<b>West Virginia.</b>	
do .....	1,100	Wheeling.....	1,100
do .....	1,100	Barboursville.....	800
do .....	1,200	Wheeling .....	1,100
do .....	1,000	Clarksburg.....	600
do .....	500	Wheeling .....	1,500
do .....	1,300	Charleston .....	1,100
Hicksford.....	1,100	Parkersburg.....	1,000
Norfolk.....	1,300	Bald Knob.....	700
do .....	1,300	Wheeling .....	500
Smithfield.....	1,100	Grafton.....	1,100
Hampton.....	1,300	Beverly .....	600
Stevensville.....	1,100	Headsville.....	600
Heathville.....	1,300	Martinsburg.....	500
<b>Virginia.</b>		<b>Wisconsin.</b>	
Richmond .....	\$1,800	Milwaukee.....	1,400
do.....	1,600	do .....	1,200
do.....	1,500	do .....	1,400
do.....	900	do .....	1,500
do.....	900	do .....	500
do.....	1,200	do .....	600
Fredericksburg.....	900	do .....	1,400
Culpeper.....	1,200	do .....	1,400
Richmond .....	900	Madison .....	1,400
do.....	900	do .....	1,100
do.....	900	Watertown.....	1,400
do.....	900	Madison .....	1,400
do.....	900	Beaver Dam.....	1,100
do.....	300	Oshkosh.....	1,100
do.....	900	Sheboygan.....	1,100
Danville .....	1,600	Manitowoc.....	1,100
do.....	1,400	Oshkosh.....	700
Leatherwood.....	1,600	do .....	1,100
Danville.....	1,100	La Crosse.....	900
Clarksville.....	1,100	Eau Claire .....	1,000
Farmville .....	700	Grand Rapids.....	1,000
Burkesville .....	700	Sparta.....	800
Amelia C. H.....	1,000	<b>Wyoming.</b>	
Danville.....	1,000	Cheyenne.....	1,500
do.....	1,150	Green River City.....	1,300
do.....	950	<hr/>	
do.....	900	<b>Internal-Revenue Gaugers.</b>	
Lynchburg.....	1,700	There are Internal Revenue Gaugers	
do.....	1,480	appointed by the Treasury Department,	
.....	1,400	on the recommendation of the Internal	
Liberty.....	1,400	Revenue Collectors, in all of the States,	
.....	1,400	though their duties are not always at the	
.....	1,400	same points or districts, as the Deputy Col-	
Bristol.....	1,400	lectors are paid by fees, and they earn from	
.....	1,400	\$200 to \$1,800 a year.	
Lynchburg.....	1,500	<hr/>	
do.....	1,100	<b>Internal-Revenue Storekeepers.</b>	
do.....	700	These officers number nearly two thou-	
do.....	400	sand, and are appointed on the recommen-	
do.....	400		
Rocky Mount.....	1,400		

dation of Internal Revenue Collectors at every important point where liquors are distilled or stored. They are paid \$4 per day. Like the Gaugers and Deputy Collectors, they are appointed in Revenue Districts.

Internal Revenue Inspectors of Tobacco are also appointed by the Secretary of the Treasury, on the recommendation of Internal Revenue Collectors, at all points where tobacco is raised and stored to any extent. They are paid by fees, and can earn from \$400 to \$1800.

**Sub-Treasuries.**

Sub-Treasuries of the United States are located at Baltimore, Boston, Chicago, Cincinnati, New York, New Orleans, Philadelphia, St. Louis, and San Francisco. They each employ an assistant treasurer at \$4,500, cashier, \$2,500; clerks and book-keepers at from \$1,200 to \$1,800, messengers at \$840, watchmen \$720, and detectives (at the more important points) at from \$1,400 to \$1,800. These sub-treasuries employ both males and females. The Assistant Treasurer is appointed by the Secretary with the approval of the President, and this chief officer recommends all subordinates.

**U. S. Mints.**

There are United States Mints at Carson City, Nevada, Denver, Col., New Orleans, Philadelphia and San Francisco. The Superintendents get from \$3,000 to \$4,500 according to location. They are appointed by the President, and recommend all subordinates to the Secretary of the Treasury. These several Mints employ about 1,000 persons in all, many of them skilled. That at Philadelphia, which employs about 250 persons, is a good guide to the compensation, and we give herewith a partial list from which all can be readily determined:

Superintendent . . . . .	4,500 00
Chief clerk . . . . .	2,250 00
Cashier . . . . .	2,500 00
Weigh clerk . . . . .	2,000 00
Book keeper . . . . .	2,000 00
Deposit clerk . . . . .	2,000 00
Redemption clerk . . . . .	1,600 00
Warrant clerk . . . . .	p. d. 5 50
Counter . . . . .	p. d. 5 50
Register . . . . .	p. d. 5 50
Medal clerk . . . . .	p. d. 5 00
Weigher . . . . .	p. d. 5 00
Assistant to book-keeper . . . . .	p. d. 4 25
Register . . . . .	p. d. 4 25
Assistant . . . . .	p. d. 4 25
Assistant in weigh-room . . . . .	p. d. 3 85
Assistant messenger . . . . .	p. d. 3 00
Doorkeeper . . . . .	p. d. 4 00
Assistant doorkeeper . . . . .	p. d. 3 75

Conductor . . . . .	p. d. 3 50
do . . . . .	p. d. 3 50
do . . . . .	p. d. 3 50
Cabinet . . . . .	p. d. 4 25
do . . . . .	p. d. 4 50
do . . . . .	p. d. 4 00
do . . . . .	p. d. 5 00
do . . . . .	p. d. 3 50
do . . . . .	p. d. 3 50
do . . . . .	p. d. 1 75
Foreman carpenter-shop . . . . .	p. d. 5 00
Carpenter . . . . .	p. d. 3 00
do . . . . .	p. d. 3 00
Carpenter . . . . .	p. d. 3 00
do . . . . .	p. d. 3 00
Chief engineer . . . . .	p. d. 4 75
Engineer . . . . .	p. d. 4 00
Fireman . . . . .	p. d. 2 90
do . . . . .	p. d. 2 90
do . . . . .	p. d. 2 90
Oiler . . . . .	p. d. 3 00
Foreman machine-shop . . . . .	p. d. 4 50
Machinist . . . . .	p. d. 4 00
Adjuster of scales . . . . .	p. d. 4 00
Painter . . . . .	p. d. 3 25
Blacksmith . . . . .	p. d. 3 50
do . . . . .	p. d. 3 00
Gas-fitter . . . . .	p. d. 3 25
Plumber . . . . .	p. d. 2 75
Millwright . . . . .	p. d. 3 00
Counter . . . . .	p. d. 3 25
do . . . . .	p. d. 3 00
do . . . . .	p. d. 3 00
Helper . . . . .	p. d. 3 00
do . . . . .	p. d. 2 75
Night watch . . . . .	p. d. 3 00
Laborer . . . . .	p. d. 2 75
Coining rooms, mostly females . . . . .	p. d. 1 75

There are about 30 coiners, and nearly that many females.

**U. S. Assay Offices.**

There are Assay Offices at Boise City, Idaho; Charlotte, N. C.; Helena, Montana, and New York City. At Boise City the assayer in charge gets \$2,000 a year, one clerk, \$1,000; one workman. At Charlotte the assayer in charge gets \$1,500, one clerk \$1,000, one laborer \$16 a month. At Helena the assayer gets \$2,500, melter \$2,000, chief clerk \$1,200, and nine other assistants from \$2.50 to \$3.25 a day. At New York the Superintendent gets from \$4,000 to \$5,000, the assayer \$3,000, melter and refiner \$3,000, chief clerk \$2,500, weigh clerk \$2,000, and 56 other employees from \$3 per day to \$2,150 a year.

**The Customs Service.**

The Customs Service include all officers and employees under the direction of Collectors of the Ports, Appraisers, Surveyors of Ports, etc. They employ nearly 4,000 officers throughout the country. The President appoints all the heads, and these recommend minor officers to the Secretary of the Treasury. Appointments are

not confined to either the States or cities in which the Custom House is located. The pay varies somewhat at each Port, New York being the highest. Boston will give a good idea of the character of the positions and compensation. We therefore quote from it:

Collector . . . . .	\$8,000 00
Special deputy collector . . . . .	3,000 00
Deputy collector . . . . .	3,000 00
“ . . . . .	3,000 00
“ . . . . .	3,000 00
Deputy collector and inspector . . p. d.	3 50
Auditor and disbursing clerk . . . . .	3,000 00
Cashier . . . . .	3,000 00
Clerk of correspondence . . . . .	2,500 00
Clerk (designated) . . . . .	1,800 00
Assistant cashier . . . . .	2,000 00
Chief clerk . . . . .	2,000 00
“ . . . . .	2,000 00
“ . . . . .	2,000 00
“ . . . . .	2,000 00
Clerk and storekeeper . . . . .	2,000 00
Clerk . . . . .	2,000 00
Liquidating clerk . . . . .	1,800 00
Clerk . . . . .	1,800 00
“ . . . . .	1,800 00
“ . . . . .	1,800 00
“ . . . . .	1,800 00
Clerk and storekeeper . . . . .	1,800 00
Clerk . . . . .	1,600 00
Inspectors . . . . .	p. d. 3 50
Weighers . . . . .	p. d. 3 50
Gaugers . . . . .	p. d. 3 50
Measurers . . . . .	p. d. 3 50
Storekeepers . . . . .	p. d. 2 00
Watchmen . . . . .	p. d. 2 50

#### Revenue Marine Service.

In this about 250 skilled officers, engineers, etc., are employed. The appointments are made by the Secretary of the Treasury with the approval of the President. The following is the compensation:

Captains.....	\$2,500
First-Lieutenants.....	1,800
Second-Lieutenants.....	1,500
Third-Lieutenants.....	1,200
Cadets.....	900
Chief Engineers.....	1,800
First Asst. Engineer.....	1,800
Second Asst. Engineers.....	1,200

#### U. S. Coast Survey.

About 250 skilled persons employed. The Superintendent gets \$6,000, consulting geometer \$4,000, assistant in charge of office \$4,200, about fifty assistants from \$1,200 up to \$3,830, aids \$75 per month, acting aids \$35 per month, ten computers from \$45 per month to \$1,740 a year, drawing division from \$3 per day to \$2,350 a year, clerks \$1,200, mechanics from \$2.50 to \$5 per day, female copyists \$30 to \$60 a month.

#### Light-House Service.

This has grown to immense proportions, and now employs nearly 200 persons. The Secretary of the Treasury is President of the Board, and controls the appointments, only the leading details and appointment being submitted to the President.

It is provided by section 9 of the act approved March 3, 1851, and there shall be detailed from the Engineer Corps of the Army such officers as may be necessary to superintend the construction and renovation of light-houses; also, by section 12 of the act approved August 31, 1852, that an officer of the Army or Navy, shall be assigned to each district as a light-house inspector, subject to the orders of the Light-House Board, who shall receive for such service the same pay and emoluments that he would be entitled to by law for the performance of duty in the regular line of his profession, and no other, except the legal allowance per mile when traveling under orders connected with his duties.

The following are the light-house districts in the United States:

DIST.	LIMITS OF DISTRICT.
1	Extends from the north-eastern boundary of the United States (Maine) to and including Hampton Harbor, New Hampshire, and includes all aids to navigation on the coasts of Maine and New Hampshire.
2	Extends from Hampton Harbor, New Hampshire, to include Gooseberry Point, entrance to Buzzard's Bay, and embraces all the aids to navigation on the coast of Massachusetts.
3	Extends from Gooseberry Point, Massachusetts, to include Squan Inlet, New Jersey, and embraces all the aids to navigation on the sea and sound coasts of Rhode Island, Connecticut and New York; Narragansett and New York Bays, Providence and Hudson Rivers, Whitehall Narrows, and Lake Champlain.
4	Extends from Squan Inlet, New Jersey, to and including Metomkin Inlet, Virginia. It includes the sea-coast of New Jersey below the Highlands of Navesink, the bay-coasts of New Jersey and Delaware, the sea-coasts of Delaware and Maryland, and part of the sea-coast of Virginia.
5	Extends from Metomkin Inlet, Virginia, to include New River Inlet, North Carolina, and embraces part of the sea-coast of Virginia and North Carolina, Chesapeake Bay, the sounds of North Carolina, and the James and Potomac Rivers.
6	Extends from New River Inlet, North Carolina, to and including Cape Canaveral light-house, Florida, and embraces part of the coast of North Carolina, the coasts of South Carolina and Georgia, and part of the coast of Florida.

- 7 Extends from Cape Canaveral, on the eastern coast of Florida, to the Perdido River, on the Gulf Coast, and embraces all the aids to navigation within those limits.
- 8 Extends from the Perdido River, Florida, to the Rio Grande, Texas, and embraces the coasts of Alabama, Mississippi, Louisiana, and Texas.
- 10 Extends from the mouth of Saint Regis River, New York, to include Grassy Island lighthouse, Detroit River, Michigan, and embraces all the aids to navigation on the American shores of Lakes Erie and Ontario and Saint Lawrence River.
- 11 Embraces all aids to navigation on the northern and north-western lakes above Grassy Island light-station, Detroit River, and includes Lakes Saint Clair, Huron, Michigan, and Superior, and the straits connecting them.
- 12 Embraces all aids to navigation on the Pacific coast of the United States, between the Mexican frontier and the southern boundary of Oregon, and includes the coast of California.
- 13 Embraces all aids to navigation on the Pacific coast of the United States north of the southern boundary of Oregon. It extends from the forty-first parallel of latitude to British Columbia, and includes the coasts of Oregon and Washington Territory.
- 14 Extends from Pittsburgh, Pennsylvania, to Cairo, Illinois, and embraces all the aids to navigation on the Ohio River.
- 15 Extends on the Mississippi River from the head of navigation to New Orleans, and on the Missouri River from the head of navigation to its mouth, and embraces all the aids to navigation within these limits.

The pay of light-house keepers varies from \$160 to \$1000 a year, the average being about \$700. The monthly compensation of the other officers: Clerks, \$125; masters, \$100; engineers, \$60 to \$75; messengers, \$50.

**Employees in Public Buildings.**

These number about 400, appointed by the heads of Departments. The janitors get from \$450 to \$1200 a year; engineers, \$3.50 to \$5.00 per day; firemen, \$2.00; elevator tenders, watchmen, cleaners, etc., \$2 per day.

**War Department.**

The pay here for clerical service is about the same as in the Treasury, both males and females being employed in almost as great proportion. The popular idea that only the Treasury employs females must disappear before the fact that they are rapidly invading all of the Departments. In

the office of the Secretary, about 100 clerks, messengers, watchmen, laborers, etc., are employed, all appointed by the Secretary. In the Adjutant General's office, about 300 are employed, all males, the clerks numbering about 200, at salaries from \$1000 to \$2000. Other officers about same pay as in Treasury. In the Quartermaster-General's office about 150 males and females are employed at same rates of pay. Though under the Quartermaster-General, who is detailed from the army, they are appointed by the Secretary of War. There are about 400 employees in the Quartermaster's Department-at-Large, and these are paid salaries varying from that of a teamster, \$540, to clerks at \$1800.

**Superintendents of National Cemeteries**

Philadelphia, Pa. . . . .	\$840
Mobile, Ala. . . . .	840
Cypress Hill, N. Y. . . . .	720
Chattanooga, Tenn. . . . .	900
Salisbury, N. C. . . . .	900
Staunton, Va. . . . .	720
Baton Rouge, La. . . . .	840
Saint Louis, Mo. . . . .	900
Alexandria, La. . . . .	840
Richmond, Va. . . . .	720
Danville, Va. . . . .	780
Fayetteville, Ark. . . . .	780
Annapolis, Md. . . . .	780
Logan's Cross Roads, Ky . . . .	840
Raleigh, N. C. . . . .	840
Pittsburg Landing, Tenn. . . .	900
Alexandria, Va. . . . .	840
Fort Smith, Ark. . . . .	840
City Point, Va. . . . .	840
Andersonville, Ga . . . . .	900
Stone's River, Tenn. . . . .	900
Fredericksburg, Va. . . . .	900
Mound City, Ill. . . . .	900
Louisville, Ky. . . . .	720
Beaufort, S. C. . . . .	900
Soldiers' Home, D. C. . . . .	900
Brightwood, D. C. . . . .	720
Nashville, Tenn. . . . .	900
Cold Harbor, Va. . . . .	780
Glendale, Va. . . . .	720
Port Hudson, La. . . . .	900
Culpeper, Va. . . . .	840
Marietta, Ga. . . . .	900
Fort Gibson, Ind. Ter. . . . .	780
Keokuk, Iowa . . . . .	780
Fort Scott, Kans. . . . .	840
Antietam, Md. . . . .	900
Barrancas, Fla. . . . .	780
New Berne, N. C. . . . .	840
Grafton, W. Va. . . . .	720
Arlington, Va. . . . .	900
New Albany, Ind. . . . .	780
Jefferson City, Mo. . . . .	780
Petersburg, Va. . . . .	900
Camp Butler, Ill. . . . .	780
Beverly, N. J. . . . .	720
Hampton, Va. . . . .	900
Florence, S. C. . . . .	840

Springfield, Mo. . . . .	780
Little Rock, Ark. . . . .	900
Natchez, Miss. . . . .	900
Fort McPherson, Neb. . . . .	720
Loudon Park, Md. . . . .	720
Richmond, Va. . . . .	900
Knoxville, Tenn. . . . .	840
Camp Nelson, Ky. . . . .	900
Corinth, Miss. . . . .	900
Yorktown, Va. . . . .	780
Finn's Point, N. Y. . . . .	720
San Antonio, Tex. . . . .	720
Chalmette, La. . . . .	900
Andersonville, Ga. . . . .	900
Fort Donaldson, Tenn. . . . .	780
Lebanon, Ky. . . . .	720
Vicksburg, Miss. . . . .	900
Wilmington, N. C. . . . .	840
Brownsville, Tex. . . . .	840

In the Subsistence Department about 130 are employed, nearly all male clerks at from \$1,000 to \$1,800, nine storekeepers from \$65 to \$135 a month, two mechanics \$60 to \$100 a month, eight coopers from \$60 to \$75 a month, eighteen messengers at from \$30 to \$75 a month, twenty-eight laborers from \$30 to \$75 per month, six watchmen at from \$35 to \$50 per month.

The Medical Department proper employs about 200, the great majority male clerks, pay same as usual; here are twelve laborers at \$660 a year and twelve watchmen same pay. The Medical Department at large employs about 200 persons at various fortifications and stations, but these are detailed from the army or navy. The Pay Department employs about 150, the Paymaster's clerks being located and paid by the month as follows:

Fort Buford, Dak. . . . .	\$100
Governor's Island, New York Harbor . . . . .	100
Detroit, Mich. . . . .	100
Chicago, Ill. . . . .	100
San Antonio, Texas . . . . .	100
Helena, Mont. . . . .	100
Leavenworth, Kansas . . . . .	100
Omaha, Nebr. . . . .	100
Port Townsend, Wash. . . . .	100
Washington, D. C. . . . .	100
do . . . . .	100
Fort Brown, Texas . . . . .	100
Boston, Mass. . . . .	100
Portland, Oreg. . . . .	100
New York, N. Y. . . . .	100
Newport Barracks, Ky. . . . .	100
Washington, D. C. . . . .	100
Leavenworth, Kansas . . . . .	100
Governor's Island, New York Harbor . . . . .	100
Saint Louis, Mo. . . . .	100
Walla Walla, Wash. . . . .	100
Washington, D. C. . . . .	100
Saint Louis, Mo. . . . .	100
Walla Walla, Wash. . . . .	100
New York, N. Y. . . . .	100
Presidio of San Francisco, Cal. . . . .	100
do . . . . .	100

Newport Barracks, Ky. . . . .	100
Saint Paul, Minn. . . . .	100
Presidio of San Francisco, Cal. . . . .	100
do . . . . .	100
Newport Barracks, Ky. . . . .	100
Saint Paul, Minn. . . . .	100
Fort Douglas, Utah . . . . .	100
Saint Paul, Minn. . . . .	100
Yankton, Dak. . . . .	100
Camp Lowell, Ariz. . . . .	100
Santa Fe, N. Mex. . . . .	100
San Antonio, Tex. . . . .	100
Prescott Barracks, Ariz. . . . .	100
Fort Omaha, Nebr. . . . .	100
Fort Buford, Dak. . . . .	100
New Orleans, La. . . . .	100
San Francisco, Cal. . . . .	100
Washington, D. C. . . . .	100
San Antonio, Texas . . . . .	100
Santa Fe, N. Mex. . . . .	100
San Antonio, Texas . . . . .	100
Fort D. A. Russell, Wyo. . . . .	100

#### Post-Office Department.

The Postmaster-General has more appointments than any other officer, if we include the Postmasters throughout the country. All getting over \$1000 annual salary must be confirmed by the Senate, and as a rule the President appoints those at important points. The U. S. Senators control these appointments in minority districts, as a rule, and the Representatives those in home districts representing the party to which they belong. This has long been the custom, and President Arthur recently confirmed it by the selection of the Wilkesbarre postmaster, supported by Representative Scranton, after a contest in which the Governor of the State of Pennsylvania was against him.

In the general office or Department, fully 600 persons are employed, many of the clerks being females—in fact all of those in the Dead-Letter office—some 70 in number, at salaries of \$900. The salaries of the male clerks, messengers, watchmen, laborers, etc., are about the same as in the Treasury. The First, Second, and Third Assistant Postmasters-General get \$3500, and the higher clerical places vary from \$1800 to \$2500, the Superintendents of mail service getting \$3000; the Division Superintendents, nine in number, \$2500 each; about 250 male clerks from \$900 to \$1800; about 40 laborers at \$660 each; messengers, watchmen, etc., from \$480 to \$720.

#### The Railway Mail Service.

This is a very important branch of the mail service, from the standpoint of official political patronage. It employs over 3000 men, at what are generally accepted as good salaries. They are appointed on the

recommendation of Senators and Representatives in Congress, and are appointed with some show of fairness to the Congressional districts. Under a Republican administration, as in other cases, the Republican Representative names appointees from his district; in districts represented in the House by Democrats, the Republican United States Senators are presumed to have the appointee. This rule has many exceptions, but it has long been known as the rule of the caucus.

The General Superintendent of the Railway Mail Service is paid \$3,500; his assistant, \$1,600; nine Division Superintendents, \$2,500 each; four assistants, \$1,200 and \$1,600.

There are about 700 Railway Post Office Clerks employed on the routes, at salaries varying from \$900 to \$1,400. Like the Route Agents, their pay is changeable, depending largely upon the increasing or decreasing importance of the routes; one of the objects being to make the Post Office Department as nearly self-supporting as possible.

There are more than 2,000 Route Agents, paid, as a rule, annually, \$900, \$920, \$940, \$960, or \$1,000, according to the length of service or importance of the route. There are about 300 Mail Route Messengers, paid from \$100 per annum up to \$800, according to the importance of the service. Also 160 local agents, who get from \$200 to \$1,300.

There are about 8,000 Mail Contractors, besides the corporations which take contracts, and all are paid accordingly as they bid, the lowest and best being accepted. The letting of these routes is advertised by the Department, and bids must be accompanied by a bond for the faithful performance of the contract. There is also what is known as a special mail service, where contracts are made with Postmasters or others at comparatively unimportant Post Offices, for the carrying of the mails, and much the same rule applies to a large number of Mail Messengers, who are a grade or two higher in point of compensation. All of these are bid for, the Department exercising the discretion of saying what shall be paid for merely local and new postal routes.

**Postmasters.**

The number of Postmasters are legions. They are appointed as a rule by Congressional influence, the same as described above, though the more important places are named by the President instead of the Postmaster-General, and he accepts the recommendation of the Representatives or Senators interested and supporting his administration. Women are often appointed to the minor places, and latterly to some of very considerable importance. Applications are generally accompanied by petitions or letter, and these are sent through

Congressmen to the head of the Department, or the President. In the smaller offices the pay is based upon the number of stamps sold annually; in others the pay is regulated either by the Department or by law. All receiving \$1,000 a year or more must be confirmed by the United States Senate, and of course the higher appointments must be acceptable to the Republican Senators of the State, if there be such, and when these agree, objection is rarely made.

**Salaries of Postmasters at important places.**

Mobile, Ala.....	\$3,000
Montgomery, Ala.....	2,400
Huntsville, Ala.....	1,900
Prescott, Arizona.....	2,100
Tucson, Arizona.....	1,800
Fort Smith, Ark.....	1,900
Helena, Ark.....	2,000
Hot Springs, Ark.....	2,000
Little Rock, Ark.....	2,800
Pine Bluff, Ark.....	1,900
Chico, Cal.....	1,900
Grass Valley, Cal.....	2,700
Los Angeles, Cal.....	2,400
Marysville, Cal.....	2,200
Napa City,.....	2,200
Nevada City, California.....	\$2,000
Murphy's, do.....	2,200
Oakland, do.....	2,500
Petaluma, do.....	2,000
Sacramento, do.....	2,600
San Diego, do.....	1,900
San Francisco, do.....	4,000
San Jose, do.....	2,800
Santa Barbara, do.....	2,400
Santa Rosa, do.....	2,300
Stockton, do.....	2,800
Bismarck, Colorado.....	2,000
Boulder, do.....	2,000
Central City, do.....	2,700
Colorado Spngs. do.....	2,100
Del Norte, do.....	2,100
Denver, do.....	2,700
Golden, do.....	1,900
Leadville, do.....	3,100
Pueblo, do.....	2,400
San Pueblo, do.....	2,100
Ansonia, Connecticut.....	1,900
Birmingham, do.....	2,000
Bridgeport, do.....	2,600
Bristol, do.....	1,800
Danbury, do.....	2,700
Hartford, do.....	3,400
Fair Haven, do.....	1,800
New Haven, do.....	3,000
New London, do.....	2,800
Norwalk, do.....	2,000
Norwich, do.....	2,800
Stamford, do.....	2,200
Waterbury, do.....	2,500
West Meriden, do.....	2,400
Willimantic, do.....	1,600
Bismarck, Dakota Terr.....	1,900
Deadwood, do.....	2,350
Dover, Delaware.....	1,500

Wilmington, do .....	\$2,600	Green Castle, Indiana.....	\$2,100
Washington, District of Columbia.	3,300	Huntingdon, do .....	1,700
Jacksonville, Florida.....	2,400	Indianapolis, do .....	3,200
Key West, do .....	1,800	Jeffersonville, do .....	1,800
Pensacola, do .....	1,700	Kokomo, do .....	1,700
Saint Augustine, do .....	1,600	La Porte, do .....	2,000
Tallahassee, do .....	1,700	Logansport, do .....	2,800
Athens, Georgia .....	1,900	Madison, do .....	2,300
Atlanta, do .....	3,000	New Albany, do .....	2,400
Augusta, do .....	2,500	Plymouth, do .....	1,800
Columbus, do .....	2,200	Richmond, do .....	2,600
Griffin, do .....	1,800	Seymour, do .....	1,800
Macon, do .....	2,500	Shelbyville, do .....	1,700
Rome, do .....	1,800	South Bend, do .....	2,500
Boise City, Idaho Ter.....	2,200	Terre Haute, do .....	2,900
Alton, Illinois.....	2,100	Vincennes, do .....	2,300
Amboy, do .....	1,700	Wabash, do .....	1,900
Aurora, do .....	2,800	Warsaw, do .....	1,800
Batavia, do .....	1,800	Atlantic, Iowa.....	2,900
Belleville, do .....	2,100	Arvea, do .....	1,800
Belvidere, do .....	2,000	Bedford, do .....	1,700
Bloomington, do .....	3,000	Boone, do .....	1,900
Cairo, do .....	2,000	Burlington, do .....	3,000
Canton, do .....	1,900	Cedar Falls, do .....	2,300
Carlinsville, do .....	1,800	Cedar Rapids, do .....	2,900
Centralia, do .....	1,900	Charles City, do .....	1,800
Champaign, do .....	1,800	Chariton, do .....	1,800
Chicago, do .....	4,000	Clarinda, do .....	1,700
Danville, do .....	2,600	Clinton, do .....	2,600
Dixon, do .....	2,100	Council Bluffs, do .....	2,800
Elgin, do .....	2,500	Cresco, do .....	1,700
Freeport, do .....	2,800	Creston, do .....	1,900
Galena, do .....	1,900	Davenport, do .....	3,000
Galesburg, do .....	2,800	Decorah, do .....	2,000
Jacksonville, do .....	1,900	Des Moines, do .....	3,000
Jerseyville, do .....	1,900	Dubuque, do .....	3,000
Joliet, do .....	2,400	Fairfield, do .....	1,900
Kankakee, do .....	1,900	Fort Dodge, do .....	1,900
La Salle, do .....	2,200	Fort Madison, do .....	1,800
Lincoln, do .....	2,100	Grove, do .....	1,700
Mendota, do .....	1,800	Independence, do .....	2,100
Moline, do .....	2,400	Indianola, do .....	1,700
Morris, do .....	1,800	Iowa City, do .....	2,800
Morrison, do .....	2,100	Keokuk, do .....	2,900
Mount Carroll, do .....	1,800	Lemars, do .....	1,800
Ottawa, do .....	2,400	McGregor, do .....	1,800
Pana, do .....	1,800	Manchester, do .....	1,900
Paris, do .....	2,200	Marengo, do .....	1,700
Pekin, do .....	2,000	Marion, do .....	1,800
Peoria, do .....	3,000	Marshalltown, do .....	2,600
Pontiac, do .....	1,800	Mason City, do .....	1,800
Princeton, do .....	2,000	Mount Pleasant, do .....	2,000
Quincy, do .....	3,000	Muscatine, do .....	2,400
Rockford, do .....	2,500	Osage, do .....	1,900
Rock Island, do .....	2,500	Ottumwa, do .....	2,500
Shelbyville, do .....	2,100	Red Oak, do .....	2,000
Springfield, do .....	3,000	Sioux City, do .....	2,400
Sterling, do .....	2,000	Vinton, do .....	2,000
Streator, do .....	2,100	Washington, do .....	1,900
Sycamore, do .....	2,000	Waterloo, do .....	2,100
Urbana, do .....	1,800	Waverly, do .....	1,800
Dearborn, Indiana.....	1,900	Webster City, do .....	1,700
Bloomington, do .....	1,700	Atchison, Kansas.....	2,800
Columbus, do .....	1,700	Emporia, do .....	2,100
Connersville, do .....	1,800	Fort Scott, do .....	2,500
Crawfordsville, do .....	2,200	Hutchison, do .....	1,800
Evansville, do .....	3,000	Independence, do .....	1,900
Fort Wayne, do .....	3,000	Junction City, do .....	1,900



Lawrence, Kansas.....	\$2,800	Lee, Massachusetts.....	\$1,700
Leavenworth, do .....	3,000	Leominster, do .....	2,100
Manhattan, do .....	1,700	Lowell, do .....	3,000
Olathe, do .....	1,900	Lynn, do .....	2,600
Paola, do .....	1,800	Malden, do .....	1,900
Salina, do .....	1,800	Marblehead, do .....	1,700
Topeka, do .....	2,900	Marshfield, do .....	1,700
Wichita, do .....	2,400	Medford, do .....	1,800
Wyandotte, do .....	2,100	Middleborough, do .....	1,800
Bowling Green, Kentucky.....	1,600	Milford, do .....	2,100
Covington, do .....	2,400	Nantucket, do .....	2,000
Danville, do .....	1,900	Natick, do .....	2,100
Frankford, do .....	2,000	New Bedford, do .....	2,500
Georgetown, do .....	1,600	Newburyport, do .....	2,400
Henderson, do .....	2,000	Newton, do .....	2,000
Hopkinsville, do .....	1,800	North Adams, do .....	2,500
Lexington, do .....	2,800	Northampton, do .....	2,100
Louisville, do .....	3,200	North Attleboro', do .....	1,900
Maysville, do .....	1,900	Peabody, do .....	1,900
Mount Sterling, do .....	1,700	Pittsfield, do .....	2,800
Newport do .....	2,100	Plymouth, do .....	2,000
Owensborough, do .....	2,100	Salem, do .....	2,500
Paducah, do .....	2,300	S. Farmingham, do .....	1,700
Paris C. H., do .....	2,000	Spencer, do .....	1,800
Shelbyville, do .....	1,700	Springfield, do .....	3,000
Baton Rouge, Louisiana.....	1,800	Stoneham, do .....	1,800
New Orleans, do .....	3,400	Taunton, do .....	2,800
Shreveport, do .....	2,400	Vineyard Grove, do .....	2,400
Auburn, Maine.....	2,000	Wakefield, do .....	1,900
Augusta, do .....	2,600	Webster, do .....	1,800
Bangor, do .....	3,000	Westborough, do .....	2,000
Bath, do .....	2,400	Westfield, do .....	2,700
Biddeford, do .....	2,700	Woburn, do .....	2,300
Brunswick, do .....	1,800	Worcester, do .....	3,000
Calais, do .....	1,700	Adrian, Michigan.....	2,300
Gardiner, do .....	1,900	Albion, do .....	2,700
Hallowell, do .....	1,800	Allen, do .....	1,700
Lewiston, do .....	2,600	Alpena, do .....	2,000
Portland, do .....	3,000	Ann Harbor, do .....	2,800
Rockland, do .....	2,000	Battle Creek, do .....	2,500
Saco, do .....	2,300	Bay City, do .....	2,800
Annapolis, Maryland .....	1,800	Big Rapids, do .....	1,900
Baltimore, do .....	4,000	Calumet, do .....	2,100
Cumberland, do .....	2,200	Charlotte, do .....	1,800
Frederick, do .....	1,900	Coldwater, do .....	2,500
Hagerstown, do .....	1,800	Detroit, do .....	3,300
Adams, Massachusetts.....	1,700	Dowagiac, do .....	1,700
Amesbury, do .....	1,900	East Saginaw, do .....	2,800
Amherst, do .....	2,100	Flint, do .....	2,500
Andover, do .....	1,800	Grand Junction, do .....	1,900
Athol, do .....	1,700	Grand Rapids, do .....	3,000
Beverly, do .....	1,900	Greenville, do .....	1,800
Boston, do .....	4,000	Hancock, do .....	1,700
Brockton, do .....	1,900	Hastings, do .....	1,700
Brookline, do .....	2,200	Hillsdale, do .....	1,900
Chicopee, do .....	2,100	Hudson, do .....	2,100
Clinton, do .....	2,100	Ionia, do .....	1,900
East Hampton, do .....	2,100	Ishpenning, do .....	2,200
Fall River, do .....	3,000	Jackson, do .....	2,900
Fitchburg, do .....	2,400	Kalamazoo, do .....	2,800
Gloucester, do .....	2,300	Lansing, do .....	2,800
Great Barrington, do .....	1,700	Lapeer, do .....	1,700
Greenfield, do .....	2,200	Ludington, do .....	1,700
Haverhill, do .....	2,800	Manistee, do .....	2,200
Holyoke, do .....	2,600	Marquette, do .....	2,500
Hyde Park, do .....	1,800	Marshall, do .....	2,400
Lawrence, do .....	3,000	Monroe, do .....	2,000

Muskegon, Michigan.....	\$2,600	Austin, Nevada.....	\$1,800
Niles, do .....	2,100	Elko, do .....	1,600
Owasso, do .....	1,700	Eureka, do .....	2,700
Pontiac, do .....	2,200	Gold Hill, do .....	2,700
Port Huron, do .....	1,900	Pioche, do .....	1,800
Saginaw, do .....	2,700	Reno, do .....	2,200
Saint John's, do .....	1,700	Tuscarora, do .....	2,100
St. Joseph's, do .....	1,800	Virginia City, do .....	2,800
Tecumseh, do .....	1,700	Concord, New Hampshire.....	2,500
Three Rivers, do .....	1,800	Claremont, do .....	1,800
West Bay City, do .....	1,800	Dover, do .....	2,700
Ypsilanti, do .....	2,300	Great Falls, do .....	1,900
Austin, Minnesota.....	1,800	Hanover, do .....	1,600
Duluth, do .....	1,700	Keene, do .....	2,500
Faribault, do .....	1,900	Laconia, do .....	1,600
Hastings, do .....	1,900	Manchester, do .....	2,500
Lake City, do .....	2,000	Nashua, do .....	2,800
Mankato, do .....	2,000	Portsmouth, do .....	2,400
Minneapolis, do .....	3,000	Atlantic City, New Jersey.....	1,700
Northfield, do .....	1,700	Bordentown, do .....	1,600
Owatonna, do .....	1,700	Bridgeton, do .....	1,700
Red Wing, do .....	2,500	Burlington, do .....	1,700
Rochester, do .....	2,200	Camden, do .....	2,034
Saint Paul, do .....	3,000	Cape May, do .....	1,700
Stillwater, do .....	2,300	Elizabeth, do .....	3,000
Winona, do .....	2,400	Freehold, do .....	1,600
Canton, Mississippi.....	1,800	Hoboken, do .....	2,400
Columbus, do .....	1,800	Jersey City, do .....	2,700
Holly Springs, do .....	1,800	Lambertville, do .....	1,600
Jackson, do .....	2,000	Norristown, do .....	2,200
Meridian, do .....	1,900	Mount Holly, do .....	1,600
Natchez, do .....	2,300	Newark, do .....	2,900
Vicksburgh, do .....	2,700	New Brunswick, do .....	2,700
Boonville, Missouri.....	1,800	Newton, do .....	1,600
Carrollton, do .....	1,800	Orange, do .....	2,700
Carthage, do .....	1,800	Passaic, do .....	1,700
Chillicothe, do .....	1,900	Paterson, do .....	2,500
Clinton, do .....	1,700	Plainfield, do .....	2,800
Columbia, do .....	1,700	Princeton, do .....	2,000
Hannibal, do .....	2,800	Rahway, do .....	2,100
Jefferson City, do .....	2,000	Trenton, do .....	2,600
Joplin, do .....	2,000	Vineland, do .....	1,900
Kansas City, do .....	3,000	Santa Fe, New Mexico.....	1,800
Kirksville, do .....	1,700	Albany, New York.....	3,100
Lexington, do .....	1,800	Albion, do .....	2,000
Louisiana, do .....	1,700	Amsterdam, do .....	2,100
Madison, do .....	1,800	Auburn, do .....	2,600
Maryville, do .....	1,700	Batavia, do .....	2,500
Mexico, do .....	1,700	Bath, do .....	1,900
Moberly, do .....	1,900	Binghampton, do .....	2,900
Saint Charles, do .....	1,800	Brockport, do .....	1,900
Saint Joseph, do .....	3,000	Brooklyn, do .....	4,000
Saint Louis, do .....	4,000	Buffalo, do .....	3,200
Sedalia, do .....	2,800	Canandaigua, do .....	2,200
Springfield, do .....	2,200	Catskill, do .....	1,800
Warrensburgh, do .....	1,800	Clyde, do .....	1,700
Bozeman, do .....	1,700	Cohoes, do .....	2,700
Butte City, do .....	1,700	Cortland Village, do .....	1,900
Helena C. H., do .....	2,700	Dansville, do .....	1,800
Virginia City, do .....	2,000	Dunkirk, do .....	2,100
Beatrice, Nebraska.....	1,600	Elmira, do .....	2,500
Fremont, do .....	1,900	Flushing, do .....	1,800
Hastings, do .....	1,600	Fredonia, do .....	1,800
Lincoln, do .....	2,800	Fulton, do .....	1,800
Nebraska City, do .....	2,400	Geneseo, do .....	1,700
Omaha, do .....	3,000	Geneva, do .....	2,700
Plattsmouth, do .....	1,800	Gloversville, do .....	2,000

Hornellsville,	New York.....	\$2,100	Delaware,	Ohio.....	\$2,500
Hudson,	do .....	2,300	Elyria,	do .....	2,500
Ilion,	do .....	1,900	Findlay,	do .....	1,700
Ithaca,	do .....	2,700	Fremont,	do .....	2,200
Johnstown,	do .....	1,700	Galion,	do .....	1,700
Kingston,	do .....	2,200	Greenville,	do .....	1,700
Lansingburgh,	do .....	1,800	Hamilton,	do .....	2,300
Le Roy,	do .....	2,200	Ironton,	do .....	1,800
Little Falls,	do .....	2,000	Kenton,	do .....	1,700
Lockport,	do .....	2,500	Lancaster,	do .....	1,800
Long Island City,	do .....	1,700	Lebanon,	do .....	1,700
Lyons,	do .....	1,900	Lima,	do .....	1,900
Medina,	do .....	1,800	Mansfield,	do .....	2,600
Middletown,	do .....	2,000	Marietta,	do .....	1,800
Newburg,	do .....	2,800	Marion,	do .....	1,700
New York City,	do .....	8,000	Massillon,	do .....	2,200
Niagara Falls,	do .....	1,800	Mount Vernon,	do .....	2,000
Norwich,	do .....	2,000	Newark,	do .....	2,200
Nyack,	do .....	1,700	Huron,	do .....	2,300
Ogdensburg,	do .....	1,800	Lorain,	do .....	2,100
Oneida,	do .....	2,000	Painesville,	do .....	2,300
Oswego,	do .....	2,500	Piqua,	do .....	2,300
Owego,	do .....	2,300	Portsmouth,	do .....	2,500
Palmyra,	do .....	1,900	Ravenna,	do .....	1,800
Peekskill,	do .....	1,900	Salem,	do .....	1,900
Penn Yan,	do .....	2,100	Sandusky,	do .....	2,400
Plattsburg,	do .....	1,800	Sidney,	do .....	1,700
Port Jarvis,	do .....	1,900	Springfield,	do .....	2,600
Poughkeepsie,	do .....	3,000	Steubenville,	do .....	2,200
Rome,	do .....	2,200	Tiffin,	do .....	2,100
Romulus,	do .....	2,000	Toledo,	do .....	2,900
Saratoga Springs,	do .....	2,500	Troy,	do .....	2,000
Schenectady,	do .....	2,300	Upper Sandusky,	do .....	1,700
Seneca Falls,	do .....	2,100	Urbana,	do .....	2,200
Syracuse,	do .....	3,000	Warren,	do .....	2,000
Tarrytown,	do .....	1,900	Wooster,	do .....	2,200
Troy,	do .....	3,000	Xenia,	do .....	2,300
Utica,	do .....	3,000	Youngstown,	do .....	2,300
Sing Sing,	do .....	1,800	Zanesville,	do .....	2,500
Waterloo,	do .....	2,100	Albany, Oregon.....		1,700
Waterford	do .....	1,700	Astoria, do .....		1,800
Watertown,	do .....	2,800	Portland, do .....		2,600
Waterville,	do .....	1,700	Salem, do .....		2,600
Watkins,	do .....	1,900	Allegheny, Pennsylvania.....		2,500
Waverly,	do .....	1,700	Allentown,	do .....	2,700
West Troy,	do .....	1,800	Altoona,	do .....	2,500
White Plains,	do .....	1,700	Barnharts Mill,	do .....	2,200
West Chester,	do .....	2,500	Bellefonte,	do .....	1,800
Charlotte, North Carolina,		2,100	Bethlehem,	do .....	1,800
Greensborough,	do .....	1,700	Bradford,	do .....	2,300
New Berne,	do .....	1,800	Butler,	do .....	1,735
New Hanover,	do .....	2,400	Carlisle,	do .....	1,900
Summit,	Ohio.....	2,500	Chambersburgh,	do .....	1,900
Alliance,	do .....	1,800	Chester,	do .....	2,600
Ashtabula,	do .....	2,100	Corry,	do .....	2,200
Athens,	do .....	1,700	Danville C. H.,	do .....	1,800
Belmont,	do .....	1,800	Easton,	do .....	2,400
Logan,	do .....	1,900	Erie,	do .....	2,500
Bucyrus,	do .....	1,800	Franklin,	do .....	2,200
Canton,	do .....	2,700	Harrisburg,	do .....	3,100
Chillicothe,	do .....	2,300	Hazleton,	do .....	1,900
Cincinnati,	do .....	4,000	Hollidaysburgh,	do .....	1,700
Circleville,	do .....	1,900	Huntingdon,	do .....	1,800
Cleveland,	do .....	3,400	Johnstown,	do .....	2,000
Columbus,	do .....	3,000	Kittanning,	do .....	1,700
Dayton,	do .....	3,000	Knox,	do .....	2,700
Deliance,	do .....	1,800	Lancaster,	do .....	2,500

Lebanon, Pennsylvania.....	\$1,900	Brandon, Vermont.....	\$1,700
Lewistown, do .....	1,700	Brattleborough, do .....	2,400
Lock Haven, do .....	2,000	Burlington, do .....	2,300
McKeesport do .....	1,800	Middlebury, do .....	1,700
Meadville, do .....	2,500	Montpelier, do .....	2,200
New Castle, do .....	2,000	Rutland, do .....	2,000
Norristown, do .....	1,900	Saint Albans, do .....	2,100
Oil City, do .....	2,600	Saint Johnsbury, do .....	1,700
Parker's Landing, do .....	2,000	Alexandria, Virginia.....	2,100
Petrolia, do .....	2,400	Charlottesville, do .....	1,700
Philadelphia, do .....	4,000	Danville, do .....	2,200
Pittsburgh, do .....	3,500	Fredericksburgh, do .....	1,700
Pittston, do .....	2,400	Lexington, do .....	1,700
Pottstown, do .....	1,700	Lynchburgh, do .....	2,500
Pottsville, do .....	2,400	Norfolk, do .....	3,000
Reading, do .....	2,500	Petersburgh, do .....	3,000
Saint Petersburg, do .....	2,200	Portsmouth, do .....	1,900
Scranton, do .....	2,800	Stanton, do .....	2,000
Sharon, do .....	2,200	Winchester, do .....	2,000
Tidioute, do .....	1,900	Thurston, Washington Territory .....	1,700
Titusville, do .....	2,800	Seattle, do .....	1,900
Towanda, do .....	2,000	Walla Walla, do .....	2,100
Warren, do .....	2,525	Kanawha, C. H., West Virginia.....	1,700
West Chester, do .....	1,800	Parkersburg, do .....	1,700
Wilkesbarre, do .....	2,800	Wheeling, do .....	2,600
Williamsport, do .....	2,800	Appleton, Wisconsin.....	2,300
York, do .....	2,300	Beaver Dam, do .....	2,000
Bristol, Rhode Island.....	1,700	Beloit, do .....	2,400
Central Falls, do .....	1,700	Berlin, do .....	1,900
Newport, do .....	2,500	Chippewa Falls, do .....	2,100
Pawtucket, do .....	2,800	Eau Claire, do .....	2,300
Providence, do .....	3,500	Fond du Lac, do .....	2,400
Westerly, do .....	2,600	Green Bay, do .....	2,400
Woonsocket, do .....	2,300	Janesville, do .....	2,400
Charleston, South Carolina.....	3,000	Kenosha, do .....	2,100
Columbia, do .....	2,200	La Crosse, do .....	2,600
Spartanburg C. H., do .....	1,700	Manitowoc, do .....	1,900
Clarkeville, Tennessee.....	2,000	Milwaukie, do .....	3,200
Columbia, do .....	1,800	Mineral Point, do .....	1,700
Jackson, do .....	1,700	Monroe, do .....	1,800
Knoxville, do .....	2,500	Neenah, do .....	1,900
Memphis, do .....	3,000	Oshkosh, do .....	2,400
Murfreesborough, do .....	1,400	Portage, do .....	2,000
Nashville, do .....	3,000	Racine, do .....	2,500
Brenham, Texas.....	1,900	Ripon, do .....	2,000
Brownsville, do .....	2,300	Sheboygan, do .....	1,900
Bryan's Mill, do .....	2,000	Sparta, do .....	2,000
Nueces, do .....	2,100	Watertown, do .....	2,100
Navarro, do .....	2,000	Waukesha, do .....	1,900
Dallas, do .....	2,900	Whitewater, do .....	2,000
Denison City, do .....	2,000	Cheyenne City, Wyoming Territory.	2,700
Fort Worth, do .....	2,800	Laramie City, do .....	2,300
Galveston, do .....	2,800		
Houston, do .....	2,900		
Jefferson, do .....	1,900		
Marshall, do .....	2,000		
Palestine, do .....	1,900		
Paris, do .....	1,700		
San Antonio, do .....	2,500		
Sherman, do .....	2,300		
Tyler, do .....	1,800		
Waco, do .....	2,600		
Weatherford, do .....	1,800		
Ogden City, Utah Territory.....	2,100		
Salt Lake City, do .....	2,800		
Bellows Falls, Vermont.....	1,700		
Bennington, do .....	1,800		

Postmasters can be appointed from any portion of the State or nation, as can all Federal officers, the law only requiring them to be citizens; but they are usually selected from the places in which the duties are performed. The same rule applies to clerks, carriers, messengers, etc.

#### Clerks in Post-Office and their Salaries.

Abbeyville, Alabama.....	\$ 50
do .....	
Aberdeen, Mississippi.....	400
Abingdon, Virginia.....	
do .....	

Adams, New York.....	\$ 400	Allegheny, Pennsylvania.....	\$ 78
Addison, do .....	330	do .....	1,322
Adrian, Michigan.....	660	Allensville, Kentucky.....	100
do .....	420	do .....	100
do .....	360	do .....	100
do .....	300	Allentown, Pennsylvania.....	442
Afton, Iowa.....	270	do .....	624
Akron, Ohio.....	300	do .....	900
do .....	950	do .....	598
do .....	750	Alliance, Ohio.....	800
do .....	1,200	do .....	360
Atamosa, Colorado.....	800	do .....	200
do .....	600	Alpena, Michigan.....	
Albany, Georgia.....	300	do .....	
do .....	200	Alton, Illinois.....	797
Albany, Missouri.....	180	do .....	668
Albany, Oregon.....		do .....	111
do .....		do .....	122
Albany, New York.....	860	Altoona, Pennsylvania.....	600
do .....	1,200	do .....	600
do .....	600	do .....	300
do .....	900	do .....	60
do .....	860	Alvin, Illinois.....	150
do .....	860	Amboy, Illinois.....	600
do .....	900	do .....	180
do .....	900	Americus, Georgia.....	450
do .....	350	Ames, Iowa .....	150
do .....	860	Amesbury, Massachusetts.....	600
do .....	860	Amherst, do .....	600
do .....	900	do do .....	150
do .....	900	Amsterdam, New York.....	400
do .....	806	do .....	300
do .....	860	do .....	300
do .....	800	Anamosa, Iowa.....	300
do .....	940	Andalusia, Alabama.....	100
do .....	960	do .....	100
do .....	1,020	Anderson, Indiana.....	240
do .....	2,300	Andover, Massachusetts.....	300
do .....	360	Annapolis, Maryland.....	1,200
do .....	900	do .....	920
do .....	860	do .....	680
do .....	1,020	Annapolis, Indiana.....	100
do .....	1,020	Ann Arbor, Michigan.....	300
do .....	900	do .....	540
do .....	860	do .....	480
do .....	860	do .....	360
do .....	784	do .....	360
do .....	1,000	do .....	300
do .....	800	Antelope Springs, Colorado.....	100
do .....	1,000	Appleton, Wisconsin.....	450
Albert Lea, Minnesota.....	720	Arcola, Illinois.....	180
Albia, Iowa.....	180	Arkadelphia, Arkansas.....	180
Albion, Michigan.....	520	do .....	200
do .....	300	Arkansas City, Arkansas.....	50
Albion, New York.....	550	do Kansas.....	100
do .....	150	Arlington, Missouri.....	100
do .....	100	Artesia, Mississippi.....	50
Alexandria, Louisiana.....	500	Ashland, Ohio.....	450
Alexandria, Virginia.....	1,100	Ashland, Virginia.....	240
do .....	900	do .....	160
do .....	900	Ashland, Alabama.....	30
do .....	1,150	Ashland, Nebraska.....	270
do .....	650	Asheville, North Carolina.....	420
Algona, Iowa.....	270	do .....	300
Allegan, Michigan.....		Ashley, Illinois.....	200
Allegheny, Pennsylvania.....	900	do .....	200
do .....	800	do .....	200

Ashtabula, Ohio .....	\$ 300	Austin, Texas.....	\$ 200
do .....	150	do .....	1,010
Ashville, Alabama.....	100	Austin, Minnesota.....	500
Astoria, Oregon.....	300	do .....	300
Atchison, Kansas.....	720	Austin, Nevada.....	420
do .....	360	Avoca, Iowa.....	720
do .....	960	Avon, New York.....	300
do .....	460	Bainbridge, Georgia.....	275
Athens, Georgia.....	480	Baker City, Oregon.....	300
Athens, Ohio.....	360	Ballston, New York .....	180
Athol, Massachusetts.....	250	Baltimore, Maryland.....	960
Atlanta, Georgia.....	500	do .....	960
do .....	1,150	do .....	900
do .....	300	do .....	540
do .....	1,975	do .....	600
do .....	1,425	do .....	800
do .....	300	do .....	2,000
do .....	1,525	do .....	960
do .....	225	do .....	800
do .....	950	do .....	700
do .....	600	do .....	2,500
Atlantic, Iowa.....	660	do .....	740
Atlantic City, New Jersey.....	500	do .....	660
Atalla, Alabama.....	50	do .....	600
Attica, Indiana.....	400	do .....	1,700
do .....	600	do .....	1,100
Attica, New York.....	360	do .....	540
do .....	250	do .....	480
Auburn, Maine.....	400	do .....	1,000
Auburn, New York.....	408	do .....	740
do .....	369	do .....	1,500
do .....	792	do .....	1,100
do .....	492	do .....	960
do .....	792	do .....	660
do .....	360	do .....	540
do .....	996	do .....	600
Augusta, Georgia.....	840	do .....	900
do .....	900	do .....	1,100
do .....	960	do .....	600
do .....	480	do .....	700
do .....	720	do .....	700
do .....	900	do .....	960
Augusta, Kansas.....	180	do .....	1,100
Augusta, Maine.....	1,200	do .....	600
do .....	600	do .....	960
do .....	480	do .....	1,100
do .....	480	do .....	900
do .....	480	do .....	960
do .....	480	do .....	740
do .....	240	do .....	1,200
do .....	240	do .....	600
do .....	240	do .....	1,200
Aurora, Illinois.....	420	do .....	1,100
do .....	720	do .....	700
do .....	660	do .....	800
Aurora, Indiana.....	270	do .....	600
Aurora, Nevada.....	600	do .....	960
Aurora Mills, Oregon.....	100	do .....	1,040
Au Sable Forks, New York.....	100	do .....	380
Austin, Texas.....	1,200	do .....	700
do .....	935	do .....	640
do .....	780	do .....	600
do .....	900	do .....	800
do .....	100	do .....	700
do .....	1,020	do .....	600
do .....	900	do .....	800
do .....	450	do .....	540

Baltimore, Maryland.....	940	Bedford, Pennsylvania.....	180
do .....	800	Belfast, Maine.....	720
do .....	600	do .....	300
do .....	600	Bellaire, Ohio.....	108
do .....	1,200	do .....	270
do .....	940	Bellefonte, Pennsylvania .....	300
do .....	600	Bellefontaine, Ohio.....	480
do .....	800	do .....	360
do .....	800	Beloit, Kansas.....	576
do .....	1,500	do .....	542
do .....	800	do .....	516
do .....	700	Beloit, Wisconsin.....	600
do .....	1,100	do .....	240
do .....	900	Beloit, Iowa.....	100
do .....	660	Bellows Falls, Vermont.....	270
do .....	1,500	Belvidere, Illinois.....	500
do .....	960	do .....	400
do .....	900	do .....	150
do .....	800	Belvidere, New York.....	100
do .....	840	Benicia, California.....	270
do .....	600	Benson, Minnesota.....	200
do .....	600	Benton, Arkansas.....	50
Bangor, Maine.....	1,800	Berkeley Springs, West Virginia....	100
do .....	800	Berlin, Wisconsin.....	180
do .....	800	Bethany, Missouri.....	180
do .....	800	Bethlehem, Pennsylvania.....	400
do .....	1,600	do .....	480
Bangor, Alabama.....	50	Beverly, Massachusetts.....	313
Banta, California.....	100	Biddeford, Maine.....	700
Baraboo, Wisconsin.....	600	do .....	700
do .....	200	do .....	900
Barnard, Missouri.....	50	Big Rapids, Michigan.....	240
Barnesville, Ohio.....	270	do .....	720
Barnesville, Virginia.....	100	do .....	216
Barry, Maryland.....	50	Binghamton, New York.....	1,400
Bastrop, Louisiana.....	200	do .....	700
Bastrop, Texas.....	270	do .....	100
Batavia, New York.....	300	do .....	350
do .....	900	do .....	550
do .....	600	do .....	900
Batavia, Ohio.....	100	do .....	500
Batesville, Arkansas.....	480	Birmingham, Alabama.....	100
Bath, Maine.....	87	Birmingham, Connecticut.....	420
do .....	368	Bismarck, Dakota.....	200
do .....	325	Blanchester, Ohio.....	100
do .....	520	Black River Falls, Wisconsin.....	270
Bath, New York .....	600	Bloomfield, Iowa.....	180
do .....	480	Bloomington, Illinois.....	1,060
Baton Rouge, Louisiana.....	720	do .....	860
do .....	360	do .....	860
Battle Creek, Michigan.....	1,200	do .....	760
do .....	520	do .....	460
do .....	260	Bloomington, Indiana.....	360
do .....	520	Bloomington, Nebraska.....	360
Baxter Springs, Kansas.....	270	Bloomsburg, Pennsylvania.....	270
Bay City, Michigan.....	1,200	Blossburgh, Pennsylvania.....	200
do .....	480	Blountsville, Alabama.....	100
do .....	480	Blue Earth, Minnesota.....	300
do .....	480	Bodie, California.....	600
do .....	360	Boise City, Idaho.....	1,000
Bay Minette, Alabama.....	50	do .....	360
Beatrice, Nebraska.....	350	Bolivar, Missouri.....	120
Beaver, Utah.....	100	Boone, Iowa.....	400
Beaver Dam, Wisconsin.....	500	Booneville, Missouri.....	600
do .....	200	do .....	240
do .....	50	Booneville, New York.....	268
Bedford, Iowa.....	100	Booneville, Indiana.....	100

Boonsborough, Arkansas.....	50	Boston, Massachusetts.....	672
Bordentown, New Jersey.....	200	do .....	600
Boston, Massachusetts.....	3,000	do .....	600
do .....	1,920	do .....	792
do .....	1,920	do .....	540
do .....	1,728	do .....	402
do .....	822	do .....	540
do .....	1,032	do .....	1,032
do .....	2,400	do .....	360
do .....	1,920	do .....	1,140
do .....	1,308	do .....	978
do .....	1,728	do .....	600
do .....	1,308	do .....	660
do .....	1,104	do .....	540
do .....	1,104	do .....	600
do .....	1,038	do .....	660
do .....	750	do .....	540
do .....	650	do .....	600
do .....	924	do .....	1,266
do .....	600	do .....	1,038
do .....	540	do .....	672
do .....	660	do .....	540
do .....	1,152	do .....	804
do .....	1,182	do .....	540
do .....	1,032	do .....	600
do .....	480	do .....	840
do .....	775	do .....	750
do .....	540	do .....	600
do .....	600	do .....	600
do .....	600	do .....	360
do .....	720	do .....	1,152
do .....	540	do .....	1,092
do .....	1,152	do .....	600
do .....	1,152	do .....	696
do .....	1,152	do .....	2,100
do .....	978	do .....	1,200
do .....	924	do .....	1,920
do .....	978	do .....	1,800
do .....	1,062	do .....	1,152
do .....	852	do .....	1,212
do .....	600	do .....	1,092
do .....	924	do .....	1,056
do .....	672	do .....	3,000
do .....	660	do .....	1,062
do .....	636	do .....	804
do .....	600	do .....	702
do .....	600	do .....	1,008
do .....	984	do .....	804
do .....	600	do .....	600
do .....	600	do .....	672
do .....	672	do .....	540
do .....	600	do .....	600
do .....	690	do .....	840
do .....	600	do .....	204
do .....	600	do .....	420
do .....	540	do .....	600
do .....	480	do .....	1,320
do .....	1,032	do .....	1,500
do .....	540	do .....	840
do .....	1,266	do .....	750
do .....	1,248	do .....	672
do .....	984	do .....	690
do .....	690	do .....	120
do .....	600	do .....	300
do .....	672	do .....	540
do .....	600	do .....	600
do .....	672	do .....	1,032



Boston, Massachusetts.....	\$1,092	Boston, Massachusetts.....	\$ 702
do .....	690	do .....	672
do .....	402	do .....	672
do .....	480	do .....	672
do .....	1,800	do .....	540
do .....	1,308	do .....	672
do .....	1,266	do .....	600
do .....	1,038	do .....	1,800
do .....	672	do .....	804
do .....	924	do .....	600
do .....	924	do .....	720
do .....	636	do .....	480
do .....	600	do .....	150
do .....	696	do .....	1,266
do .....	540	do .....	690
do .....	480	do .....	690
do .....	480	do .....	720
do .....	1,092	do .....	672
do .....	600	do .....	576
do .....	1,248	do .....	1,500
do .....	690	do .....	600
do .....	702	do .....	480
do .....	900	do .....	600
do .....	672	do .....	978
do .....	540	do .....	540
do .....	900	do .....	690
do .....	600	do .....	1,038
do .....	660	do .....	1,038
do .....	480	do .....	1,152
do .....	600	do .....	918
do .....	600	do .....	636
do .....	660	do .....	540
do .....	600	do .....	540
do .....	1,032	do .....	540
do .....	978	do .....	750
do .....	924	do .....	1,062
do .....	672	do .....	600
do .....	1,008	do .....	600
do .....	978	do .....	540
do .....	804	do .....	480
do .....	852	do .....	420
do .....	852	do .....	600
do .....	600	do .....	624
do .....	672	do .....	1,032
do .....	900	do .....	540
do .....	636	do .....	540
do .....	672	do .....	900
do .....	600	Boulder, Colorado.....	600
do .....	540	do .....	480
do .....	600	Boulder Valley, Montana.....	50
do .....	540	Bowling Green, Kentucky.....	540
do .....	1,032	Boydton, Virginia.....	50
do .....	1,008	Brackettsville, Texas.....	200
do .....	600	Bradford, Pennsylvania.....	500
do .....	1,650	do .....	500
do .....	1,380	do .....	500
do .....	1,008	Brandon, Mississippi.....	180
do .....	1,008	Brattleborough, Vermont.....	325
do .....	672	do .....	600
do .....	900	do .....	600
do .....	540	Braxton, West Virginia.....	50
do .....	1,104	Brenham, Texas.....	600
do .....	3,000	do .....	300
do .....	1,266	Bridgeport, Alabama.....	50
do .....	1,152	Bridgeport, Connecticut.....	192
do .....	1,152	do .....	720
do .....	1,152	do .....	900

Bridgeport, Connecticut.....	\$ 540	Bryan, Texas.....	\$ 450
do .....	384	Buckhannon, West Virginia.....	100
do .....	720	Bucksport, Maine.....	225
do .....	720	Bucyrus, Ohio.....	600
do .....	972	do .....	240
Bridgeton, New Jersey.....	315	Buffalo, New York.....	850
Brinkley, Arkansas.....	100	do .....	850
Bristol, Connecticut.....	250	do .....	300
do .....	312	do .....	925
Bristol, Tennessee.....	300	do .....	850
do .....	220	do .....	850
Bristol, Pennsylvania.....	260	do .....	745
do .....	260	do .....	35
Brockton, Massachusetts.....	800	do .....	975
do .....	520	do .....	975
do .....	450	do .....	975
Brookhaven, Mississippi.....	200	do .....	2,280
Brookline, Massachusetts.....	660	do .....	825
Brookline, Massachusetts.....	200	do .....	975
Brooklyn, New York.....	1,000	do .....	925
do .....	950	do .....	1,705
do .....	900	do .....	925
do .....	850	do .....	200
do .....	800	do .....	850
do .....	1,300	do .....	745
do .....	950	do .....	1,705
do .....	850	do .....	850
do .....	850	do .....	975
do .....	800	do .....	850
do .....	1,100	do .....	975
do .....	800	do .....	1,185
do .....	720	do .....	850
do .....	900	do .....	850
do .....	900	Bull's Gap, Tennessee.....	100
do .....	800	Bureau Junction, Illinois.....	50
do .....	700	Burgh Hill, Ohio.....	100
do .....	1,500	Burkville, Virginia.....	140
do .....	850	Burlington, Iowa.....	1,040
do .....	800	do .....	572
do .....	700	do .....	520
do .....	900	do .....	468
do .....	3,000	Burlington, New Jersey.....	200
do .....	1,400	do .....	200
do .....	850	Burlington, Vermont.....	1,500
do .....	750	do .....	600
do .....	520	do .....	500
do .....	800	do .....	400
do .....	1,000	do .....	300
do .....	900	Burlington, Kansas.....	600
do .....	750	do .....	300
do .....	950	Bushnell, Illinois.....	300
do .....	850	Butler, Indiana.....	100
do .....	900	Butler, Pennsylvania.....	420
do .....	850	Caddo, Indian Territory.....	360
do .....	1,700	Cadiz, Kentucky.....	100
do .....	850	Cairo, Illinois.....	1,100
do .....	260	do .....	900
do .....	800	do .....	1,000
do .....	1,000	Calais, Maine.....	850
Brookville, Indiana.....	360	do .....	150
Brookville, Pennsylvania.....	200	Calamus, Nebraska.....	100
Brownsville, Texas.....	450	Caledonia, Minnesota.....	150
Brownsville, Tennessee.....	300	Calistoga, California.....	180
Brownville, Nebraska.....	360	Calmar, Iowa.....	300
Brunswick, Maine.....	600	Calumet, Michigan.....	360
do .....	200	do .....	600
Bryan, Ohio.....	500	Cambbridge, Maryland.....	180

Cambridge, Ohio.....	\$ 270	Centreville, Tennessee.....	\$ 100
Cambridge City, Indiana.....	270	Central City, Nebraska.....	100
Camden, Arkansas.....	600	Chambersburg, Pennsylvania.....	600
Camden, New Jersey.....	1,180	do .....	500
do .....	780	Champaign, Illinois.....	600
Cameron, Missouri.....	180	do .....	} 420
Campbellville, Kentucky.....	100	do .....	
Camp Halleck, Nevada.....	200	Chanute, Kansas.....	50
Camp Robinson, Nebraska.....	200	Charlton, Iowa .....	270
Canaan, Connecticut.....	300	Charles City, Iowa.....	720
Canandaigua, New York.....	408	Charleston, Illinois.....	400
do .....	566	do .....	400
do .....	466	Charleston, South Carolina.....	1,722
Canisteo, New York.....	100	do .....	822
Canon, City Colorado.....	} 900	do .....	942
do .....			
Canton, Mississippi.....	600	do .....	746
Canton, Missouri.....	100	do .....	1,422
Canton, Ohio.....	800	do .....	684
do .....	700	do .....	900
do .....	500	do .....	600
Canton, Illinois.....	480	do .....	1,182
Canton, Mississippi.....	100	do .....	480
Cape May, New Jersey.....	} 200	Charleston, West Virginia .....	600
do .....			
do .....			
do .....			
Carbondale, Illinois.....	360	do .....	200
Carlinville, Illinois.....	180	do .....	200
Carlisle, Pa.....	600	Charlotte, Michigan.....	270
do .....	420	Charlotte, North Carolina.....	1,000
do .....	180	do .....	1,000
do .....	100	Charlottesville, Virginia .....	600
Carroll City, Iowa.....	100	do .....	200
Carson City, Nevada.....	900	Chasca, Minnesota.....	100
Carter Depot, Tennessee.....	50	Chatham Village, New York.....	270
Cartersville, Georgia.....	180	Chattahoochee, Florida.....	100
Carthage, Missouri.....	500	Chattanooga, Tennessee.....	580
do .....	365	do .....	240
do .....	300	do .....	1,060
Carthage, New York.....	360	do .....	720
Carver, Minnesota.....	100	Chenango Forks, New York.....	100
Catlett, Virginia.....	50	Cheraw, South Carolina.....	100
Catskill, New York.....	400	Chester, Illinois.....	180
do .....	350	Chester, Pa .....	788
Cattlesburgh, Kentucky.....	180	do .....	312
Cawker City, Kansas.....	180	Chestnut Level, Pennsylvania.....	50
do .....	300	Chetopa, Kansas.....	270
Cazenovia, New York.....	500	Cheyenne, Wyoming .....	900
do .....	300	do .....	900
do .....	60	Chicago, Illinois.....	1,060
do .....	65	do .....	900
Cedar Falls, Iowa.....	} 270	do .....	1,200
do .....			
Cedar Keys, Florida.....	150	do .....	900
Cedar Rapids, Iowa.....	1,100	do .....	600
do .....	300	do .....	1,000
do .....	600	do .....	1,000
do .....	350	do .....	700
Central City, Colorado.....	1,200	do .....	800
do .....	600	do .....	900
Centralia, Illinois.....	600	do .....	1,000
do .....	300	do .....	700
do .....	150	do .....	1,100
Centre, Alabama.....	100	do .....	800
Centreville, Iowa.....	400	do .....	800
Centreville, Maryland.....	100	do .....	1,500
		do .....	900

Chicago, Illinois.....	\$1,000	Chicago, Illinois.....	\$1,300
do .....	900	do .....	1,100
do .....	1,500	do .....	1,000
do .....	1,100	do .....	775
do .....	1,200	do .....	800
do .....	800	do .....	900
do .....	840	do .....	1,200
do .....	800	do .....	900
do .....	840	do .....	700
do .....	1,500	do .....	1,100
do .....	1,200	do .....	640
do .....	800	do .....	900
do .....	900	do .....	800
do .....	1,200	do .....	1,000
do .....	775	do .....	1,300
do .....	1,000	do .....	600
do .....	1,100	do .....	1,200
do .....	900	do .....	1,100
do .....	1,800	do .....	700
do .....	1,000	do .....	1,000
do .....	1,200	do .....	1,100
do .....	1,100	do .....	3,000
do .....	1,100	do .....	1,100
do .....	800	do .....	1,100
do .....	775	do .....	900
do .....	400	do .....	900
do .....	1,100	do .....	1,100
do .....	800	do .....	1,100
do .....	900	do .....	900
do .....	1,200	do .....	640
do .....	1,700	do .....	775
do .....	1,000	do .....	800
do .....	640	do .....	1,300
do .....	700	do .....	300
do .....	900	do .....	400
do .....	800	do .....	775
do .....	800	do .....	900
do .....	1,000	do .....	1,000
do .....	700	do .....	1,200
do .....	700	do .....	640
do .....	700	do .....	1,300
do .....	700	do .....	1,100
do .....	900	do .....	1,400
do .....	900	do .....	340
do .....	1,200	do .....	500
do .....	1,300	do .....	800
do .....	700	do .....	700
do .....	800	do .....	900
do .....	740	do .....	1,100
do .....	700	do .....	740
do .....	2,500	do .....	900
do .....	800	do .....	800
do .....	900	do .....	900
do .....	800	do .....	1,100
do .....	1,100	do .....	1,000
do .....	1,300	do .....	740
do .....	1,000	do .....	500
do .....	700	do .....	900
do .....	775	do .....	1,250
do .....	800	do .....	1,400
do .....	800	do .....	740
do .....	500	do .....	500
do .....	340	do .....	800
do .....	1,000	do .....	1,100
do .....	800	do .....	800
do .....	2,200	do .....	3,500
do .....	1,200	do .....	900

Chicago, Illinois.....	\$1,100	Chicago, Illinois.....	\$ 800
do .....	800	do .....	2,500
do .....	1,100	do .....	1,100
do .....	1,100	do .....	1,000
do .....	1,500	do .....	800
do .....	500	do .....	1,100
do .....	900	do .....	800
do .....	900	do .....	1,000
do .....	900	do .....	3,700
do .....	775	do .....	1,300
do .....	700	do .....	500
do .....	800	do .....	800
do .....	2,500	do .....	800
do .....	1,000	do .....	900
do .....	1,300	do .....	1,800
do .....	800	do .....	800
do .....	600	do .....	640
do .....	800	do .....	1,250
do .....	1,000	do .....	1,000
do .....	900	do .....	700
do .....	900	do .....	1,200
do .....	1,100	do .....	775
do .....	1,000	do .....	1,200
do .....	1,100	do .....	3,000
do .....	400	do .....	1,000
do .....	775	do .....	900
do .....	1,140	do .....	840
do .....	1,100	do .....	1,100
do .....	800	do .....	400
do .....	900	do .....	700
do .....	1,000	do .....	775
do .....	600	do .....	775
do .....	800	do .....	900
do .....	1,200	do .....	1,200
do .....	2,400	do .....	1,000
do .....	1,200	do .....	1,000
do .....	900	do .....	640
do .....	900	do .....	1,000
do .....	2,700	do .....	800
do .....	340	do .....	1,000
do .....	900	do .....	775
do .....	900	Chicopee, Massachusetts.....	156
do .....	700	do .....	480
do .....	700	Chillicothe, Missouri.....	300
do .....	800	do .....	450
do .....	900	Chillicothe, Ohio.....	600
do .....	700	do .....	400
do .....	800	Chippewa Falls, Wisconsin } .....	
do .....	900	do .....	500
do .....	340	do .....	
do .....	500	Cincinnati, Ohio.....	800
do .....	1,100	do .....	750
do .....	500	do .....	960
do .....	775	do .....	960
do .....	1,500	do .....	1,800
do .....	840	do .....	800
do .....	1,100	do .....	800
do .....	400	do .....	750
do .....	1,600	do .....	900
do .....	800	do .....	800
do .....	775	do .....	600
do .....	940	do .....	2,000
do .....	400	do .....	750
do .....	800	do .....	1,200
do .....	900	do .....	750
do .....	800	do .....	800
do .....	700	do .....	720

Cincinnati, Ohio.....\$ 750	Cincinnati, Ohio.....\$ 950
do ..... 800	do ..... 750
do ..... 1,000	do ..... 600
do ..... 800	do ..... 1,500
do ..... 800	do ..... 1,000
do ..... 800	do ..... 900
do ..... 700	do ..... 1,100
do ..... 900	do ..... 1,000
do ..... 750	do ..... 2,000
do ..... 1,200	do ..... 800
do ..... 1,100	do ..... 900
do ..... 800	do ..... 600
do ..... 800	do ..... 900
do ..... 750	do ..... 600
do ..... 900	do ..... 1,200
do ..... 950	do ..... 800
do ..... 900	do ..... 1,500
do ..... 600	do ..... 1,200
do ..... 950	do ..... 1,800
do ..... 700	do ..... 1,200
do ..... 850	Circleville, Ohio..... 450
do ..... 1,200	Clermont, New Hampshire..... 400
do ..... 800	Clarinda, Iowa..... 240
do ..... 1,000	do ..... 300
do ..... 1,100	Clarion, Pennsylvania..... 400
do ..... 850	do ..... 200
do ..... 1,000	Clarksburgh, West Virginia..... 450
do ..... 800	Clarksville, Arkansas ..... 360
do ..... 750	Clarksville, Tennessee..... 500
do ..... 750	do ..... 300
do ..... 1,000	Clarksville, Texas..... 360
do ..... 900	Clarksville, Virginia..... 50
do ..... 850	Clay Centre, Kansas ..... 360
do ..... 800	Cleburne, Texas..... } 100
do ..... 1,000	do ..... }
do ..... 3,000	Cleveland, Ohio..... 1,000
do ..... 1,200	do ..... 840
do ..... 1,200	do ..... 840
do ..... 900	do ..... 720
do ..... 900	do ..... 550
do ..... 800	do ..... 600
do ..... 900	do ..... 1,600
do ..... 750	do ..... 660
do ..... 800	do ..... 900
do ..... 700	do ..... 720
do ..... 850	do ..... 600
do ..... 800	do ..... 1,800
do ..... 800	do ..... 1,000
do ..... 750	do ..... 720
do ..... 700	do ..... 100
do ..... 700	do ..... 1,800
do ..... 600	do ..... 840
do ..... 800	do ..... 600
do ..... 1,400	do ..... 960
do ..... 950	do ..... 840
do ..... 800	do ..... 840
do ..... 800	do ..... 700
do ..... 800	do ..... 600
do ..... 1,000	do ..... 720
do ..... 900	do ..... 840
do ..... 1,000	do ..... 780
do ..... 900	do ..... 840
do ..... 900	do ..... 1,400
do ..... 700	do ..... 750
do ..... 700	do ..... 840
do ..... 700	do ..... 660
do ..... 2,000	do ..... 660



Dallas, Texas.....	\$ 450	Denison City, Texas.....	\$ 100
Danbury, Connecticut.....	416	Dennysville, Maine.....	180
do .....	1,040	Denver, Colorado.....	480
do .....	156	do .....	1,000
Danielsonville, Connecticut.....	360	do .....	600
Danville, Indiana.....	100	do .....	1,080
do .....	100	do .....	1,000
Danville, Illinois.....	300	do .....	1,200
do .....	700	do .....	1,200
do .....	300	do .....	1,200
Danville, Kentucky.....	540	do .....	600
Danville, Pennsylvania .....	450	do .....	1,080
Danville, Virginia.....	360	do .....	800
do .....	240	do .....	2,000
Dansville, New York.....	500	do .....	900
do .....	420	do .....	1,040
Dardanelle, Arkansas.....	75	Des Moines, Iowa.....	1,800
Davenport, Iowa.....	200	do .....	660
do .....	300	do .....	540
do .....	850	do .....	725
do .....	1,100	do .....	600
do .....	1,400	do .....	480
do .....	950	do .....	820
Dayton, Ohio.....	700	do .....	600
do .....	1,000	do .....	300
do .....	800	do .....	600
do .....	900	Detroit, Michigan.....	1,100
do .....	1,800	do .....	800
do .....	900	do .....	775
do .....	700	do .....	600
do .....	500	do .....	775
do .....	500	do .....	750
Deadwood, Dakota.....	2,000	do .....	600
do .....	2,000	do .....	775
do .....	2,000	do .....	500
Decatur, Nebraska.....	100	do .....	800
Decatur, Alabama.....	270	do .....	775
Decatur, Texas.....	200	do .....	700
do .....	200	do .....	1,600
Decatur, Illinois.....	900	do .....	750
do .....	600	do .....	700
do .....	600	do .....	1,500
do .....	300	do .....	650
Decorah, Iowa.....	540	do .....	650
do .....	540	do .....	800
Deer Lodge, Montana.....	720	do .....	1,000
do .....	720	do .....	900
Defiance, Ohio.....	300	do .....	780
do .....	300	do .....	700
Delaware, Ohio.....	460	do .....	600
do .....	352	do .....	800
do .....	288	do .....	500
Delaware Station, New Jersey.....	50	do .....	900
Delhi, Louisiana.....	100	do .....	780
Delhi, Iowa.....	135	do .....	900
Delhi, New York.....	270	do .....	900
do .....	270	do .....	800
Del Norte, Colorado.....	500	do .....	775
do .....	500	do .....	780
do .....	500	do .....	750
Delphi, Indiana. ....	270	do .....	750
do .....	270	do .....	600
Demopolis, Alabama.....	135	do .....	650
Denison, Iowa.....	100	do .....	700
do .....	100	do .....	600
Denison City, Texas.....	660	do .....	600
do .....	440	do .....	1,300



Detroit, Michigan .....	\$1,000	Elkhart, Indiana.....	\$ 600
do .....	2,000	do .....	260
Devall's Bluff, Arkansas.....	270	do .....	240
Dexter, Maine.....	180	Elko, Nevada.....	270
Dixon, Illinois .....	800	do .....	270
do .....	800	Ellenborough, West Virginia.....	50
Dover, New Hampshire.....	1,700	Ellsworth, Maine.....	500
do .....	1,700	do .....	500
do .....	1,700	Ellsworth, Kansas.....	150
Dover, New Jersey.....	} 150	Elmira, New York.....	1,000
do .....		do .....	700
Downingtwn, Pennsylvania.....	} 130	do .....	700
do .....		do .....	900
Doylestown, Pennsylvania.....	200	do .....	1,000
Dubuque, Iowa.....	1,700	do .....	700
do .....	960	Elyria, Ohio.....	500
do .....	750	do .....	500
do .....	600	Emlenton, Pennsylvania.....	100
do .....	490	Emporia, Kansas.....	600
Ducktown, Tennessee.....	50	do .....	300
Duluth, Minnesota.....	} 300	do .....	300
do .....		Ennis, Texas.....	200
Dunkirk, New York.....	600	Erie, Pennsylvania.....	250
do .....	300	do .....	650
Duquoin, Illinois .....	} 270	do .....	650
do .....		do .....	1,700
Durant, Mississippi.....	100	do .....	650
Eagle Springs, Texas.....	50	do .....	1,050
East Dubuque, Illinois.....	270	do .....	1,050
Easton, Pennsylvania.....	610	Essex Junction, Vermont.....	100
do .....	660	Eufaula, Alabama.....	720
do .....	325	Eureka, Nevada.....	500
do .....	240	Eureka, Kansas.....	400
do .....	240	do .....	400
do .....	160	Eutaw, Alabama.....	100
do .....	240	Evanston, Illinois.....	550
do .....	25	do .....	350
Eastport, Maine.....	600	Evansville, Indiana.....	260
do .....	700	do .....	855
East Saginaw, Michigan.....	780	do .....	1,140
do .....	360	do .....	600
do .....	360	do .....	855
do .....	360	do .....	1,850
Eastville, Virginia.....	50	Exira, Iowa.....	100
Eaton, Ohio.....	270	Exeter, New Hampshire.....	300
Eau Claire, Wisconsin.....	} 1,000	do .....	300
do .....		Fairfield, Iowa.....	100
do .....		do .....	100
do .....		Faribault, Minnesota.....	600
Edgar Nebraska.....	50	do .....	420
Edgefield, South Carolina.....	75	do .....	280
Edgerton, Wisconsin.....	150	Fairmont, Minnesota.....	150
Effingham, Illinois.....	270	Fairmont, West Virginia.....	180
Eldora, Iowa.....	200	Fair Play, Colorado .....	180
El Dorado, Kansas.....	} 500	Fall River, Massachusetts.....	736
do .....		do .....	920
Elgin, Illinois.....	} 1,000	do .....	164
do .....		do .....	1,380
do .....		Falls City, Nebraska .....	180
Elizabeth, New Jersey.....	967	Fargo, Dakota.....	500
do .....	767	do .....	500
do .....	566	Farley, Iowa.....	135
Elizabeth City, N.C., Pennsylvania } 100		Farmington, Maine.....	270
do .....		Farmington, Minnesota .....	180
Elizabethton, Tennessee.....	100	Farmville, Virginia.....	270
Elizabethtown, Kentucky.....	180	Fayette Court-House, Alabama.....	100
Elkader, Iowa.....	270	Fayetteville, Arkansas.....	450

Fergus Falls, Minnesota .....	\$ 100	Fredericksburgh, Virginia.....	\$ 900	
Findlay, Ohio.....	350	Fredonia, New York.....	} 600	
do .....	250	do .....		
Fishkill, New York.....	100	Freehold, New Jersey.....	} 450	
Fishkill on the Hudson, New York	270	do .....		
Fitchburgh, Massachusetts.....	1,500	do .....		
do .....	1,500	Freeport, Illinois.....	} 2,200	
do .....	1,500	do .....		
do .....	1,500	do .....		
do .....	1,500	do .....		
do .....	1,500	do .....		
Flint, Michigan.....	720	Freeville, New York.....	100	
Florence, Kansas.....	100	Fremont, Nebraska.....	250	
Flushing, New York.....	180	Fremont, Ohio.....	300	
Fonda, New York.....	180	do .....	450	
Fond du Lac, Wisconsin.....	2,400	Fulton, New York.....	} 450	
do .....	2,400	do .....		
do .....	2,400	do .....		
do .....	2,400	do .....		
do .....	2,400	do .....		
do .....	2,400	do .....		
Forest, Mississippi.....	100	Fulton, Illinois.....	180	
Forest City, Arkansas.....	200	Gadsden, Alabama.....	} 100	
Forsyth, Missouri.....	50	do .....		
Fort Atkinson, Wisconsin.....	180	Gainesville, Georgia.....	270	
Fort Concho, Texas.....	270	Gainesville, Florida.....	270	
Fort Dodge, Iowa.....	540	Galena, Illinois.....	} 900	
do .....	540	do .....		
Fort Gaines, Georgia.....	180	Galesburgh, Illinois.....	1,050	
Fort Hamilton, New York.....	270	do .....	800	
Fort Howard, Wisconsin.....	} 300	do .....	550	
do .....			do .....	400
Fort Jefferson, Kentucky.....	100	Gallatin, Missouri.....	} 180	
Fort Leavenworth, Kansas.....	200	do .....		
Fort Plain, New York.....	} 450	Gallatin, Tennessee.....	300	
do .....			Gallipolis, Ohio.....	600
do .....			Galveston, Texas.....	2,000
Fort Randall, Dakota.....	100	do .....	1,200	
Fort Scott, Kansas.....	} 2,200	do .....	1,200	
do .....			do .....	1,500
do .....			do .....	840
Fort Smith, Arkansas.....	} 720	do .....	720	
do .....			do .....	720
Fort Stanton, New Mexico.....	150	do .....	900	
Fort Union, do .....	270	do .....	900	
Fort Wayne, Indiana.....	780	do .....	720	
do .....	780	do .....	900	
do .....	420	do .....	900	
do .....	300	do .....	720	
do .....	780	do .....	900	
do .....	780	do .....	600	
do .....	1,440	do .....	1,200	
Fort Worth, Texas.....	720	Gardiner, New York.....	} 50	
do .....	660	do .....		
do .....	420	Gardiner, Maine .....	450	
do .....	460	Garner, Iowa .....	100	
do .....	1,020	Geneseo, New York .....	} 270	
Fox River, Wisconsin .....	24	do .....		
Frankfort, Kentucky .....	700	Geneseo, Illinois .....	} 270	
do .....	400	do .....		
Franklin, Pennsylvania.....	364	Geneva, New York.....	660	
do .....	364	do .....	180	
do .....	520	do .....	660	
Franklin, Tennessee.....	200	Geneva, Ohio .....	100	
Franklin, North Carolina.....	100	Genoa, Nevada.....	180	
Franklin, Idaho.....	100	Georgetown, Texas .....	100	
Franklinville, New York.....	100	Georgetown, Colorado.....	} 540	
Frederick, Maryland.....	300	do .....		
do .....	600	Gettysburgh, Pennsylvania.....	} 270	
Fredericksburgh, Texas.....	300	do .....		

Girard, Kansas.....	}	\$180	Greenville, Ohio.....	}	\$ 180
do .....			do .....		
Glasgow, Kentucky.....		180	Grenada, Mississippi.....	}	300
Glencoe, Minnesota.....		200	do .....		
Glens Falls, New York .....	}	450	Griffin, Georgia.....	}	300
do .....			do .....		
Glenville, West Virginia.....		50	Grinnell, Iowa.....	}	270
Glenwood, Iowa.....	}	200	do .....		
do .....					Grundy Centre, Iowa.....
Gloucester, Massachusetts.....		432	Guntersville, Alabama.....		100
do .....		240	Hackettstown, New Jersey.....		180
do .....		300	Hagerstown, Maryland.....	}	500
do .....		720	do .....		
Gloversville, New York.....	}	720	do .....		
do .....			Hamburgh, Iowa.....		
Golden, Colorado.....	}	400	do .....		
do .....			Hamilton, Nevada.....	}	1,500
Goldsborough, North Carolina.....		400	do .....		
Gonzales, Texas.....	}	180	Hamilton, Ohio.....	}	1,800
do .....			do .....		
Gordonsville, Virginia.....	}	180	do .....		
do .....			do .....		
Goshen, Indiana.....		300	Hamburgh, Arkansas.....		100
do .....		600	Hampton, Virginia.....	}	270
Goshen, New York.....		160	do .....		
do .....		200	Hampton, Arkansas.....		75
Gouverneur, New York.....	}	200	Hannibal, Missouri.....	}	2,500
do .....			do .....		
Grafton, West Virginia.....	}	180	do .....		
do .....			do .....		
Grand Haven, Michigan.....	}	540	do .....		
do .....			Hanover, Pennsylvania.....		100
Grand Island, Nebraska .....	}	300	Harlan, Iowa.....		300
do .....			Harrisburgh, Pennsylvania.....		900
Grand Rapids, Wisconsin .....	}	180	do .....		700
do .....			do .....		700
Grand Rapids, Michigan.....		1,025	do .....		800
do .....		900	do .....		900
do .....		800	do .....		900
do .....		750	do .....		850
do .....		1,300	do .....		600
do .....		625	do .....		850
do .....		475	do .....		800
do .....		625	do .....		800
do .....		300	do .....		2,000
Grass Valley, California.....		720	Harrisonburgh, Louisiana.....		100
Great Falls, New Hampshire.....		450	Harrisonburgh, Virginia.....		400
Greeley, Colorado.....	}	200	Hartford, Connecticut .....		1,100
do .....			do .....		900
Greene, New York.....		100	do .....		800
Green Bay, Wisconsin.....	}	1,400	do .....		750
do .....			do .....		540
do .....			do .....		500
Greencastle, Indiana .....	}	650	do .....		1,260
do .....			do .....		700
Greenfield, New Hampshire.....		100	do .....		1,080
Greenfield, Missouri.....	}	150	do .....		900
do .....			do .....		600
Greensborough, Alabama.....		180	do .....		750
Greensborough, North Carolina.....		400	do .....		600
Greensburgh, Indiana.....		270	do .....		2,000
Greenville, Pennsylvania.....		400	do .....		900
Greenville, Michigan.....		270	Hartville, Missouri.....		100
Greenville, South Carolina.....		500	Harvard, Illinois.....	}	100
Greenville, Tennessee.....		200	do .....		
Greenville, Alabama.....		180	Harwick, Massachusetts.....		100
			Hastings, Minnesota.....		360

Hastings Michigan.....	\$ 270	Houston, Texas.....	\$1,920
Hastings, Iowa.....	100	do .....	930
Hastings, Nebraska.....	} 180	do .....	1,500
do .....		do .....	600
Havana, Illinois .....	100	Houston, Missouri.....	100
Haverhill, Massachusetts.....	} 3,000	Hudson, Michigan.....	} 450
do .....		do .....	
do .....		Hudson, Wisconsin.....	180
do .....		Hudson, New York.....	} 1,600
Havre de Grace, Maryland.....	100	do .....	
Hays City, Kansas.....	120	do .....	
Hazleton, Pennsylvania.....	270	do .....	
Hearne, Texas.....	180	Humboldt, Kansas.....	300
Helena, Arkansas.....	300	Huntersville, West Virginia.....	40
Helena, Montana.....	1,180	Huntingdon, Indiana.....	250
do .....	920	Huntingdon, Pennsylvania.....	360
Hempstead, Texas.....	180	Huntingdon, West Virginia.....	180
Henderson, Texas.....	100	Huntsville, Alabama.....	500
Henderson, Kentucky.....	180	Huntsville, Texas.....	180
Herkimer, New York.....	100	Huntsville, Tennessee.....	100
Hermann, Missouri.....	180	Hutchinson, Kansas.....	} 300
Hiawatha, Kansas.....	} 180	do .....	
do .....		Ilion, New York.....	600
Hicksford, Virginia.....	175	do .....	360
Hickory, North Carolina.....	} 75	Independence, Iowa.....	} 270
do .....		do .....	
Hillsdale, Michigan.....	} 700	Independence, Kansas.....	480
do .....		do .....	360
do .....		do .....	300
Hillsborough, North Carolina.....	150	Independence, Missouri.....	300
Hillsborough, Ohio.....	180	Indiana, Pennsylvania.....	250
Hoboken, New Jersey.....	700	do .....	250
Holland, Michigan.....	180	Indianapolis, Indiana .....	1,000
Hollidaysburgh, Pennsylvania.....	600	do .....	800
Holly Springs, Mississippi.....	} 400	do .....	500
do .....		do .....	600
Holton, Kansas.....	} 180	do .....	1,000
do .....		do .....	400
Holyoke, Massachusetts.....	600	do .....	1,000
do .....	540	do .....	720
do .....	840	do .....	800
do .....	60	do .....	1,200
do .....	360	do .....	800
Homer, Louisiana.....	180	do .....	600
Honesdale, Pennsylvania.....	} 270	do .....	1,000
do .....		do .....	600
Hookset, New Hampshire.....	180	do .....	1,000
Hope, Arkansas.....	} 200	do .....	2,500
do .....		do .....	600
do .....		do .....	1,000
do .....		do .....	800
Hopkinsville, Kentucky.....	} 270	do .....	1,200
do .....		do .....	800
Hornellsville, New York.....	} 300	do .....	800
do .....		do .....	1,000
Hot Springs, Arkansas.....	600	do .....	2,500
do .....	520	do .....	600
do .....	260	do .....	1,200
Houghton, Michigan.....	} 360	do .....	1,000
do .....		do .....	1,100
do .....		do .....	400
Houlton, Maine.....	270	Indianola, Iowa.....	200
Houston, Texas.....	780	Indianola, Texas.....	} 270
do .....	60	do .....	
do .....	840	Industry, Texas.....	50
do .....	570	Ionia, Michigan .....	} 450
		do .....	

Iowa City, Iowa.....	\$ 900	Joliet, Illinois.....	\$ 312	
do .....	600	do .....	720	
do .....	600	do .....	192	
Ironton, Ohio.....	} 200	Jonesborough, Tennessee.....	100	
do .....		Joplin, Missouri.....	450	
Island Pond, Vermont.....	400	do .....	150	
Ishpeming, Michigan.....	300	Junction City, Kansas.....	} 540	
Ithaca, New York.....	} 2,800	do .....		
do .....		Kalamazoo, Michigan.....	1,200	
do .....		do .....	500	
do .....		do .....	500	
Jackson, Michigan.....	540	do .....	500	
do .....	1 000	do .....	300	
do .....	200	Kanawha Station, West Virginia.....	30	
do .....	313	Kankakee, Illinois.....	450	
do .....	365	Kansas City, Missouri.....	600	
do .....	365	do .....	80	
Jackson, Mississippi.....	700	do .....	1,000	
do .....	900	do .....	600	
do .....	600	do .....	1,000	
Jackson, Tennessee.....	450	do .....	1,800	
Jackson, Ohio.....	200	do .....	960	
Jacksonville, Alabama.....	420	do .....	1,000	
Jacksonville, Illinois.....	1,000	do .....	960	
do .....	600	do .....	1,000	
do .....	600	do .....	1,000	
do .....	400	do .....	1,300	
Jacksonville, Florida.....	1,600	do .....	1,200	
do .....	500	do .....	600	
do .....	500	do .....	1,100	
do .....	500	Kasson, Minnesota.....	} 100	
do .....	350	do .....		
do .....	50	Kearney, Nebraska.....	900	
Jacksonville, Oregon.....	360	Keedysville, Maryland.....	50	
Jamestown, New York.....	260	Keeseville, New York.....	500	
do .....	156	Keene, New Hampshire.....	100	
do .....	420	do .....	480	
do .....	1,000	Kelton, Utah.....	250	
Janesville, Wisconsin.....	365	Kendallsville, Indiana.....	270	
do .....	1,000	Kenosha, Wisconsin.....	270	
do .....	600	do .....	270	
do .....	400	Kensett, Arkansas.....	} 100	
Jasper, Indiana.....	} 200	do .....		
do .....			Keokuk, Iowa.....	300
Jasper, Texas.....	200	do .....	400	
Jasper, Alabama.....	150	do .....	1,200	
Jefferson, Texas.....	540	do .....	700	
Jefferson, Georgia.....	150	do .....	400	
Jefferson, Wisconsin.....	300	Keosauqua, Iowa.....	100	
do .....	300	Kerneysville, West Virginia.....	100	
Jefferson City, Missouri.....	1,000	Kewanee, Illinois.....	} 500	
do .....	200	do .....		
Jeffersonville, Indiana.....	} 500	Key West, Florida.....	800	
do .....			Keyser, West Virginia.....	} 100
Jersey City, New Jersey.....	800	do .....		
do .....	840	Keysville, Virginia.....	75	
do .....	100	Kingston, New York.....	} 700	
do .....	1,080	do .....		
do .....	840	Kittery Depot, Maine.....	225	
do .....	1,080	Knox, Pennsylvania.....	} 300	
do .....	260	do .....		
Jewell, Kansas.....	180	Knoxville, Tennessee.....	760	
Johnstown, Pennsylvania.....	} 540	do .....	980	
do .....			do .....	760
do .....			Knoxville, Iowa.....	} 450
do .....			do .....	
Joliet, Illinois.....	1,000	Kokomo, Indiana.....	500	

Kosciusko, Mississippi.....	\$ 200	Lawrence, Kansas.....	\$ 720
Kirksville, Missouri.....	} 180	do .....	900
do .....		do .....	900
do .....		Lawrence, Massachusetts.....	850
La Crosse, Wisconsin.....	1,400	do .....	940
do .....	700	do .....	820
do .....	600	do .....	460
do .....	75	Lawrenceburgh, Indiana .....	360
La Crosse, Arkansas.....	} 50	Lawrenceburgh, Tennessee.....	100
do .....		Leadville, Colorado .....	900
La Cygne, Kansas.....	300	do .....	1,200
do .....	50	do .....	1,500
La Fargeville, New York.....	} 50	do .....	1,080
do .....		do .....	1,200
La Fayette, Indiana.....	1,159	do .....	900
do .....	1,159	do .....	900
do .....	891	do .....	900
do .....	491	do .....	900
do .....	300	do .....	900
La Grange, Texas.....	500	do .....	1,140
Lake Charles, La.....	} 50	do .....	1,080
do .....		Leavenworth, Kansas .....	360
do .....		do .....	180
Lake City, Colorado.....	200	do .....	700
Lake City, Minnesota.....	} 225	do .....	300
do .....		do .....	1,140
Lake George, New York.....	} 150	do .....	660
do .....		do .....	480
do .....		Lebanon, Kentucky.....	270
Lamar, Missouri.....	140	Lebanon, New Hampshire.....	250
Lambertville, New Jersey.....	360	do .....	500
Lampasas, Texas.....	100	Lebanon, Pennsylvania.....	550
Lamsons, New York.....	75	do .....	300
Lancaster, New Hampshire.....	150	Lebanon, Tennessee.....	600
do .....	150	Leesburgh, Virginia.....	200
Lancaster, Ohio.....	900	Lenoir, North Carolina.....	100
Lancaster, Wisconsin.....	250	Lenox, Massachusetts.....	100
Lancaster, Pennsylvania.....	650	do .....	100
do .....	800	Leon, Iowa.....	180
do .....	825	Le Roy, New York .....	600
do .....	725	do .....	400
do .....	500	Le Sueur, Minnesota .....	240
Lansing, Michigan.....	708	Lewisburgh, Pennsylvania.....	100
do .....	540	do .....	100
do .....	540	Lewisburgh, West Virginia.....	180
do .....	480	Lewiston, Maine.....	600
do .....	360	do .....	300
do .....	360	do .....	300
Lansing, Iowa.....	200	do .....	300
La Porte, Indiana .....	900	Lewistown, Pennsylvania.....	360
do .....	360	Lewiston, Idaho.....	100
do .....	300	Lexington, Missouri.....	550
Laramie City, Wyoming.....	1,200	Lexington, Virginia .....	360
do .....	1,200	Lexington, Virginia.....	140
do .....	1,200	Lexington, Kentucky.....	912
La Salle, Illinois .....	800	do .....	720
do .....	400	do .....	868
Larned, Kansas.....	300	Liberty, Missouri.....	200
Las Vegas, New Mexico.....	150	Liberty, Virginia.....	180
do .....	150	Lima, Ohio .....	600
do .....	150	do .....	400
Laurel, Maryland.....	100	Lima, New York.....	100
Laurens, South Carolina.....	100	Lincoln, Illinois .....	360
Lawrence, Kansas.....	1,500	do .....	360
do .....	900	Lincoln, Nebraska.....	720

Lincoln, Nebraska.....	\$ 600	Louisville, Kentucky.....	\$ 700
do .....	360	do .....	1,000
do .....	660	do .....	1,000
do .....	960	do .....	800
Lincoln, California.....	170	do .....	600
Lisbon, New Hampshire.....	100	do .....	300
do .....	100	do .....	1,100
do .....	100	do .....	1,000
Litchfield, Illinois.....	300	do .....	1,000
do .....	100	do .....	700
Litchfield, Minnesota.....	120	do .....	900
Little Falls, New York.....	700	do .....	2,500
do .....	500	do .....	200
Little Rock, Arkansas.....	400	do .....	900
do .....	800	Louisville, Kansas.....	100
do .....	400	Lowville, New York.....	315
do .....	1,300	Lowell, Massachusetts.....	1,092
do .....	800	do .....	936
do .....	700	do .....	1,284
do .....	800	do .....	936
do .....	1,000	do .....	900
do .....	800	Lowell, Michigan.....	300
Live Oak, Florida.....	100	do .....	150
Livingston, Texas.....	100	Ludington, Michigan.....	} 270
Livingston Station, Kentucky.....	120	do .....	
Lock Haven, Pennsylvania.....	600	Luling, Texas.....	100
do .....	600	Lynchburgh, Virginia.....	550
Lockport, New York.....	1,000	do .....	300
do .....	550	do .....	300
do .....	650	do .....	1,350
do .....	700	Lynn, Massachusetts.....	1,250
do .....	300	do .....	200
Logan, Utah.....	200	do .....	450
do .....	200	do .....	600
do .....	200	Lyons, Iowa.....	} 450
Logan, Ohio.....		do .....	
Logansport, Indiana.....	780	Lyons, New York.....	600
do .....	720	do .....	96
do .....	600	McGregor, Iowa.....	} 450
do .....	600	do .....	
Logansport, Iowa.....	240	McMinnville, Tennessee.....	180
London, Kentucky.....	100	Machias, Maine.....	200
Long Branch, New Jersey.....	450	Macomb, Illinois.....	} 540
do .....	150	do .....	
Lonoke, Arkansas.....	100	Macon, Georgia.....	1,200
Loogootee, Indiana.....	144	do .....	1,100
Los Angeles, California.....	3,000	do .....	25
do .....	3,000	do .....	25
do .....	3,000	do .....	1,350
do .....	3,000	Macon City, Missouri.....	450
Louisa, Kentucky.....	100	Madison, Indiana.....	} 1,200
Louisiana, Missouri.....	450	do .....	
Louisville, Kentucky.....	800	do .....	
do .....	800	Madison, Wisconsin.....	885
do .....	900	do .....	615
do .....	1,100	do .....	600
do .....	800	do .....	600
do .....	1,200	do .....	800
do .....	900	do .....	1,500
do .....	1,200	Magnolia, Arkansas.....	100
do .....	700	Magnolia, North Carolina.....	100
do .....	600	Malone, New York.....	720
do .....	900	Malvern Junction, Arkansas.....	100
do .....	1,000	Manassas, Virginia.....	35
do .....	1,400	Manhattan, Kansas.....	} 270
do .....	1,400	do .....	
do .....	500	Manchester, Iowa.....	200

Manchester, New Hampshire.....	\$1,000	Mechanicsburgh, Pennsylvania... }	\$ 180
do .....	880	do .....	
do .....	700	Mechanics Falls, Maine.....	240
do .....	300	Medina, New York.....	
Manistee, Michigan.....		do .....	75
do .....	360	Memphis, Tennessee.....	1,560
Manitou, Colorado.....	200	do .....	1,440
Manitowoc, Wisconsin.....		do .....	720
do .....	360	do .....	1,000
Mankato, Minnesota.....		do .....	900
do .....	720	do .....	600
Mann's Choice, Pennsylvania.....	40	do .....	1,440
Mansfield, Ohio.....	300	do .....	900
do .....	400	do .....	1,700
do .....	500	do .....	900
do .....	700	do .....	2,000
Mansfield, Pennsylvania.....	150	do .....	1,500
Marblehead, Massachusetts.....	540	do .....	1,200
Marengo, Iowa.....	200	do .....	900
Marietta, Georgia.....	450	do .....	600
Marietta, Ohio.....	500	Menasha, Wisconsin.....	480
do .....	500	Mendota, Illinois.....	480
do .....	200	Menominee, Wisconsin.....	500
Marion, Oregon.....	100	Mercer, Pennsylvania.....	300
Marion, Indiana .....		Mercersburgh, Pennsylvania.....	270
do .....	280	Meridian, Mississippi.....	500
Marion, Illinois.....	100	Mesilla, New Mexico.....	200
Marion, Texas.....	100	Metamora, Michigan.....	100
Marion, Alabama.....	270	Mexico, Missouri.....	
Marion, Ohio.....	220	do .....	300
do .....	480	Middleburgh, Vermont.....	200
Marquette, Michigan.....		Middletown, Connecticut.....	720
do .....	800	do .....	350
do .....		do .....	325
Marshall, Michigan.....		do .....	250
do .....	800	do .....	200
do .....		do .....	175
Marshall, Illinois.....		Middletown, New York.....	
do .....	180	do .....	1,200
Marshall, Texas.....	250	do .....	
do .....	200	Milan, Missouri.....	
Marshall, Minnesota.....	100	do .....	100
Marshalltown, Iowa .....		Milford, Massachusetts.....	
do .....	1,400	do .....	540
do .....		Milford, Ohio .....	200
Marshfield, Missouri.....	200	Milford, New York .....	100
Martinsburgh, West Virginia.....	450	Millborough Depot, Virginia.....	100
Martinsville, Virginia .....	150	Mill City, Nevada.....	150
Martinsville, Indiana.....		Millersburgh, Pennsylvania.....	180
do .....	200	Millville, Massachusetts.....	100
Marysville, California.....	1,200	Milwaukee, Wisconsin.....	900
Marysville, Missouri.....	180	do .....	720
Massillon, Ohio.....	600	do .....	720
do .....	300	do .....	480
Mason City, Iowa.....		do .....	1,080
do .....	270	do .....	1,140
do .....		do .....	1,800
Mattoon, Illinois .....	1,200	do .....	900
Mauch Chunk, Pennsylvania .....	450	do .....	660
Mayfield, Kentucky .....	180	do .....	960
Maynardsville, Tennessee.....	100	do .....	720
Maysville, Kentucky .....	600	do .....	1,400
do .....	400	do .....	500
Meadville, Pennsylvania.....		do .....	1,400
do .....	2,500	do .....	900
do .....		do .....	1,080
do .....		do .....	480



Milwaukee, Wisconsin.....	\$1,400	Montpelier, Vermont.....	\$ 800	
do .....	660	Montreal, Virginia.....	50	
do .....	660	Morganton, North Carolina.....	100	
do .....	780	Morris, Illinois.....	450	
do .....	720	Morris, Minnesota.....	150	
do .....	1,000	Morristown, New Jersey.....	632	
do .....	780	do .....	468	
do .....	900	Morristown, Tennessee.....	180	
do .....	1,080	Mount Airy, North Carolina.....	100	
do .....	1,600	Mount Airy, Iowa.....	} 180	
Minersville, Pennsylvania.....	270	do .....		
Minneapolis, Minnesota.....	660	do .....		
do .....	480	do .....	} 200	
do .....	600	Mount Clemens, Michigan.....		
do .....	2,000	do .....	} 270	
do .....	720	Mount Morris, New York.....		
do .....	1,500	do .....	} 1,200	
do .....	600	Mount Pleasant, Iowa.....		
do .....	900	do .....		
do .....	360	do .....	} 320	
do .....	480	Mount Sterling, Kentucky.....		
do .....	360	do .....	} 100	
do .....	1,200	Mount Union, Pennsylvania.....		
Minneapolis, Kansas.....	} 200	Mount Vernon, Ohio.....	500	
do .....		200	do .....	600
Mineola, Texas.....	200	do .....	200	
Minonk, Illinois.....	180	Mount Zion, Iowa.....	100	
Mitchell's Station, Virginia.....	100	Muncie, Indiana.....	170	
Mobile, Alabama.....	900	Murphysborough, Illinois.....	360	
do .....	800	Murfreesborough, Tennessee.....	540	
do .....	2,000	Murphy, North Carolina.....	50	
do .....	900	Muscatine, Iowa.....	660	
do .....	840	do .....	480	
do .....	900	do .....	360	
do .....	1,360	Muskegon, Michigan.....	} 1,000	
do .....	900	do .....		
do .....	900	do .....		
do .....	540	Nantucket, Massachusetts.....	500	
do .....	360	do .....	125	
do .....	600	Napa City, California.....	720	
Mokelumne Hill, California.....	360	do .....	480	
Moline, Illinois.....	720	Napoleon, Ohio.....	200	
do .....	200	do .....	500	
do .....	480	Nashua, New Hampshire.....	300	
Monmouth, Illinois.....	} 1,200	do .....	500	
do .....		1,200	do .....	850
Monroe, Louisiana.....	300	do .....	450	
Monroe, Wisconsin.....	} 270	Nashville, Indiana.....	100	
do .....		270	Nashville, Tennessee.....	1,150
do .....	} 450	do .....	1,150	
Monroe, Michigan.....		450	do .....	1,100
do .....		} 180	do .....	850
do .....	180		do .....	1,000
Montague, Michigan.....	50	do .....	900	
Monterey, Virginia.....	} 3,600	do .....	800	
do .....		3,600	do .....	1,000
do .....		3,600	do .....	1,300
do .....		3,600	do .....	1,100
do .....		3,600	do .....	1,000
do .....		3,600	do .....	700
do .....	} 80	do .....	700	
Montgomery City, Missouri.....		80	do .....	500
do .....	} 180	Natchez, Mississippi.....	800	
do .....		180	do .....	300
Monticello, New York.....	270	Natick, Massachusetts.....	468	
Monticello, Iowa.....	150	do .....	260	
Monticello, Arkansas.....	400			
Montpelier, Vermont.....				

Navasota, Texas.....	\$ 270	New Haven, Connecticut.....	\$ 800	
Nebraska City, Nebraska.....	300	do .....	550	
do .....	900	do .....	575	
Negaunee, Michigan.....	600	do .....	550	
Neosho, Missouri.....	} 270	do .....	300	
do .....			do .....	500
Nevada, Iowa.....	200	do .....	300	
Nevada, Missouri.....	350	do .....	800	
Nevada City, California.....	} 720	do .....	800	
do .....			do .....	500
do .....			New Haven, Vermont.....	100
New Albany, Indiana.....	300	New Iberia, Louisiana.....	650	
do .....	300	New Lisbon, Ohio.....	100	
do .....	300	New Lisbon, Wisconsin.....	100	
do .....	800	New London, Wisconsin.....	100	
Newark, New Jersey.....	1,235	New London, Connecticut.....	1,350	
do .....	765	do .....	750	
do .....	765	do .....	760	
do .....	800	do .....	450	
do .....	735	do .....	300	
do .....	1,010	New Madrid, Missouri.....	150	
do .....	735	New Market, Tennessee.....	100	
do .....	850	do .....	100	
do .....	1,010	New Martinsville, West Virginia....	40	
do .....	700	do .....	40	
do .....	765	do .....	40	
do .....	1,130	New Milford, Connecticut.....	180	
Newark, New York.....	400	New Orleans, Louisiana.....	900	
do .....	400	do .....	350	
Newark, Ohio.....	700	do .....	500	
do .....	500	do .....	800	
New Bedford, Massachusetts.....	300	do .....	540	
do .....	410	do .....	1,000	
do .....	500	do .....	800	
do .....	400	do .....	640	
do .....	410	do .....	540	
do .....	1,325	do .....	640	
New Berne, North Carolina.....	1,000	do .....	640	
do .....	200	do .....	500	
Newberry, South Carolina.....	180	do .....	900	
New Britain, Connecticut.....	480	do .....	900	
do .....	540	do .....	940	
do .....	540	do .....	800	
New Brunswick, New Jersey.....	300	do .....	440	
do .....	600	do .....	575	
do .....	600	do .....	1,200	
Newburgh, New York.....	240	do .....	900	
do .....	500	do .....	640	
do .....	1,800	do .....	600	
do .....	900	do .....	840	
do .....	660	do .....	900	
do .....	1,300	do .....	540	
Newburyport, Massachusetts.....	700	do .....	800	
do .....	550	do .....	540	
do .....	450	do .....	1,300	
New Castle, Indiana.....	180	do .....	900	
New Castle, Pennsylvania.....	626	do .....	640	
do .....	474	do .....	2,500	
New Haven, Connecticut.....	2,300	do .....	900	
do .....	1,200	do .....	600	
do .....	1,150	do .....	540	
do .....	800	do .....	500	
do .....	450	do .....	900	
do .....	720	do .....	640	
do .....	1,150	do .....	1,600	
do .....	625	do .....	800	
do .....	425	do .....	900	
		do .....	800	

New Orleans, Louisiana.....	\$ 840	New York, New York.....	\$ 600
do .....	1,000	do .....	1,320
do .....	2,500	do .....	780
do .....	900	do .....	1,500
do .....	540	do .....	2,400
do .....	600	do .....	780
do .....	1,000	do .....	720
do .....	650	do .....	600
do .....	900	do .....	1,080
do .....	740	do .....	1,020
do .....	900	do .....	1,320
do .....	640	do .....	1,020
do .....	600	do .....	960
do .....	575	do .....	1,380
do .....	540	do .....	420
do .....	900	do .....	1,020
do .....	900	do .....	840
do .....	440	do .....	960
do .....	540	do .....	1,020
do .....	800	do .....	780
do .....	1,400	do .....	840
do .....	1,000	do .....	720
do .....	540	do .....	4,000
do .....	640	do .....	1,500
do .....	540	do .....	1,020
do .....	1,400	do .....	1,140
do .....	1,500	do .....	720
do .....	850	do .....	900
Newport, Kentucky.....	520	do .....	1,020
do .....	500	do .....	1,800
do .....	100	do .....	900
do .....	60	do .....	900
Newport, New Hampshire.....	270	do .....	780
Newport, Rhode Island.....	1,320	do .....	1,320
do .....	324	do .....	1,740
do .....	408	do .....	840
do .....	156	do .....	2,000
do .....	360	do .....	1,080
do .....	552	do .....	1,200
do .....	360	do .....	900
do .....	180	do .....	1,320
Newport, Tennessee.....	100	do .....	1,140
New Tacoma, Washington Territory	270	do .....	1,200
do .....	270	do .....	1,320
Newton, Alabama.....	40	do .....	1,440
Newton, Iowa.....	300	do .....	840
Newton, Kansas.....	500	do .....	1,020
do .....	300	do .....	840
Newton, New Jersey.....	450	do .....	1,080
Newton, Massachusetts.....	270	do .....	720
New Ulm, Minnesota.....	900	do .....	900
New York, New York.....	1,260	do .....	900
do .....	2,000	do .....	1,080
do .....	240	do .....	1,020
do .....	720	do .....	1,020
do .....	900	do .....	900
do .....	1,020	do .....	840
do .....	1,200	do .....	960
do .....	1,140	do .....	600
do .....	960	do .....	960
do .....	1,080	do .....	960
do .....	840	do .....	1,140
do .....	1,500	do .....	780
do .....	960	do .....	600
do .....	600	do .....	1,500
do .....	1,080	do .....	420
do .....	1,200	do .....	840

New York, New York.....	\$ 600	New York, New York.....	\$1,200
do .....	1,020	do .....	900
do .....	1,200	do .....	1,140
do .....	1,080	do .....	1,080
do .....	1,260	do .....	1,020
do .....	960	do .....	1,380
do .....	1,320	do .....	720
do .....	1,800	do .....	1,020
do .....	840	do .....	1,200
do .....	1,020	do .....	1,020
do .....	1,500	do .....	720
do .....	720	do .....	780
do .....	1,800	do .....	1,080
do .....	1,320	do .....	900
do .....	1,200	do .....	940
do .....	1,320	do .....	1,020
do .....	780	do .....	960
do .....	720	do .....	1,080
do .....	1,020	do .....	1,080
do .....	1,020	do .....	1,080
do .....	600	do .....	1,020
do .....	900	do .....	900
do .....	1,020	do .....	960
do .....	1,080	do .....	1,080
do .....	1,200	do .....	960
do .....	840	do .....	1,200
do .....	660	do .....	720
do .....	1,320	do .....	1,200
do .....	2,200	do .....	1,380
do .....	1,140	do .....	840
do .....	1,080	do .....	420
do .....	1,500	do .....	780
do .....	720	do .....	1,140
do .....	1,200	do .....	420
do .....	840	do .....	960
do .....	720	do .....	840
do .....	840	do .....	720
do .....	840	do .....	960
do .....	960	do .....	960
do .....	1,020	do .....	1,080
do .....	720	do .....	720
do .....	960	do .....	720
do .....	1,200	do .....	1,020
do .....	600	do .....	840
do .....	900	do .....	1,080
do .....	720	do .....	840
do .....	720	do .....	1,080
do .....	960	do .....	1,020
do .....	1,320	do .....	1,080
do .....	1,320	do .....	840
do .....	900	do .....	900
do .....	960	do .....	420
do .....	840	do .....	1,320
do .....	720	do .....	900
do .....	1,020	do .....	480
do .....	960	do .....	960
do .....	840	do .....	1,800
do .....	900	do .....	3,500
do .....	1,080	do .....	1,200
do .....	1,200	do .....	1,200
do .....	1,200	do .....	1,020
do .....	1,260	do .....	780
do .....	1,200	do .....	1,800
do .....	900	do .....	1,380
do .....	1,020	do .....	3,000
do .....	1,020	do .....	780
do .....	720	do .....	1,200

New York, New York.....\$ 960	New York, New York.....\$1,500
do ..... 1,200	do ..... 1,020
do ..... 4,000	do ..... 960
do ..... 720	do ..... 1,200
do ..... 600	do ..... 1,080
do ..... 960	do ..... 3,000
do ..... 840	do ..... 780
do ..... 900	do ..... 1,200
do ..... 960	do ..... 1,140
do ..... 1,200	do ..... 600
do ..... 900	do ..... 1,080
do ..... 1,020	do ..... 840
do ..... 1,080	do ..... 1,320
do ..... 1,080	do ..... 960
do ..... 840	do ..... 1,200
do ..... 1,080	do ..... 840
do ..... 1,080	do ..... 1,320
do ..... 900	do ..... 1,080
do ..... 720	do ..... 1,200
New York, New Jersey..... 600	do ..... 1,080
New York, District of Columbia..... 1,020	do ..... 720
New York, New York..... 1,320	do ..... 1,200
do ..... 2,200	do ..... 720.
New York, New Jersey..... 600	do ..... 900
New York, New York..... 1,020	do ..... 720
do ..... 960	do ..... 720
do ..... 900	do ..... 1,800
do ..... 900	do ..... 1,020
do ..... 960	do ..... 600
do ..... 1,080	do ..... 300
do ..... 1,200	do ..... 900
do ..... 900	do ..... 1,800
do ..... 2,200	do ..... 1,140
do ..... 900	do ..... 600
do ..... 1,080	do ..... 540
do ..... 600	do ..... 420
do ..... 720	do ..... 1,320
do ..... 960	do ..... 1,980
do ..... 600	do ..... 1,320
do ..... 1,200	do ..... 1,020
do ..... 1,080	do ..... 1,200
do ..... 780	do ..... 840
do ..... 1,200	do ..... 900
do ..... 1,320	do ..... 600
do ..... 600	do ..... 840
do ..... 600	do ..... 720
do ..... 1,170	do ..... 840
New York, Ohio..... 840	do ..... 1,800
New York, New York..... 840	do ..... 840
do ..... 1,080	do ..... 1,320
do ..... 1,080	do ..... 1,200
do ..... 1,200	New York, Vermont..... 1,020
do ..... 1,320	New York, New York..... 1,440
do ..... 600	do ..... 904
do ..... 600	do ..... 800
do ..... 1,320	do ..... 1,020
New York, California..... 1,020	do ..... 720
New York, New York..... 720	do ..... 3,350
do ..... 2,460	do ..... 1,200
do ..... 960	do ..... 900
do ..... 840	do ..... 1,020
do ..... 900	do ..... 1,200
do ..... 900	do ..... 600
do ..... 600	do ..... 2,400
do ..... 1,080	do ..... 960
do ..... 1,260	do ..... 1,200
	do ..... 720

New York, New York.....	\$ 960	New York, New York.....	1,380
do .....	1,080	do .....	\$ 900
do .....	720	do .....	1,500
do .....	1,080	do .....	1,080
do .....	1,200	do .....	1,020
do .....	840	do .....	1,080
do .....	1,320	do .....	600
do .....	1,320	do .....	720
do .....	900	do .....	420
do .....	2,400	do .....	1,020
do .....	840	do .....	720
do .....	840	do .....	1,020
do .....	1,980	do .....	780
do .....	840	do .....	1,380
do .....	1,800	do .....	900
do .....	1,020	do .....	360
do .....	1,200	do .....	1,440
do .....	1,020	do .....	900
do .....	1,020	do .....	2,040
do .....	1,200	do .....	960
do .....	1,260	do .....	1,320
do .....	720	do .....	900
do .....	1,080	do .....	1,320
do .....	1,020	do .....	1,200
do .....	300	do .....	840
do .....	1,020	do .....	1,800
do .....	1,440	do .....	1,440
do .....	900	do .....	1,380
do .....	720	do .....	1,380
do .....	900	do .....	1,320
do .....	840	do .....	1,320
do .....	720	do .....	960
do .....	900	do .....	720
do .....	900	do .....	1,200
do .....	1,200	do .....	1,260
do .....	1,200	do .....	960
do .....	1,080	do .....	1,080
do .....	840	do .....	1,200
do .....	1,020	do .....	1,320
do .....	1,200	do .....	1,440
do .....	600	do .....	1,140
do .....	420	do .....	900
do .....	900	do .....	720
do .....	900	do .....	600
do .....	1,800	do .....	1,080
do .....	900	do .....	900
do .....	960	do .....	1,200
do .....	840	do .....	1,020
do .....	1,080	do .....	840
do .....	720	do .....	840
do .....	900	do .....	1,080
do .....	840	do .....	840
do .....	4,000	do .....	1,320
do .....	540	do .....	720
do .....	840	do .....	
do .....	1,260	do .....	900
do .....	1,200	do .....	2,400
do .....	1,200	do .....	1,800
do .....	900	do .....	720
do .....	720	do .....	960
do .....	1,320	do .....	1,200
do .....	480	do .....	1,380
do .....	1,020	do .....	1,260
do .....	960	do .....	600
do .....	900	do .....	1,320
do .....	1,320	do .....	900
do .....	1,020	do .....	600

New York, New York.....	\$ 960	New York, New York.....	\$ 720
do .....	900	do .....	1,200
do .....	960	do .....	1,140
do .....	1,080	do .....	780
do .....	840	do .....	840
do .....	1,380	do .....	840
do .....	840	do .....	480
do .....	600	do .....	900
do .....	840	do .....	840
do .....	1,020	do .....	960
do .....	1,200	do .....	840
do .....	1,320	do .....	1,020
do .....	1,080	do .....	840
do .....	960	do .....	840
do .....	900	do .....	720
do .....	4,000	do .....	1,260
do .....	1,200	do .....	900
do .....	1,080	do .....	300
do .....	840	do .....	840
do .....	1,020	do .....	1,200
do .....	1,020	do .....	1,080
do .....	720	do .....	2,040
do .....	720	do .....	1,080
do .....	1,200	do .....	840
do .....	420	do .....	840
do .....	1,020	do .....	960
do .....	1,020	do .....	1,140
do .....	1,200	do .....	600
do .....	840	do .....	840
do .....	1,020	do .....	840
do .....	900	do .....	600
do .....	840	do .....	900
do .....	1,080	do .....	960
do .....	1,140	do .....	1,320
do .....	1,380	do .....	1,380
do .....	720	do .....	660
do .....	960	do .....	1,320
do .....	1,080	do .....	1,080
do .....	2,000	do .....	960
do .....	1,380	do .....	1,500
do .....	660	do .....	1,140
do .....	840	do .....	1,020
do .....	1,200	do .....	1,800
do .....	1,980	do .....	780
do .....	840	do .....	840
do .....	840	do .....	1,080
do .....	720	do .....	960
do .....	780	do .....	1,800
do .....	1,260	do .....	600
do .....	840	do .....	1,020
do .....	1,800	do .....	600
do .....	900	do .....	1,500
do .....	3,000	do .....	720
do .....	1,080	do .....	900
do .....	780	do .....	1,980
do .....	900	do .....	1,020
do .....	1,320	do .....	1,200
do .....	1,020	do .....	540
do .....	1,200	do .....	1,080
do .....	1,320	do .....	600
do .....	1,200	do .....	840
do .....	1,020	do .....	1,200
do .....	1,080	do .....	960
do .....	1,140	do .....	2,460
do .....	2,400	do .....	780
do .....	1,020	do .....	960
do .....	1,380	do .....	1,320

New York, New York.....	\$1,320	New York, New York.....	\$ 960
do .....	840	do .....	1,200
do .....	840	do .....	840
do .....	1,020	do .....	1,800
do .....	840	do .....	1,080
do .....	1,080	do .....	900
do .....	1,320	do .....	4,000
do .....	960	do .....	3,000
do .....	1,200	do .....	1,600
do .....	900	do .....	950
do .....	1,200	do .....	900
do .....	1,500	do .....	1,800
do .....	1,620	do .....	1,100
do .....	720	do .....	1,300
do .....	900	do .....	1,000
do .....	960	do .....	800
do .....	1,200	do .....	1,500
do .....	1,320	do .....	1,100
do .....	600	do .....	1,000
do .....	1,020	do .....	1,400
do .....	840	do .....	1,500
do .....	720	do .....	600
do .....	960	do .....	1,300
do .....	1,800	do .....	1,200
do .....	1,500	do .....	1,100
do .....	720	do .....	950
do .....	1,200	do .....	1,200
do .....	720	do .....	900
do .....	900	do .....	1,300
do .....	900	do .....	1,400
do .....	840	do .....	1,100
do .....	960	do .....	1,000
do .....	1,020	do .....	1,000
do .....	960	do .....	1,200
do .....	600	do .....	600
do .....	3,000	do .....	1,300
do .....	720	do .....	450
do .....	1,020	do .....	400
do .....	1,320	do .....	1,200
do .....	900	do .....	900
do .....	720	do .....	1,200
do .....	600	do .....	1,300
do .....	840	do .....	1,300
do .....	840	do .....	1,500
do .....	900	do .....	1,200
do .....	600	do .....	
do .....	600	do .....	1,100
do .....	1,260	do .....	1,200
do .....	600	do .....	1,200
do .....	1,080	do .....	800
do .....	720	Niagara Falls, New York.....	480
do .....	1,200	do .....	360
do .....	1,200	do .....	420
do .....	1,080	Nicholasville, Kentucky.....	270
do .....	1,320	Niles, Michigan.....	300
do .....	1,080	do .....	500
do .....	1,080	do .....	800
do .....	720	Niobrara, Nebraska.....	40
do .....	960	Norfolk, Virginia.....	396
do .....	720	do .....	720
do .....	720	do .....	720
do .....	1,320	do .....	1,056
do .....	960	do .....	1,524
do .....	1,380	do .....	744
do .....	840	do .....	840
do .....	840	Norfolk, Nebraska.....	150
do .....	4,000	Normal, Illinois.....	180



Normal, Illinois.....	180	Olympia, Washington.....	}	600	
Norristown, Pennsylvania.....	600	do .....			
North Adams, Massachusetts.....	780	Omaha, Nebraska.....		1,500	
do .....	390	do .....		1,200	
Northampton, Massachusetts.....	515	do .....		950	
do .....	85	do .....		920	
do .....	500	do .....		800	
Northfield, Minnesota.....	550	do .....		975	
North McGregor, Iowa.....	100	do .....		920	
North Topeka, Kansas.....	}	do .....		1,000	
do .....		100	do .....		500
North Vernon, Indiana.....	270	do .....		920	
Norton, Kansas.....	}	do .....		935	
do .....		100	do .....		900
Norwalk, Connecticut.....	312	Omaha Barracks, Nebraska.....		100	
do .....	138	Omro, Wisconsin.....		180	
Norwalk, Ohio.....	}	Onawa City, Iowa.....		100	
do .....		500	Oneida, New York.....	}	650
Norwich, Connecticut.....	1,500	do .....			
do .....	750	Oneonta, New York.....	}	380	
do .....	650	do .....			
do .....	300	Opelika, Alabama.....		180	
do .....	300	Orange, New Jersey.....		500	
Norwich, New York.....	}	do .....		450	
do .....		540	Orange, Texas.....		50
Oak Hill, Ohio.....	100	Orange Court-House, Virginia.....		180	
Oakland, California.....	720	Oregon, Illinois.....	}	100	
do .....	1,200	do .....			
do .....	600	Orlando, Florida.....		50	
do .....	1,140	Orleans, Nebraska.....		100	
do .....	1,800	Orville, California.....		360	
do .....	780	Osage, Iowa.....		300	
do .....	600	Osage City, Kansas.....		300	
do .....	780	Osage Mission, Kansas.....		180	
do .....	1,200	Osceola, Iowa.....	}	180	
do .....	720	do .....			
Oakville, Texas.....	100	Oshkosh, Wisconsin.....	}	2,100	
Oakland, Oregon.....	100	do .....			
Oberlin, Ohio.....	}	do .....			
do .....		800			do .....
Ocean Grove, New Jersey.....	}	Oskaloosa, Iowa.....	}	1,230	
do .....		400			do .....
do .....			Oswego, New York.....		250
do .....			do .....		450
do .....			do .....		1,125
do .....			do .....		1,225
do .....	do .....			850	
Oconomowoc, Wisconsin.....	270	do .....		500	
Odin, Illinois.....	}	Oswego, Kansas.....		300	
do .....		180	Ottawa, Illinois.....		1,050
Ogden City, Utah.....	}	do .....		300	
do .....		540	do .....		150
Ogdensburgh, New York.....	400	Ottawa, Kansas.....		450	
do .....	275	Ottawa, Ohio.....		100	
do .....	760	Ottumwa, Iowa.....	}	1,100	
do .....	481	do .....			
do .....	840	do .....			
Oil City, Pennsylvania.....	840	Overton, Texas.....		100	
do .....	470	Owatonna, Minnesota.....	}	400	
do .....	410	do .....			
Okolona, Mississippi.....	100	Owego, New York.....	}	900	
Olathe, Kansas.....	}	do .....			
do .....		270			do .....
Old Point Comfort, Virginia.....	360	do .....			
Olean, New York.....	}	Owensborough, Kentucky.....		270	
do .....		800	Oxford, Pennsylvania.....		200
do .....			Oxford, Mississippi.....		450
Olney, Illinois.....	360		Oxford, North Carolina.....		100

Ozaukee, Wisconsin.....	135	Petrolia, Pennsylvania.....	900
Paducah, Kentucky.....	200	Philadelphia, Pennsylvania.....	1,100
do .....	1,000	do .....	900
Painesville, Ohio.....	} 900	do .....	1,100
do .....		do .....	900
do .....		do .....	800
do .....		do .....	2,000
Paintsville, Kentucky.....	100	do .....	3,600
Palmer, Massachusetts.....	360	do .....	1,200
Palestine, Texas.....	200	do .....	1,100
Palmyra, New York.....	} 450	do .....	800
do .....		do .....	900
do .....		do .....	1,000
Pana, Illinois.....	270	do .....	1,500
Paola, Kansas.....	200	do .....	1,200
Paraclyfta, Arkansas.....	50	do .....	1,200
Paris, Texas.....	400	do .....	1,000
Paris, Kentucky.....	540	do .....	1,000
Paris, Illinois.....	225	do .....	2,000
do .....	225	do .....	950
Parkersburgh, West Virginia.....	600	do .....	750
do .....	500	do .....	850
Parker's Landing, Pennsylvania..	} 700	do .....	950
do ..		do .....	800
Parsons, Kansas.....	400	do .....	800
Patchogue, New York.....	} 75	do .....	800
do .....		do .....	800
Paterson, New Jersey.....	580	do .....	1,000
do .....	676	do .....	900
do .....	884	do .....	1,200
do .....	200	do .....	800
Pawtucket, Rhode Island.....	480	do .....	800
do .....	1,116	do .....	800
do .....	240	do .....	550
do .....	420	do .....	1,400
do .....	336	do .....	250
Peck, Michigan.....	50	do .....	75
Peekskill, New York.....	} 800	do .....	900
do .....		do .....	700
Pekin, Illinois.....	} 720	do .....	1,200
do .....		do .....	1,100
Pembina, Dakota.....	180	do .....	950
Penn Yan, New York.....	} 800	do .....	950
do .....		do .....	1,000
Pensacola, Florida.....	500	do .....	900
do .....	400	do .....	900
Pent Water, Michigan.....	180	do .....	800
Peoria, Illinois.....	1,000	do .....	900
do .....	1,200	do .....	1,000
do .....	1,000	do .....	480
do .....	600	do .....	800
do .....	600	do .....	800
do .....	600	do .....	600
Perrydale, Oregon .....	50	do .....	125
Peru, Indiana.....	} 500	do .....	1,100
do .....		do .....	1,500
do .....		do .....	1,000
do .....		do .....	1,000
Petaluma, California.....	540	do .....	1,000
Petersburgh, Virginia.....	1,300	do .....	800
Petersburgh, Illinois.....	180	do .....	800
do .....	1,200	do .....	700
do .....	720	do .....	800
do .....	300	do .....	800
do .....	360	do .....	800
Petosky, Michigan.....	50	do .....	350
		do .....	900

Philadelphia, Pennsylvania.....	\$ 950
do .....	800
do .....	150
do .....	1,000
do .....	1,200
do .....	2,000
do .....	1,000
do .....	175
do .....	1,000
do .....	1,000
do .....	1,000
do .....	950
do .....	1,100
do .....	1,500
do .....	900
do .....	700
do .....	450
do .....	1,100
do .....	2,100
do .....	1,080
do .....	75
do .....	800
do .....	1,000
do .....	900
do .....	900
do .....	1,000
do .....	800
do .....	900
do .....	900
do .....	1,000
do .....	800
do .....	900
do .....	900
do .....	1,000
do .....	600
do .....	1,400
do .....	1,100
do .....	800
do .....	1,000
do .....	1,150
do .....	800
do .....	800
do .....	1,000
do .....	700
do .....	1,000
do .....	1,100
do .....	900
do .....	900
do .....	800
do .....	800
do .....	800
do .....	850
do .....	1,200
do .....	850
do .....	950
do .....	800
do .....	1,000
do .....	850
do .....	800
do .....	100
do .....	2,200
do .....	900
do .....	950
do .....	1,000
do .....	1,000
do .....	900
do .....	800
do .....	800
do .....	800
do .....	1,000
do .....	800
do .....	800
do .....	700

Philadelphia, Pennsylvania.....	\$ 800
do .....	200
do .....	105
do .....	2,100
do .....	800
do .....	1,000
do .....	1,500
do .....	800
do .....	950
do .....	800
do .....	700
do .....	800
do .....	1,000
do .....	800
do .....	800
do .....	100
do .....	1,100
do .....	900
do .....	1,150
do .....	1,000
do .....	1,000
do .....	1,000
do .....	900
do .....	800
do .....	800
do .....	1,000
do .....	1,000
do .....	800
do .....	175
do .....	1,200
do .....	900
do .....	1,400
do .....	1,000
do .....	1,000
do .....	900
do .....	950
do .....	900
do .....	1,000
do .....	1,000
do .....	1,000
do .....	800
do .....	800
do .....	800
do .....	800
do .....	800
do .....	800
do .....	800
do .....	800
do .....	800
do .....	200
do .....	250
do .....	1,000
do .....	1,000
do .....	800
do .....	250
do .....	200
do .....	800
do .....	3,000
do .....	1,200
do .....	875
do .....	1,000
do .....	800
do .....	1,000
do .....	900
do .....	800
do .....	800
do .....	800

Philadelphia, Pennsylvania.....	\$2,000	Pittsburgh, Pennsylvania.....	\$ 900
do .....	800	Pittsfield, Massachusetts.....	250
do .....	800	do .....	1,200
do .....	800	do .....	250
do .....	800	do .....	400
Philadelphia, Mississippi.....	40	Pittston, Pennsylvania.....	} 500
Phoenixville, Pennsylvania.....	} 180	do .....	
do .....			
Pickens Court-House, South Caro- lina.....	150	Placerville, California.....	900
Pierce City, Missouri.....	} 100	Plainfield, Wisconsin.....	} 90
do .....			
Palatka, Florida.....	135	Plants, Arkansas.....	50
Pine Bluff, Arkansas.....	} 800	Plattsburgh, New York.....	800
do .....			
do .....			
Piqua, Ohio .....	540	do .....	200
Pittsburgh, Texas.....	100	Plattsmouth, Nebraska.....	500
Pittsburgh, Pennsylvania.....	900	Platteville, Wisconsin.....	100
do .....	800	Pleasanthill, Missouri.....	} 100
do .....	900	do .....	
do .....	1,000	Pleasantville, Pennsylvania.....	540
do .....	900	Plover, Wisconsin.....	100
do .....	800	Plum Creek, Nebraska .....	150
do .....	500	Plymouth, Massachusetts.....	} 450
do .....	1,200	do .....	
do .....	1,200	Plymouth, North Carolina.....	55
do .....	800	do .....	55
do .....	1,700	Point of Rocks, Maryland.....	162
do .....	2,000	Pomeroy, Ohio.....	180
do .....	900	Pontiac, Michigan.....	} 700
do .....	800	do .....	
do .....	900	Poplar Grove, Arkansas.....	150
do .....	800	Portage City, Wisconsin.....	} 450
do .....	900	do .....	
do .....	900	Port Huron, Michigan.....	} 1,500
do .....	800	do .....	
do .....	500	do .....	
do .....	800	Port Jervis, New York.....	} 300
do .....	700	do .....	
do .....	750	do .....	
do .....	800	do .....	
do .....	900	Portland, Maine.....	450
do .....	800	do .....	900
do .....	1,000	do .....	700
do .....	700	do .....	1,710
do .....	900	do .....	800
do .....	1,100	do .....	900
do .....	900	do .....	1,800
do .....	1,400	do .....	500
do .....	1,200	do .....	400
do .....	1,000	do .....	720
do .....	800	do .....	900
do .....	1,000	do .....	855
do .....	800	do .....	1,100
do .....	900	do .....	450
do .....	800	do .....	720
do .....	400	do .....	1,100
do .....	600	do .....	500
do .....	900	do .....	720
do .....	750	do .....	650
do .....	800	do .....	1,100
do .....	1,000	do .....	600
do .....	1,000	do .....	500
do .....	1,000	Portland, Oregon.....	2,000
do .....	1,000	do .....	1,500
do .....	700	do .....	900
do .....	800	do .....	900
do .....	1,300	do .....	720

Portland, Oregon.....	\$ 376	Pulaski, Tennessee.....	\$ 270
do .....	180	Purcellville, Virginia.....	50
Portland, West Virginia.....	50	Putnam, Connecticut.....	360
Portland, Michigan.....	} 100	Quincy, Illinois.....	600
do .....		do .....	900
Portland, Pennsylvania.....	100	do .....	400
Portlandville, Iowa.....	40	do .....	1,700
Port Sanilac, Michigan.....	100	do .....	900
Portsmouth, New Hampshire.....	900	do .....	900
do .....	900	do .....	500
do .....	700	Quincy, Massachusetts.....	200
Portsmouth, Ohio .....	400	Racine, Wisconsin.....	480
do .....	400	do .....	140
do .....	156	do .....	360
do .....	75	do .....	920
Portsmouth, Virginia.....	700	Rahway, New Jersey.....	260
do .....	300	do .....	624
Port Townsend Washington Ter.....	360	Raleigh, North Carolina.....	425
Pottstown, Pennsylvania.....	300	do .....	600
Pottsville, Pennsylvania .....	1,100	do .....	425
do .....	500	do .....	600
do .....	500	do .....	1,150
Poughkeepsie, New York.....	522	Raleigh, West Virginia.....	} 200
do .....	600	do .....	
do .....	366	Rantoul, Illinois.....	150
do .....	210	Ravena, Ohio.....	800
do .....	708	do .....	300
do .....	1,486	Reading, Pennsylvania .....	1,000
do .....	708	do .....	400
Prairie du Chien, Wisconsin.....	180	do .....	650
Prescott, Arkansas.....	200	do .....	600
Prescott, Arizona.....	800	do .....	850
Preston, Minnesota.....	150	do .....	500
Princeton, Indiana.....	100	Red Bank Furnace, Pennsylvania }	60
Princeton, New Jersey.....	300	do .....	
do .....	500	Redding, California.....	100
Princeton, Illinois.....	} 800	Red Oak, Iowa.....	} 480
do .....		do .....	
Princeton, Arkansas.....	100	Red River Landing, Louisiana.....	} 80
Princeton, Wisconsin.....	} 150	do .....	
do .....		do .....	
do .....	do .....		
Princeton, Kentucky.....	240	Red Sulphur Springs, W. Virginia...	50
Princeton, Missouri.....	180	Red Wing, Minnesota .....	40
Providence, Rhode Island.....	400	do .....	40
do .....	528	do .....	25
do .....	528	Redwood Falls, Minnesota .....	135
do .....	1,800	Reed City, Michigan.....	100
do .....	960	Reed's Mills, Ohio.....	100
do .....	800	Reno, Nevada.....	} 450
do .....	600	do .....	
do .....	800	Richfield Springs, New York.....	} 200
do .....	1,020	do .....	
do .....	800	do .....	
do .....	800	do .....	
do .....	648	Richmond, Indiana .....	520
do .....	1,500	do .....	780
do .....	648	do .....	168
do .....	312	do .....	416
do .....	696	do .....	300
do .....	400	do .....	416
do .....	1,200	Richmond, Kentucky .....	270
do .....	840	Richmond, Virginia .....	960
do .....	504	do .....	900
do .....	300	do .....	720
do .....	750	do .....	840
do .....	450	do .....	720
Pueblo, Colorado.....	500		

Richmond, Virginia.....	\$1,500	Rockville, Oregon.....	\$ 150	
do .....	840	Rockville, Connecticut.....	100	
do .....	960	Rockwood, Pennsylvania.....	75	
do .....	600	Rockwood, Ohio.....	100	
do .....	1,080	Rogersville, Tennessee.....	270	
do .....	1,680	Rolla, Missouri.....	720	
do .....	480	Rome, Georgia.....	180	
do .....	720	do .....	700	
do .....	840	Rome, New York.....	700	
do .....	990	do .....	600	
do .....	720	do .....	260	
do .....	600	Romeo, Michigan.....	364	
do .....	600	do .....	50	
do .....	900	Romney, West Virginia.....	50	
Rio Grande, Ohio.....	} 50	do .....	600	
do .....		Rondout, New York.....	400	
Ripley, Mississippi.....	180	do .....	180	
Ripon, Wisconsin.....	} 450	Roseburgh, Oregon.....	100	
do .....		Ross Gork, Idaho .....	100	
do .....	240	Round Rock, Texas .....	180	
River Bend, Colorado.....	200	Rouse's Point, New York .....	500	
Rochelle, Illinois.....	} 500	Rouseville, Pennsylvania.....	} 270	
do .....		Rushville, Illinois.....		
Rochester, Minnesota.....	} 500	do .....	1,325	
do .....		Rutland, Vermont.....	450	
do .....		do .....	325	
Rochester, New York.....	1,040	do .....	} 100	
do .....	600	Rutledge, Tennessee.....		
do .....	540	do .....		
do .....	240	do .....	300	
do .....	600	Rutherford, Tennessee.....	} 180	
do .....	1,050	Rushville, Indiana.....		
do .....	480	do .....	360	
do .....	1,050	Russellville, Kentucky.....	} 150	
do .....	720	Sac City, Iowa.....		
do .....	1,100	do .....	450	
do .....	620	Saco, Maine.....	} 1,800	
do .....	900	Sacramento, California.....		
do .....	540	do .....		840
do .....	540	do .....		192
do .....	1,225	do .....		1,608
do .....	840	do .....		1,116
do .....	850	do .....		1,680
do .....	2,355	do .....		900
do .....	810	do .....		1,200
do .....	700	do .....		1,320
do .....	100	do .....		1,116
Rochester, Pennsylvania.....	180	do .....		100
Rochester, Indiana.....	300	Sagetown, Illinois.....	360	
Rochester, New Hampshire.....	100	Saginaw, Michigan .....	650	
Rock Creek, Wyoming.....	180	do .....	360	
Rockdale, Texas.....	200	do .....	480	
Rockford, Alabama.....	540	Saint Albans, Vermont .....	820	
Rockford, Illinois.....	600	do .....	800	
do .....	600	do .....	} 270	
do .....	540	Saint Augustine, Florida.....		
do .....	720	do .....	270	
Rock Island, Illinois.....	450	Saint Charles, Missouri.....	180	
do .....	450	Saint Charles, Illinois .....	100	
do .....	350	Saint Charles, Minnesota.....	200	
do .....	900	Saint Clairsville, Ohio .....	} 270	
Rockland, Michigan.....	320	Saint Cloud, Minnesota.....		
Rockland, Maine.....	720	do .....	500	
do .....	280	Saint John's Michigan .....	} 600	
do .....	100	do .....		
Rockport, Indiana.....	180	Saint Johnsburgh, Vermont .....	} 1,277	
Rockville, Indiana.....	100	do .....		
Rockville, Maryland....	100	Saint Joseph, Missouri.....		

Saint Joseph, Missouri.....	\$1,080	Saint Louis, Missouri.....	\$1,000
do .....	1,080	do .....	1,350
do .....	1,002	do .....	900
do .....	1,050	do .....	900
do .....	960	do .....	1,020
do .....	1,080	do .....	600
do .....	720	do .....	800
Saint Louis, Missouri.....	600	do .....	1,000
do .....	900	do .....	640
do .....	540	do .....	900
do .....	1,100	do .....	800
do .....	700	do .....	1,300
do .....	900	do .....	1,000
do .....	1,200	do .....	960
do .....	600	do .....	900
do .....	1,100	do .....	600
do .....	600	do .....	640
do .....	3,200	do .....	1,000
do .....	840	do .....	700
do .....	1,000	do .....	1,200
do .....	1,600	do .....	1,600
do .....	800	do .....	600
do .....	1,800	do .....	600
do .....	600	do .....	800
do .....	900	do .....	600
do .....	960	do .....	700
do .....	600	do .....	700
do .....	900	do .....	1,000
do .....	1,300	do .....	600
do .....	1,200	do .....	700
do .....	800	do .....	1,020
do .....	700	do .....	1,200
do .....	640	do .....	150
do .....	2,100	do .....	1,200
do .....	1,400	do .....	600
do .....	600	do .....	600
do .....	600	do .....	1,100
do .....	900	do .....	600
do .....	700	do .....	800
do .....	600	do .....	600
do .....	1,050	do .....	2,100
do .....	1,200	do .....	800
do .....	1,800	do .....	1,000
do .....	800	do .....	1,200
do .....	700	do .....	600
do .....	1,200	do .....	1,000
do .....	900	do .....	900
do .....	640	do .....	600
do .....	1,500	do .....	900
do .....	1,200	do .....	600
do .....	640	do .....	1,600
do .....	1,000	do .....	2,100
do .....	700	do .....	600
do .....	1,000	do .....	1,100
do .....	800	do .....	650
do .....	2,200	do .....	600
do .....	1,200	do .....	1,000
do .....	800	do .....	800
do .....	900	do .....	1,000
do .....	900	do .....	600
do .....	900	do .....	1,000
do .....	600	do .....	600
do .....	600	do .....	700
do .....	900	do .....	1,100
do .....	2,700	do .....	700
do .....	900	do .....	1,200
do .....	1,000	do .....	900

Saint Louis, Missouri.....	\$ 700	San Francisco, California.....	\$1,140
do .....	2,000	do .....	1,140
do .....	840	do .....	840
do .....	900	do .....	1,740
do .....	2,200	do .....	1,200
do .....	1,200	do .....	1,200
do .....	900	do .....	1,140
Saint Paul, Minnesota.....	900	do .....	2,820
do .....	1,145	do .....	1,620
do .....	850	do .....	1,260
do .....	75	do .....	1,140
do .....	850	do .....	1,140
do .....	1,125	do .....	1,140
do .....	41	do .....	840
do .....	800	do .....	960
do .....	850	do .....	1,260
do .....	568	do .....	1,140
do .....	2,100	do .....	1,140
do .....	480	do .....	840
do .....	1,200	do .....	1,260
do .....	824	do .....	1,620
do .....	900	do .....	1,380
Saint Peter, Minnesota.....	270	do .....	1,320
Salem, Ohio.....	360	do .....	1,320
Salem, Massachusetts.....	1,080	do .....	1,260
do .....	600	do .....	960
do .....	260	do .....	1,260
do .....	1,000	do .....	1,260
do .....	600	do .....	1,260
Salem, Oregon.....	1,000	do .....	960
do .....	600	do .....	960
Salem, North Carolina.....	270	do .....	840
Salina, Kansas.....	} 1,200	do .....	1,620
do .....		do .....	1,260
do .....		do .....	1,260
do .....		do .....	1,260
Salisbury, North Carolina.....	270	do .....	1,140
Salisbury, Maryland.....	100	do .....	1,140
Salisbury, Montana.....	100	do .....	1,260
Salisbury, Missouri.....	100	do .....	2,160
Salt Lake City, Utah.....	1,340	do .....	1,620
do .....	1,500	do .....	1,260
do .....	1,400	do .....	1,260
do .....	1,200	do .....	1,140
do .....	900	do .....	1,400
do .....	540	do .....	1,260
do .....	120	do .....	1,260
San Andreas, California.....	200	do .....	2,220
San Antonio, Texas.....	360	do .....	1,620
do .....	900	do .....	1,320
do .....	1,200	do .....	1,260
do .....	780	do .....	1,260
do .....	1,800	do .....	1,260
do .....	540	do .....	1,140
do .....	540	do .....	960
San Buenaventura, California.....	300	do .....	1,620
San Diego, California .....	600	do .....	1,260
Sandusky, Ohio.....	875	San Jose California.....	900
do .....	300	do .....	480
do .....	300	do .....	480
do .....	450	do .....	900
do .....	875	do .....	480
San Francisco, California.....	1,260	Santa Barbara, California.....	} 500
do .....	1,620	do .....	
do .....	1,260	Santa Fé, New Mexico.....	} 1,200
do .....	1,260	do .....	
do .....	1,140	Santa Rosa, California.....	500



Santa Rosa, California.....	\$ 500	Sherman, Texas.....	\$1,000
Saratoga Springs, New York.....	1,008	do .....	600
do .....	1,008	do .....	600
do .....	480	do .....	600
do .....	360	Shippensburgh, Pennsylvania .....	} 200
Sardis, Mississippi.....	150	do .....	
Savannah, Georgia.....	\$1,080	Skowhegan, Maine.....	} 270
do .....	773	do .....	
do .....	288	Shreveport, Louisiana .....	} 2,100
do .....	420	do .....	
do .....	600	Sidney, Iowa .....	180
do .....	1,700	Sigourney, Iowa.....	180
do .....	1,200	Silver City, New Mexico .....	100
do .....	1,080	Silver Cliff, Colorado.....	} 1,000
do .....	600	do .....	
do .....	1,080	do .....	
do .....	780	do .....	
Savannah, Missouri.....	180	Sing Sing, New York .....	480
Schenectady, New York .....	798	do .....	240
do .....	399	Sioux City, Iowa.....	420
do .....	388	do .....	800
do .....	315	do .....	800
Schulenburgh, Texas.....	} 100	Sioux Falls, Dakota.....	} 300
do .....			
do .....			
Scranton, Pennsylvania.....	1,500	Snow Hill, Maryland .....	180
do .....	420	Solomon City, Kansas.....	100
do .....	900	Somerset, Kentucky.....	200
do .....	800	Somerset, Pennsylvania.....	180
do .....	1,200	Somerville, New Jersey.....	} 270
Searcy, Arkansas.....	} 100	do .....	
do .....			
Seattle, Washington.....	400	Sonora, California.....	600
Sedalia, Missouri.....	} 2,000	South Bend, Indiana.....	} 1,750
do .....			
do .....			
do .....			
do .....			
Selma, Alabama.....	} 2,000	South Boston Depot, Virginia.....	100
do .....			
do .....			
Seneca, Missouri.....	100	South Framingham, Massachusetts...	180
Seneca, Kansas.....	100	South Norfolk, Connecticut.....	450
Seneca Falls, New York .....	} 800	Sparta, Wisconsin .....	360
do .....			
do .....			
Seguin, Texas.....	100	Sparta, Tennessee.....	200
Seward, Nebraska.....	} 200	Spartanburgh, South Carolina.....	270
do .....			
Seymour, Indiana.....	} 180	Springfield, Missouri.....	600
do .....			
Shaff's Bridge, Pennsylvania.....	100	do .....	300
Shakopee, Minnesota.....	} 100	Springfield, Massachusetts.....	1,100
do .....			
do .....			
Sharon, Ohio.....	40	do .....	800
Shawano, Wisconsin .....	150	do .....	700
Sheboygan, Wisconsin.....	200	do .....	600
Shelbyville, Kentucky.....	540	do .....	400
Shelbyville, Indiana.....	} 270	do .....	300
do .....			
Shelbyville, Tennessee .....	450	do .....	700
Sharon, Pennsylvania.....	} 300	Springfield, Ohio.....	1,020
do .....			
Shelby, North Carolina.....	100	do .....	720
Sheridan, Arkansas.....	50	do .....	654
Sidney, Nebraska.....	600	do .....	360
		do .....	1,092
		do .....	528
		do .....	624
		Springfield, Illinois.....	500
		do .....	875
		do .....	430
		do .....	750
		do .....	1,100
		do .....	430
		do .....	625
		do .....	650

Springfield, Tennessee.....	\$ 100	Tarrytown, New York.....	\$ 250
Springfield, Dakota.....	360	Taunton, Massachusetts.....	658
Spring Valley, Minnesota.....	} 100	do .....	266
do .....		do .....	940
Stamford, Connecticut.....	600	do .....	336
do .....	400	Taylorsville, Tennessee.....	100
Stanton, Nebraska.....	100	Tazewell Court-House, Virginia....	200
Staunton, Virginia.....	} 1,400	Tazewell, Tennessee.....	} 60
do .....		do .....	
do .....		do .....	
Stanwood, Iowa.....	100	Terminus, Idaho.....	500
Statesville, North Carolina.....	} 200	Terrell, Texas.....	300
do .....		do .....	100
Stephensville, Texas.....	} 300	Terrene, Mississippi.....	} 6,100
do .....		do .....	
do .....		do .....	
Sterling, Illinois.....	550	Terre Haute, Indiana.....	} 1,150
do .....	550	do .....	
Sterling, Kansas.....	} 300	do .....	
do .....		do .....	
Steubenville, Ohio.....	400	do .....	
do .....	600	do .....	
Stillwater, Minnesota.....	} 600	do .....	
do .....		do .....	
do .....		do .....	
Stevens' Point, Wisconsin.....	270	Texarkana, Arkansas.....	600
Stockton, California.....	940	The Dalles, Oregon.....	360
do .....	960	Thibodeaux, Louisiana.....	180
Storm Lake, Iowa.....	270	Tidioute, Pennsylvania.....	450
Strasburgh, Virginia.....	100	Tiffin, Ohio.....	} 1,150
Streator, Illinois.....	} 450	do .....	
do .....		do .....	
Stroudsburgh, Pennsylvania.....	180	do .....	150
Sturgis, Michigan.....	} 180	Tionesta, Pennsylvania.....	50
do .....		do .....	720
Suffolk, Virginia.....	200	do .....	600
Suggsville, Alabama.....	50	do .....	480
Sullivan, Illinois.....	180	do .....	300
Sullivan, Indiana.....	100	Tontogany, Ohio.....	180
Sunbury, Pennsylvania.....	120	Toquerville, Utah.....	100
Suspension Bridge, New York.....	900	Toledo, Ohio.....	700
do .....	660	do .....	900
Susanville, California.....	450	do .....	800
Swan Lake, Dakota.....	120	do .....	600
Swanton, Vermont.....	100	do .....	700
Sweetwater, Nevada.....	100	do .....	500
Sycamore, Illinois.....	180	do .....	760
Syracuse, New York.....	860	do .....	500
do .....	660	do .....	1,300
do .....	2,000	do .....	640
do .....	960	do .....	800
do .....	720	do .....	1,200
do .....	264	do .....	800
do .....	600	do .....	1,800
do .....	1 000	Topeka, Kansas.....	1,200
do .....	960	do .....	960
do .....	660	do .....	900
do .....	600	do .....	840
do .....	216	do .....	300
Talladega, Alabama.....	300	Towanda, Pennsylvania.....	720
Tallahassee, Florida.....	} 600	Traverse City, Michigan.....	} 450
do .....		do .....	
Tampa, Florida.....	200	Trenton, Louisiana.....	40
Tupelo, Mississippi.....	180	Trenton, Missouri.....	} 200
Tappahannock, Virginia.....	120	do .....	
Tarborough, North Carolina.....	270	Trenton, New Jersey.....	705
Tarrytown, New York.....	250	do .....	620

Trenton, New Jersey.....	\$1,025	Vicksburgh, Mississippi.....	} \$4,740	
do .....	825	do .....		
do .....	500	do .....		
do .....	720	do .....		
do .....	925	Victoria, Texas.....	300	
Troy, New York.....	1,000	Viedersburgh, Indiana.....	100	
do .....	850	Vienna, Illinois.....	100	
do .....	1,050	Vincennes, Indiana.....	290	
do .....	1,150	do .....	330	
do .....	1,000	do .....	480	
do .....	1,000	Vineland, New Jersey.....	} 450	
do .....	1,150	do .....		
do .....	1,650	do .....		
do .....	1,150	do .....		
Troy, Ohio.....	} 500	Virginia, Illinois.....	135	
do .....			Virginia City, Nevada.....	1,500
Truckee, California.....	} 270	do .....	1,050	
do .....			do .....	1,050
Tucson, Arizona.....	} 600	Viroqua, Wisconsin.....	180	
do .....			Wabasha, Minnesota.....	100
Tullehoma, Tennessee.....	130	Wabash, Indiana.....	300	
Turner, Oregon.....	100	Waco, Texas.....	800	
Turner, Illinois.....	} 100	do .....	400	
do .....			do .....	200
Tuscola, Illinois.....	100	Wahoo, Nebraska.....	1,000	
Tuscaloosa, Alabama.....	} 360	do .....	100	
do .....			Walla Walla, Washington Ter... }	} 400
Tuscumbia, Alabama.....	540	do .....		
Two Rivers, Wisconsin.....	100	do .....		
Tyler, Texas.....	180	Walnut Ridge, Arkansas.....	200	
Tyrone, Pennsylvania.....	450	Waltham, Massachusetts.....	416	
Urichville, Ohio.....	} 180	do .....	416	
do .....			Wamego, Kansas.....	180
do .....			Warnock, Ohio.....	100
Ukiah, California.....	100	Warren, Ohio.....	600	
Union, South Carolina.....	200	do .....	400	
Union, West Virginia.....	50	Warren, Pennsylvania.....	240	
Union City, Indiana.....	270	do .....	850	
Union City, Tennessee.....	270	Warrensburgh, Missouri.....	360	
Uniontown, Pennsylvania.....	270	Warrenton, Virginia.....	300	
Upper Marlborough, Maryland.....	100	do .....	300	
Urbana, Ohio.....	366	Warsaw, Illinois.....	260	
do .....	366	Warsaw, Indiana.....	270	
do .....	366	do .....	570	
Utica, New York.....	900	Warsaw, New York.....	360	
do .....	600	do .....	360	
do .....	1,140	Warsaw, Virginia.....	50	
do .....	900	Warwick, New York.....	320	
do .....	600	do .....	320	
do .....	660	Waseca, Minnesota.....	300	
do .....	840	Washington, Arkansas.....	100	
do .....	600	Washington, Kansas.....	100	
Vallejo, California.....	800	do .....	100	
Valparaiso, Indiana.....	} 700	do .....	100	
do .....			Washington, Louisiana.....	180
Van Buren, Arkansas.....	275	Washington, D. C. ....	1,000	
Vancouver, Washington Ter.....	171	do .....	1,600	
Vassar, Michigan.....	} 180	do .....	1,000	
do .....			do .....	1,000
Vergennes, Vermont.....	} 270	do .....	1,000	
do .....			do .....	900
Vermillion, Dakota.....	200	do .....	900	
Vevay, Indiana.....	200	do .....	900	
Vicksburgh, Mississippi.....	} 4,740	do .....	1,000	
do .....			do .....	600
do .....			do .....	800
do .....			do .....	900

Washington, D. C.....	\$ 700	Washington, D. C.....	1,600
do .....	900	do .....	1,200
do .....	900	do .....	800
do .....	1,200	do .....	1,300
do .....	800	do .....	800
do .....	300	do .....	900
do .....	1,000	do .....	900
do .....	\$ 900	do .....	700
do .....	900	do .....	600
do .....	450	do .....	1,200
do .....	800	do .....	1,800
do .....	1,100	do .....	1,300
do .....	800	do .....	450
do .....	1,100	do .....	450
do .....	1,400	do .....	450
do .....	900	do .....	1,200
do .....	800	do .....	900
do .....	800	do .....	450
do .....	1,400	do .....	900
do .....	1,100	do .....	450
do .....	700	Washington, Pennsylvania.....	600
do .....	900	Washington, Ohio.....	180
do .....	800	Waterbury, Connecticut .....	1,000
do .....	720	do .....	600
do .....	1,200	do .....	300
do .....	1,400	do .....	300
do .....	1,400	Waterford, Virginia.....	160
do .....	900	Waterloo, Iowa.....	900
do .....	1,100	do .....	480
do .....	800	do .....	240
do .....	900	Watertown, New York.....	1,080
do .....	1,300	do .....	600
do .....	1,100	do .....	400
do .....	900	do .....	360
do .....	1,000	do .....	100
do .....	900	Watertown, Wisconsin.....	300
do .....	700	do .....	456
do .....	700	do .....	144
do .....	900	Waterville, Kansas.....	270
do .....	600	Watkins, New York.....	660
do .....	700	do .....	360
do .....	1,100	Watsontown, Pennsylvania.....	50
do .....	1,500	Waverly, New York.....	192
do .....	900	do .....	540
do .....	1,000	Waverly, Iowa.....	} 360
do .....	1,000	do .....	
do .....	600	Waukau, Wisconsin.....	180
do .....	800	Waukegan, Illinois.....	540
do .....	900	Waupaca, Wisconsin.....	180
do .....	900	do .....	180
do .....	1,000	Waukesha, Wisconsin.....	300
do .....	900	do .....	600
do .....	900	do .....	300
do .....	1,000	Wautoma, Wisconsin.....	50
do .....	1,000	do .....	50
do .....	1,200	Waxahachie, Texas.....	150
do .....	900	Wayne, West Virginia.....	75
do .....	700	Waynesborough, Tennessee.....	40
do .....	1,000	Waynesborough, Pennsylvania.....	} 500
do .....	900	do .....	
do .....	900	do .....	
do .....	1,600	Webster City, Iowa.....	600
do .....	1,600	do .....	400
do .....	900	Weldon, North Carolina.....	360
do .....	800	Wells, Minnesota.....	100
do .....	450	Wellington, Kansas.....	100
do .....	2,400	do .....	100

Wellington, Kansas.....	\$100	Wilmington, Delaware.....	\$900
Wellington, Ohio.....	400	do .....	840
do .....	300	do .....	1,350
Wellsville, New York.....	360	Wilmington, North Carolina.....	480
do .....	150	do .....	600
Wenona, Illinois.....	600	do .....	960
West Barnstable, Massachusetts.....	75	do .....	1,360
Westborough, Massachusetts .....	300	do .....	720
do .....	300	Wilmington, Ohio.....	} 180
West Chester, Pennsylvania.....	} 1,500	do .....	
do .....		Wilson, North Carolina.....	100
do .....		Wilton Junction, Iowa.....	180
Westerly, Rhode Island.....	} 750	Winchester, Virginia.....	660
do .....		do .....	840
Westfield, Massachusetts.....	} 1,000	Winchendon, Massachusetts.....	} 360
do .....		do .....	
West Grove, Pennsylvania.....	300	Winchester, Indiana.....	} 100
West Meriden, Connecticut.....	} 1,600	do .....	
do .....		Windsor, Vermont.....	360
do .....		Windsor, Missouri.....	180
Westminster, Maryland.....	300	Winfield, Kansas.....	300
Weston, West Virginia.....	180	Winnebago City, Minnesota.....	200
West Plains, Missouri.....	150	Winnsborough, South Carolina...	180
West Point, Georgia.....	270	Winona, Minnesota.....	} 2,400
West Point, Nebraska.....	150	do .....	
West Union, Iowa.....	180	do .....	
Wetumpka, Alabama.....	270	do .....	200
Weyauwega, Wisconsin.....	100	Winona, Mississippi.....	200
Wheeling, West Virginia.....	800	Winsted, Connecticut.....	} 200
do .....	660	do .....	
do .....	700	do .....	200
do .....	1,200	Winston, North Carolina.....	200
do .....	900	Winterset, Iowa.....	200
do .....	900	Wisner, Nebraska.....	} 100
do .....	900	do .....	
do .....	780	Wixom, Michigan.....	60
do .....	1,104	Wolfborough, New Hampshire...	200
White River Junction, Vermont..	} 390	Woonsocket, Rhode Island.....	} 450
do .....		do .....	
do .....		Wooster, Ohio.....	} 540
White Sulphur Springs, W. Va...	180	do .....	
White Swan, Dakota.....	100	Worcester, Massachusetts.....	800
White Water, Wisconsin.....	} 270	do .....	600
do .....		do .....	600
do .....		do .....	700
Wichita, Kansas.....	} 1,700	do .....	800
do .....		do .....	600
do .....		do .....	1,100
do .....		do .....	800
Wilkes Barre, Pennsylvania.....	} 2,400	do .....	100
do .....		do .....	540
do .....		do .....	270
do .....		do .....	
Wilkesborough, North Carolina...	145	Xenia, Ohio.....	} 1,300
Williamsburgh, Mississippi.....	50	do .....	
Williamsport, Pennsylvania.....	558	do .....	
do .....	558	do .....	
do .....	654	do .....	60
do .....	230	Yadkinsville, North Carolina.....	60
Willimantic, Connecticut.....	} 270	Yankton, Dakota.....	} 1,400
do .....		do .....	
Willoughby, Ohio.....	100	do .....	
Wilmington, Delaware.....	940	do .....	
do .....	800	do .....	100
do .....	920	Yellville, Arkansas.....	100
		Yonkers, New York.....	} 2,000
		do .....	
		do .....	1,100
		York, Pennsylvania.....	1,100

York, Pennsylvania.....	\$500
do .....	400
York Road, Maryland.....	30
Youngstown, Ohio.....	} 1,200
do .....	
do .....	
do .....	
Ypsilanti, Michigan.....	} 900
do .....	
do .....	
Yuma, Arizona.....	700
Zanesville, Ohio.....	260
do .....	400
do .....	520
do .....	260
do .....	260
do .....	900

#### Letter Carriers.

These are appointed, as are the clerks, on the recommendation of the Postmaster to the Postmaster-General. The influences are as a rule Congressional, and this in turn is frequently obtained with the aid of members of the State Legislature, and others having influence in their district. In large cities, those selected from the city, are distributed among the wards, but their appointment, as stated, is not confined to the city.

Albany, N. Y., has fifteen carriers, seven receiving \$736, two \$735, one \$775, two \$546, one \$641.

Allegheny, Pa., has eleven carriers, nine at \$736.25, two at \$641.25.

Atlanta, Ga., has six carriers, three at \$736.25, two at \$546.25, one \$641.25.

Baltimore, Md., has sixty-seven carriers, forty-eight receiving \$831.25, two \$400, seven \$641.25, ten \$736.25.

Bangor, Me., has four carriers, each receiving \$736.25.

Bloomington, Ill., has six carriers receiving \$736.25.

Boston, Mass., has one hundred and fifty-seven carriers, one hundred and twenty-six receiving \$831.25, nine \$641.25, and twenty-two at \$736.25. It has eight auxiliaries receiving \$400.

Brooklyn, N. Y., has ninety-three carriers, seventy-four receiving \$831.25, seven \$736.25, twelve \$641.25.

Buffalo, N. Y., has thirty-five carriers, twenty-seven receiving \$831.25, three \$736.25, five at \$641.35.

Burlington, Iowa, has six carriers, four receiving \$736.25, two \$641.25.

Camden, N. J., has six carriers, receiving \$736.25.

Charleston, S. C., has eight carriers, receiving 736.25.

Chicago, Ill., has one hundred and fifty-eight carriers, one hundred and thirty-three receiving \$831.25, eleven \$736.25, fourteen \$641.25.

Cincinnati, Ohio, has seventy-three car-

riers, fifty-six receiving \$831.25, seven \$736.25, ten \$641.35.

Cleveland, Ohio, has thirty-four carriers, thirty receiving \$831.25, one \$736.25, three \$641.25.

Columbus, Ohio, has twelve carriers, receiving \$850.

Covington, Ky., has five carriers, four receiving \$736.25, one \$546.25.

Davenport, Iowa, has seven carriers, five receiving \$736.25, two \$546.25, one auxiliary receiving \$400.

Dayton, Ohio, has twelve carriers, nine receiving \$736.25, two \$641.25, one \$546.25.

Des Moines, Iowa, has seven carriers, four receiving \$736.25, three \$641.25.

Detroit, Mich., has thirty-one carriers, twenty-nine receiving \$831.25, one \$736.25, one \$641.25.

Dubuque, Iowa, has five carriers, three receiving \$736.25, one \$641.25, one \$546.25.

Easton, Pa., has six carriers, four receiving \$736.25, two \$641.25.

Elizabeth, N. J., has six carriers, receiving \$736.25.

Elmira, N. Y., has seven carriers, six receiving \$736.25, one \$400.

Erie, Pa., has seven carriers, receiving \$736.25.

Evanville, Ind., has seven carriers, receiving \$736.25.

Fall River, Mass., has six carriers, three receiving \$736.25, two \$546.25, one \$641.25.

Fort Wayne, Ind., has seven carriers, five receiving \$736.25, two \$641.25.

Grand Rapids, Mich., has eight carriers, receiving \$736.25.

Harrisburg, Pa., has six carriers, four receiving \$736.25 one \$641.25, one \$546.25.

Hartford, Conn., has eleven carriers, seven receiving \$736.25, three \$546.25, one \$641.25.

Hoboken, N. J., has four carriers, three receiving \$736.25, one \$546.25.

Indianapolis, Ind., has twenty-six carriers, twenty-three receiving \$736.25, one \$641.25, one \$556.25, one \$546.25.

Jersey City, N. J., has eighteen carriers, thirteen receiving \$736.25, five \$546.25.

Kansas City, Mo., has eleven carriers, ten receiving \$736.25, one \$641.25.

La Fayette, Ind., has five carriers, three receiving \$736.25, two \$546.25, one \$546.25.

Lancaster, Pa., has five carriers, receiving \$736.25.

Lawrence, Mass., has eight carriers, receiving \$736.25.

Leavenworth, Kans., has five carriers, two receiving \$641.25, one \$546.25, one \$941.25, one \$554.08.

Louisville, Ky., has thirty carriers, twenty-nine receiving \$831.25, one \$736.35.

Lowell, Mass., has ten carriers, eight receiving \$736.25, one \$641.25, one \$546.25.

Lynn, Mass., has seven carriers, receiving \$736.25.

Manchester, N. H. has five carriers, re-

Manchester, N. H., has five carriers, receiving \$736.25.

Memphis, Tenn., has thirteen carriers eight receiving \$736.25, five \$546.25.

Milwaukee, Wis., has twenty-six carriers, twenty-three receiving \$831.25, three \$736.25.

Minneapolis, Minn., has eleven carriers, receiving \$850.

Mobile, Ala., has six carriers, five receiving \$641.25, one \$546.25.

Nashville, Tenn., has ten carriers, seven receiving \$736.25, two \$631.25, one \$540.

Newark, N. J., has twenty-four carriers, twenty receiving \$831.25, three \$736.25, one \$641.25.

Bedford, Mass., has seven carriers, six receiving \$736.25, one \$546.25.

New Haven, Conn., has sixteen carriers, fourteen receiving \$736.25, two \$546.25.

New Orleans, La., has forty-six carriers, forty-two receiving \$831.25, one \$736.25, three \$641.25.

New York, N. Y., has four hundred and three carriers, three hundred receiving \$831.25, thirty-one \$736.25, twenty-three \$641.25, forty-eight \$400, one \$440.

Norfolk, Va., has five carriers, four receiving \$736.25, one \$546.25.

Oakland, Cal., has seven carriers, receiving \$546.25.

Omaha, Neb., has six carriers, four receiving \$736.25, one \$546.25, one \$641.25.

Oswego, N. Y., has seven carriers, receiving \$736.25.

Paterson, N. J., has seven carriers, six receiving \$736.25, one \$546.25.

Peoria, Ill., has eight carriers, receiving \$736.25.

Petersburg, Va., has five carriers receiving \$736.25.

Philadelphia, Pa., has one hundred and ninety carriers, one hundred and twenty-nine receiving \$831.25, sixteen \$736.25, forty-five \$641.25.

Pittsburg, Pa., has thirty-four carriers, twenty-eight receiving \$831.25, five \$641.25, one \$736.25.

Portland, Me., has ten carriers receiving \$736.25.

Pottsville, Pa., has four carriers, receiving \$736.25.

Poughkeepsie, N. Y., has six carriers, receiving \$736.25.

Providence, R. I., has twenty-one carriers, nineteen receiving \$831.25, two \$641.25.

Quincy, Ill., has seven carriers, six receiving \$736.25, one \$641.25.

Reading, Pa., has eight carriers, six receiving \$736.25, two \$546.25.

Richmond, Va., has fifteen carriers, thirteen receiving \$736.24, one \$661.08, one \$585.55.

Rochester, N. Y., has twenty-two carriers, eighteen receiving \$736.25, three \$641.25, one \$546.25.

St. Joseph, Mo., has seven carriers, six receiving \$736.25, one \$641.25.

St. Louis, Mo., has one hundred and two carriers, eighty-seven receiving \$831.25, seven \$736.25, ten \$641.25, eight \$400.

St. Paul, Minn., has ten carriers, seven receiving \$736.25, two \$641.25, one \$546.25.

Salem, Mass., has six carriers, four receiving \$736.25, one \$641.25, one \$546.25.

San Francisco, Cal., has fifty carriers, receiving \$926.25.

Savannah, Ga., has six carriers, five receiving \$736.25, one \$641.25.

Springfield, Ill., has five carriers, three receiving \$736.25, one \$641.25, one \$546.25.

Springfield, Mass., has eight carriers, six receiving \$736.25, one \$641.25, one \$546.25.

Syracuse, N. Y., has sixteen carriers, eleven receiving \$736.25, three at \$546.25, one at \$641.25, one \$41.25.

Toledo, Ohio, has thirteen carriers, seven receiving \$736.25, two at \$641.25, one \$546.25.

Trenton, N. J., has six carriers, four receiving \$736.25, one \$641.25, one \$546.25.

Troy, N. Y., has fifteen carriers, thirteen receiving \$736.25, one \$641.25, one \$546.25.

Utica, N. Y., has twelve carriers, eleven receiving \$736.25, one \$641.25.

Washington, D. C., has forty-three carriers, twenty-nine receiving \$1000, fourteen \$800.

Wheeling, W. Va., has six carriers, five receiving \$736.25, one \$546.25.

Wilmington, Del., has ten carriers, nine receiving \$736.25, one \$641.25.

Worcester, Mass., has eleven carriers, nine receiving \$736.25, one \$641.25, one \$546.25.

#### Interior Department.

This is a large Department, employing fully four thousand persons, nearly all appointed by the Secretary of the Interior, on the recommendation, as a rule, of Senators and Representatives. The President, as in all other cases, actually selects or approves the appointees for the more important positions, and he is reached by the same influences. Where special skill is required, less weight is attached to political influence, though few Federal or other offices are wholly independent of it, whatever may be the profession of the parties in or out. It has ever been so, and it is not likely that there will be any material change, even under professions to enforce the civil service rules.

In the Secretary's office of the Interior Department there are about 140 officers. The assistant secretary gets \$3,500, chief clerk \$2,500, chiefs of division \$2000, male clerks from \$1,200 to \$1,800, one getting \$2,250, male copyists \$900, female copyists \$900, messengers \$960, assistant messengers

\$720, laborers \$660, captain of watch \$1000, watchmen \$660, firemen \$720.

The Patent Office employs about 450 persons. The Commissioner of Patents receives \$4,500, assistant \$3000, chief clerk \$2,250, three examiners-in-chief \$3000, one examiner of interferences \$2,500, twenty-two principal examiners \$2,400 each, one examiner of trade-marks \$2,400, financial clerk \$2000, librarian \$2000, twenty-two first assistant examiners \$1,800 each, twenty-two second assistant examiners \$1,600 each, twenty-two third assistant examiners \$1,400 each, two clerks \$1,800, five clerks \$1,600, eight clerks \$1,400, thirty-two clerks at \$1,200 each, twenty-two clerks \$1,000, seventy-five female copyists at \$900 each, Machinist \$1,600 skilled draughtsmen \$1,200 each, skilled laborer \$1,200, nine model attendants \$800 each, about ninety laborers almost equally divided as to sex, \$660 each, fifteen male and female clerks employed on the *Official Gazette* from \$480 to \$1800, temporary draughtsmen, male and female, from \$480 to \$1000 each.

In the Pension Office the Commissioner receives \$3,600, chief clerk \$2000. In the chief clerk's division there are seventeen male and female clerks, at salaries ranging from \$1000 to \$1800, the latter for males, the females \$1,000 to \$1400; fifteen copyists, all females, at \$900 each, save one, who gets \$840; engineers \$1,200, assistant engineer \$1,000, four messengers \$840 each, seven assistant messengers \$720 each, two watchmen \$660 each, twelve laborers \$660. There are several other divisions—the medical referee's, records and accounts, special service, invalid, widows', navy, old war and county-land division, arrears division—all employing clerks, copyists, and messengers at the salaries given above.

**Pension Agents.**

Boston, Mass.....	\$4,000
Canandaigua, N. Y.....	4,000
Chicago, Ill.....	4,000
Columbus, Ohio.....	4,000
Concord, N. H.....	4,000
Des Moines, Iowa.....	4,000
Detroit, Mich.....	4,000
Indianapolis, Ind.....	4,000
Knoxville, Tenn.....	4,000
Louisville, Ky.....	4,000
Milwaukee, Wis.....	4,000
New York, N. Y.....	4,000
Philadelphia, Pa.....	4,000
Pittsburgh, Pa.....	4,000
Saint Louis, Mo.....	4,000
San Francisco, Cal.....	4,000
Washington, D. C.....	4,000

**General Land Office.**

This is a branch of the Interior Department, employing about 200 persons. The

Commissioner receives \$4,000, the higher male clerks \$2,000, eight other male clerks at \$1,800, twenty at \$1,600, forty other male clerks at 1,400, about sixty other male clerks at \$1,200, about seventy female copyists at \$900 each, five assistant messengers at \$720, two packers at \$720, eight laborers at \$660.

In the Washington office of Indian Affairs, the Commissioner receives \$3000, chief clerk \$2,000, about forty male clerks from \$1,000 to \$1,800, thirty female copyists at from \$660 to \$900, three inspectors \$3,000 each, two special agents at large \$2,000 each, one special agents \$1,800, other officers same as those quoted.

**Offices of United States Surveyors-General.**

DISTRICT OF ARIZONA.

Surveyor-General, Tucson, Ariz.....	\$2,750
Chief Clerk, do .....	1,500
Draughtsman, do .....	1,500
Messenger, do .....	240

DISTRICT OF CALIFORNIA.

Surveyor-Gen'l, San Francisco, Cal.	2,750
Chief Clerk, San Francisco, Cal.....	2,000
Chief Draughtsman, do .....	2,000
Clerk of Accounts, do .....	1,800
Mineral Clerk, do .....	1,800
Ranch Clerk, do .....	1,800
Clerk of Correspondence, do .....	1,800
Translator in Archives, do .....	2,000
Draughtsmen, do .....	1,800
do do .....	1,800
do do .....	1,800
do do .....	1,800
do do .....	1,800
do do .....	1,600
Clerks, do .....	1,200
do do .....	1,200
do do .....	1,000
do do .....	1,000
do do .....	1,000
do do .....	1,500

DISTRICT OF COLORADO.

Surveyor-General, Denver, Col.....	2,750
Chief Clerk, do .....	1,800
Transcribing Clerks, do .....	1,500
do do .....	p.d. 5
Mineral Clerk, do .....	p.d. 5
Draughtsmen do .....	1,500
do do .....	p.d. 5
do do .....	p.d. 5
do do .....	p.d. 5
do do .....	p.d. 5
do do .....	p.d. 5
Messenger, do .....	500

DISTRICT OF DAKOTA.

Surveyor-General, Yankton, Dak...	2,000
Chief Clerk, do ...	1,600
Chief Draughtsmen, do ...	1,300
Transcribing Clerk, do ...	1,200
Mineral Clerk, do ...	p.d. 5
Messenger, do ...	600



DISTRICT OF FLORIDA.

Surveyor-General, Tallahassee, Fla.	1,800
Chief Clerk	do 1,400
Transcribing Clerk, Tallahassee, Fla.	600
Messenger,	do 360

DISTRICT OF IDAHO.

Surveyor-General, Boisé City, Idaho	2,500
Chief Clerk,	do 1,500
Draughtsmen,	do p.m. 100
Messenger,	do 600

DISTRICT OF LOUISIANA.

Surveyor-General, New Orleans, La.	1,800
Chief Clerk,	do 1,200
Chief Draughtsman and Clerk,	do 1,000
Ass't Draughtsmen and Clerks,	do 900
do do do	do 900
Messenger,	do 420

DISTRICT OF MINNESOTA.

Surveyor-General, Saint Paul, Minn.	2,000
Chief Clerk,	do 1,500
Chief Draughtsmen,	do 1,200
Transcribing Clerk,	do 750
Messenger,	do 620

DISTRICT OF MONTANA.

Surveyor-General, Helena, Mont.....	2,750
Chief Clerk,	do ..... 1,800
Draughtsman,	do ..... 1,500
Mineral Clerk,	do ..... p.d. 5
Deputy Surveyors, Montana Ter. Contract.	
do do do	do
do do do	do
Deputy Marshal Surveyors	do do
do do do	do do
do do do	do do
do do do	do do
do do do	do do
do do do	do do
do do do	do do
do do do	do do
Messenger, Helena, Mont.....	180

DISTRICT OF NEBRASKA.

Surveyor-General, Plattsmouth, Neb	2,000
Chief Clerk,	do 1,500
Principal Draughtsman,	do 1,200
Messenger,	do 720

DISTRICT OF NEVADA.

Surveyor-General, Virginia City Nev	2,500
Chief Clerk,	do 1,800
Draughtsman,	do 1,500
Messenger,	do 480

DISTRICT OF NEW MEXICO.

Surveyor-General, Santa Fé, N. Mex	2,500
Translator and Chief Clerk,	do 2,000
Draughtsman,	do 1,500
Clerks,	do 1,500
do do	do 1,500
Messenger,	do 360
Deputy Mineral Surveyors	do (*)
do Silver City N. M.	do (*)
do Laguna Pueblo, do	do (*)

\* Surveyor's fees.

Contracting Deputy Sur. N. Mex. Ter.	(†)
do do	(†)
do do	(†)
do do	(†)
do do	(†)
do do	(†)
do do	(†)

DISTRICT OF OREGON.

Surveyor-General, Portland, Oreg.	2,500
Chief Clerk,	do 1,800
Draughtsman,	do 1,400
Transcribing Clerk,	do 1,200
Messenger,	do 600

DISTRICT OF UTAH.

Surveyor-Gen., Salt Lake City, Utan	2,750
Chief Clerk,	do 1,800
Chief Draughtsman,	do 1,500
Mineral Draughtsmen,	do p.d. 4.50
do do	do p.d. 4.00
Transcribing Clerk,	do p.d. 4.00
Messenger,	do 120

DISTRICT OF WASHINGTON TERRITORY.

Surveyor General, Olympia, Wash...	2,500
Chief Clerk,	do ... 1,500
Draughtsman,	do ... 1,300
Transcribing Clerk,	do ... 1,200
Messenger,	do ... 600

DISTRICT OF WYOMING.

Surveyor-General, Cheyenne, Wyo...	2,750
Chief Clerk,	do ... 1,800
Transcribing Clerk,	do ... 1,400
Messenger,	do ... 600

Registers of United States Land Offices.

[Salaries of registers \$500 per annum, with fees and commissions as prescribed by law; the total of salaries, fees, and commissions not to exceed \$3,000 per annum.].

- Huntsville, Alabama.
- Montgomery, do
- Little Rock, Arkansas.
- Camden, do
- Harrison, do
- Dardanelle, do
- Prescott, Arizona.
- Florence, do
- San Francisco, California.
- Marysville, do
- Humboldt, do
- Stockton, do
- Visalia, do
- Los Angeles, do
- Sacramento, do
- Shasta, do
- Susanville, do
- Bodie, do
- Denver City, Colorado.
- Leadville, do
- Central City, do
- Pueblo, do
- Del Norte, do
- Lake City, do
- Sioux Falls, Dakota.

† Contract rates.

Springfield, Dakota.  
 Fargo, do  
 Yankton, do  
 Bismarck, do  
 Deadwood, do  
 Gainesville, Florida.  
 Boisé City, Idaho.  
 Lewiston, do  
 Oxford, do  
 Des Moines, Iowa.  
 Topeka, Kansas.  
 Salina, Kansas.  
 Independence, Kansas.  
 Wichita, do  
 Kirwin, do  
 Concordia, do  
 Larned, do  
 Wa-Keeney, do  
 New Orleans, Louisiana.  
 Natchitoches, do  
 Detroit, Michigan.  
 East Saginaw, Michigan.  
 Reed City, do  
 Marquette, do  
 Taylor's Falls, Minnesota.  
 Saint Cloud, do  
 Duluth, do  
 Fergus Falls, do  
 Worthington, do  
 New Ulm, do  
 Benson, do  
 Crookston, do  
 Redwood Falls, do  
 Jackson, Mississippi.  
 Boonville, Missouri.  
 Ironton, do  
 Springfield, do  
 Helena, Montana.  
 Bozeman, do  
 Norfolk, Nebraska.  
 Beatrice, do  
 Lincoln, do  
 Niobrara, do  
 Grand Island, Nebraska.  
 North Platte, do  
 Bloomington, do  
 Carson, City, Nevada.  
 Eureka, do  
 Santa Fé, New Mexico.  
 La Mesilla, do  
 Oregon City, Oregon.  
 Roseburg, do  
 La Grand, do  
 Lakeview, do  
 The Dalles, do  
 Salt Lake City, Utah.  
 Olympia, Washington Territory.  
 Vancouver, do  
 Walla-Walla, do  
 Colfax, do  
 Menasha, Wisconsin.  
 Falls of Saint Croix, Wisconsin.  
 Wausau, do  
 La Crosse, do  
 Bayfield, do  
 Eau Claire, do  
 Cheyenne and Evanston, Wyoming.

**Receivers of Public Moneys at United States Land Offices.**

*[Salaries of receivers \$500 per annum, with fees and commissions as prescribed by law; the total of salary, fees, and commissions not to exceed \$3,000 per annum.]*

Huntsville, Alabama.  
 Montgomery, do  
 Little Rock, Arkansas.  
 Camden, do  
 Harrison, do  
 Dardanelle, do  
 Prescott, Arizona.  
 Florence, Arizona.  
 San Francisco, California.  
 Marysville, do  
 Humboldt, do  
 Stockton, do  
 Visalia, do  
 Sacramento, do  
 Los Angeles, do  
 Shasta, do  
 Susanville, do  
 Bodie, do  
 Denver City, Colorado.  
 Leadville, do  
 Central City, do  
 Pueblo, do  
 Del Norte, do  
 Lake City, do  
 Sioux Falls, Dakota.  
 Springfield, do  
 Fargo, do  
 Yankton, do  
 Bismarck, do  
 Deadwood, do  
 Gainesville, Florida.  
 Boisé City, Idaho.  
 Lewiston, do  
 Oxford, do  
 Des Moines, Iowa.  
 Topeka, Kansas.  
 Salina, do  
 Independence, Kansas.  
 Wichita, do  
 Kirwin, Kansas.  
 Concordia, do  
 Larned, do  
 Wa-Keeney, Kansas.  
 New Orleans, Louisiana.  
 Natchitoches, do  
 Detroit, Mich.  
 East Saginaw, Michigan  
 Reed City, do  
 Marquette, do  
 Taylor's Falls, Minnesota.  
 Saint Cloud, do  
 Duluth, do  
 Fergus Falls, do  
 Worthington, do  
 New Ulm, do  
 Benson, do  
 Crookston, do  
 Redwood Falls, do  
 Jackson, Mississippi.  
 Boonville, Missouri.  
 Ironton, do  
 Springfield, do  
 Helena, Montana.

Bozeman, Montana.  
 Norfolk, Nebraska.  
 Beatrice, do  
 Lincoln, do  
 Niobrara, do  
 Grand Island, Nebraska.  
 North Platte, do  
 Bloomington, do  
 Carson City, Nevada  
 Eureka, do  
 Santa Fé, New Mexico.  
 La Mesilla, do  
 Oregon City, Oregon.  
 Roseburg, do  
 La Grand, do  
 Lakeview, do  
 The Dalles, do  
 Salt Lake City, Utah.  
 Olympia, Washington Territory.  
 Vancouver, do  
 Walla-Walla, do  
 Colfax, do  
 Menasha, Wisconsin.  
 Falls of Saint Croix, Wisconsin.  
 Wausau, do  
 La Crosse, do  
 Bayfield, do  
 Eau Claire, do  
 Cheyenne, Wyoming.  
 Evanston, do

**Indian Agencies.**

Indian Agents are appointed by the President on the recommendation of the Secretary of the Interior, and the latter selects on the Agent's recommendation his physicians, engineers, storekeepers, farmers, clerks, interpreters, police, blacksmiths, teamsters, teachers, herders, cooks, adobe-moulders, captains of police, sergeants of police, privates of police, mail carriers, millers and sawyers, carpenters, harness makers, apprentices, and laborers. The Agents get from \$720 to \$1,500, according to the importance of the agency; the physicians 1,200, engineers \$900, farmers \$900 to \$1,000, clerks \$900, adobe-moulders \$1 per day, captains of police \$8 per month, sergeants of police \$5 per month, privates of police \$5 per month (small pay, surely, but they are otherwise employed or selected from the Indians) cooks \$360 a year, blacksmith \$1,000 down to \$800, butcher \$40 per month, mail carriers from \$300 to \$500, miller and sawyer \$840, carpenters \$700, teachers \$720, herders \$600, clerks \$50 per month, teamsters \$480, etc. There are agencies in all the Territories, wherever there are tribes of Indians on reservations.

**Bureau of Education.**

This is a branch of the Interior Department employing twenty-two persons. The

commissioner receives \$3,000, chief clerk \$1,800, statistician \$1,800, translator \$1,600, male and female clerks from \$900 to \$1,600, male and female collectors of statistics from \$360 to \$2,400.

The office of the Auditor of Railroad Accounts employs about sixty persons, male and female. The Auditor receives \$5,000, the book-keeper \$2,400, assistant \$2,000, male and female clerks and copyists from \$720 to \$1,800, ten special agents of statistics \$6 per day each.

**The Territories.**

**ARIZONA.**

Governor, Prescott.....\$2,600  
 Secretary, Prescott..... 1,800

**DAKOTA.**

Governor, Yankton..... 2,600  
 Secretary, Yankton..... 1,800

**IDAHO.**

Governor, Boise City..... 2,600  
 Secretary, Boise City..... 1,800

**MONTANA.**

Governor, Helena..... 2,600  
 Secretary, Helena..... 1,800

**NEW MEXICO.**

Governor, Santa Fé..... 2,600  
 Secretary, Santa Fé..... 1,800

**UTAH.**

Governor, Salt Lake City..... 2,600  
 Secretary, Salt Lake City..... 1,800

**WASHINGTON.**

Governor, Olympia..... 2,600  
 Secretary, Olympia..... 1,800

**WYOMING.**

Governor, Cheyenne..... 2,600  
 Secretary, Cheyenne..... 1,800

Both the Governors and Secretaries of the Territories are appointed by the President, usually on the recommendation of Congressional delegations.

**Department of Justice.**

The Attorney General is in charge here, in the Washington Department employs less than 100 persons. His next in rank, the Solicitor General, gets a salary of \$7,000, two Assistant Attorneys General \$5,000 each, the chief clerk \$2,200, law clerk and examiner of titles \$2,700, stenographic clerk \$1,800, twenty-two other clerks from \$1,200 to \$2,000, telegraphic operator \$1,000, copyists \$900, messenger \$840, assistant messengers \$720, watchmen \$720, laborers \$660.

Three assistants to the Attorney General in the preparation of cases for the Court of Claims get \$3,000 each, the Solicitor of the Treasury \$4,500, Assistant Solicitor \$3,000, Assistant Attorney General in the Department of the Interior \$5,000, Solicitor of Internal Revenue \$4,500, Examiner of Claims \$3,500, Assistant Attorney General in the Post Office Department \$4,000. All of these leading places are appointed by the President; the others on the recommendation of the Attorney General. Besides the above there are many persons employed in the Government Hospital for the Insane, the Freedmen's Hospital, the Columbia Hospital for Women and Lying-in Asylum, the United States Capitol, Extension and Improvement of Grounds, the various Surveys of the Territories, the Entomological Commission, National Museum, Department of Justice, Commissioners of Deeds for District of Columbia, Reform School, United States Jail and Government Printing Office, all in the District of Columbia, but selections are made from any part of the Union, the chiefs appointing minor officers, or workmen or workwomen on the recommendation of the President, Cabinet, Department officers, or Congressmen. Selections are of course made with a view to fitness, and the pay except for higher positions is by the month or day—good of course, for the United States Government is liberal to its employees.

#### Department of Agriculture

Employs about 80 persons. Commissioner \$3,000, male and female clerks from \$900 to \$1,800, female copyists \$720 to \$1,000, mechanics \$720, laborers \$660, male and female employees in seed division from \$1.25 per day to \$1,000 a year, employees in experimental garden from \$1 per day to \$900 a year.

#### National Board of Health,

Located at Washington, President, members of the Board and Sanitary Inspectors \$10 per day clerks same as in Departments.

#### Government Printing Office and Bindery

Employs about 1,600 persons, mostly skilled at printing or binding, and these are paid

from 23 to 40 cents per hour, or by piecework, the Washington Union rates. The Public Printer gets \$3,600, chief clerk \$2,000, other clerks from 1,200 to \$1,800, foreman of printing \$2,100, assistants \$5.75 per day, compositors, etc., piecework.

#### Government of the District of Columbia.

The District of Columbia is governed by Congress, the chief officers being three Commissioners, two at \$5,000 each, the other his rank in the army, from which he is selected. The appointees are all from the District, at least they credit themselves there after appointment. About 300 Metropolitan Police get from \$75 a month to \$1,000 a year.

#### Judicial.

Among the first pages of this book we have given the United States Circuit Judges with their salaries. The Attorney General, usually on the recommendation of these have the appointment of many Commissioners and other officers in their respective States and Territories, all of whom are paid by fees. They are usually attorneys at the points where the duties are performed. The Circuit Judges get \$6,000 a year, District Judges \$3,500, the United States District Attorneys \$200 a year and fees, which are usually heavy; Marshals \$200 a year and fees. All of these leading officers are appointed by the President and subject to confirmation by the United States Senate.

We have thus completed a careful summary of the United States Official Register, and shown the influences by which Federal offices are obtained, by whom appointed, etc. Of course, only rules can be given, and applicants will in many cases have to depend on their own command of facilities for acquiring the needed attention and influence. Any action under the civil service rules has been so spasmodic that it would be misleading to attempt to point out where examinations are requisite, if indeed they are now requisite anywhere. Proof of fitness through letters and Congressional recommendations are honored, while the civil service rules are "more honored in the breach than the observance."

AMERICAN POLITICS.

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BOOK VII.

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TABULATED HISTORY OF THE GENERAL GOVERNMENT.



# AMERICAN POLITICS.

## BOOK VII.

### TABULATED HISTORY OF THE GENERAL GOVERNMENT.

#### FROM OFFICIAL SOURCES.

STATEMENT of Outstanding Principal of the Public Debt of the United States on the 1st of January of each year from 1791 to 1843, inclusive, and on the 1st of July of each year from 1844 to 1882, inclusive.

Year.	Amount.	Year.	Amount.
Jan. 1, 1791 . . . . .	\$75,463,476 52	Jan. 1, 1837 . . . . .	336,957 83
1792 . . . . .	77,227,924 66	1838 . . . . .	3,308,124 07
1793 . . . . .	80,352,634 04	1839 . . . . .	10,434,221 14
1794 . . . . .	78,427,404 77	1840 . . . . .	3,573,343 82
1795 . . . . .	80,747,587 39	1841 . . . . .	5,250,875 54
1796 . . . . .	83,762,172 07	1842 . . . . .	13,594,480 73
1797 . . . . .	82,064,479 33	1843 . . . . .	20,601,226 28
1798 . . . . .	79,228,529 12	July 1, 1843 . . . . .	32,742,922 00
1799 . . . . .	78,408,669 77	1844 . . . . .	23,461,652 50
1800 . . . . .	82,976,294 35	1845 . . . . .	15,925,303 01
1801 . . . . .	83,038,050 80	1846 . . . . .	15,550,202 97
1802 . . . . .	80,712,632 25	1847 . . . . .	38,826,534 77
1803 . . . . .	77,054,686 30	1848 . . . . .	47,044,862 23
1804 . . . . .	86,427,120 88	1849 . . . . .	63,061,858 69
1805 . . . . .	82,312,150 50	1850 . . . . .	63,452,773 55
1806 . . . . .	75,723,270 66	1851 . . . . .	68,304,796 02
1807 . . . . .	69,218,398 64	1852 . . . . .	66,199,341 71
1808 . . . . .	65,196,317 97	1853 . . . . .	59,803,117 70
1809 . . . . .	57,023,192 09	1854 . . . . .	42,242,222 42
1810 . . . . .	53,173,217 52	1855 . . . . .	35,586,956 56
1811 . . . . .	48,005,587 76	1856 . . . . .	31,972,537 90
1812 . . . . .	45,209,737 90	1857 . . . . .	28,699,831 85
1813 . . . . .	55,962,827 57	1858 . . . . .	44,911,881 03
1814 . . . . .	81,487,846 24	1859 . . . . .	58,496,837 88
1815 . . . . .	99,833,660 15	1860 . . . . .	64,842,287 88
1816 . . . . .	127,334,933 74	1861 . . . . .	90,580,873 72
1817 . . . . .	123,491,965 16	1862 . . . . .	524,176,412 13
1818 . . . . .	103,466,633 83	1863 . . . . .	1,119,772,138 63
1819 . . . . .	95,529,648 28	1864 . . . . .	1,815,784,370 57
1820 . . . . .	91,015,566 15	1865 . . . . .	2,680,647,869 74
1821 . . . . .	89,987,427 66	1866 . . . . .	2,773,236,173 69
1822 . . . . .	93,546,676 98	1867 . . . . .	2,678,126,103 87
1823 . . . . .	90,875,877 28	1868 . . . . .	2,611,687,851 19
1824 . . . . .	90,269,777 77	1869 . . . . .	2,588,452,213 94
1825 . . . . .	83,788,432 71	1870 . . . . .	2,480,672,427 81
1826 . . . . .	81,054,059,99	1871 . . . . .	2,353,211,332 32
1827 . . . . .	73,987,357 20	1872 . . . . .	2,253,251,328 78
1828 . . . . .	67,475,043 87	1873 . . . . .	*2,234,482,993 20
1829 . . . . .	58,421,413 67	1874 . . . . .	*2,251,690,468 43
1830 . . . . .	48,565,406 50	1875 . . . . .	*2,232,284,531 95
1831 . . . . .	39,123,191 68	1876 . . . . .	*2,180,395,067 15
1832 . . . . .	24,322,235 18	1877 . . . . .	*2,205,301,392 10
1833 . . . . .	7,001,698 83	1878 . . . . .	*2,256,205,892 53
1834 . . . . .	4,760,082 18	1879 . . . . .	*2,349,567,482 04
1835 . . . . .	37,733,25	1880 . . . . .	*2,120,415,370 63
1836 . . . . .	37,513 05	1881 . . . . .	*2,069,013,569 58
		1882 . . . . .	*1,918,312,994 03

\* In the amount here stated as the outstanding principal of the public debt are included the certificates of deposit outstanding on the 30th of June, issued under act of June 8, 1872, for which a like amount in United States notes was on special deposit in the Treasury for their redemption, and added to the cash balance in the Treasury. These certificates, as a matter of accounts, are treated as a part of the public debt, but, being offset by notes held on deposit for their redemption, should properly be deducted from the principal of the public debt in making comparison with former years.

STATEMENT of Receipts of United States from March 4, 1789, to June 30, 1882,

Year.	Bal. in Treasury	Customs.	Internal revenue,	Direct tax.	Public lands.	Miscellaneous.
1791	.....	\$4,399,473 09	.....	.....	.....	\$10,478 10
1792	\$973,905 75	3,443,070 85	\$208,942 81	.....	.....	9,918 65
1793	783,444 51	4,255,306 56	337,705 70	.....	.....	21,410 88
1794	753,661 69	4,801,065 28	274,089 62	.....	.....	53,277 97
1795	1,151,924 17	5,588,461 26	337,755 36	.....	.....	28,317 97
1796	516,442 61	6,567,987 94	475,289 60	.....	\$4,836 13	1,169,415 98
1797	828,995 42	7,549,649 65	575,491 45	.....	83,540 60	399,139 29
1798	1,021,899 04	7,106,061 93	644,357 95	.....	11,963 11	58,192 81
1799	617,451 43	6,610,449 31	779,136 44	.....	.....	86,187 56
1800	2,161,867 77	9,080,932 73	809,396 55	\$734,223 97	443 75	152,712 10
1801	2,624,311 99	10,750,778 93	1,048,033 43	534,343 38	167,726 06	345,649 15
1802	3,295,391 00	12,438,235 74	621,898 89	206,565 44	188,628 02	1,500,505 86
1803	5,020,697 64	10,479,417 61	215,179 69	71,879 20	165,675 69	131,945 44
1804	4,825,811 60	11,098,565 33	50,941 29	50,198 44	487,526 79	139,075 53
1805	4,037,005 26	12,936,487 04	21,747 15	21,882 91	540,193 80	40,382 30
1806	3,999,388 99	14,667,698 17	20,101 45	55,763 86	765,245 73	51,121 86
1807	4,538,123 80	15,845,521 61	13,051 40	34,732 56	466,163 27	38,550 42
1808	9,643,850 07	16,363,550 58	8,190 23	19,159 21	647,939 06	21,822 85
1809	9,941,809 96	7,257,506 62	4,034 29	7,517 31	442,252 33	62,162 57
1810	3,848,056 78	8,583,309 31	7,430 63	12,448 68	696,548 8	84,476 84
1811	2,672,276 57	13,313,222 73	2,295 95	7,666 66	1,040,237 53	59,211 22
1812	3,502,305 80	8,958,777 53	4,903 06	859 22	710,427 78	126,165 17
1813	3,862,217 41	13,224,623 25	4,755 04	3,805 52	835,655 14	271,571 00
1814	5,196,542 00	5,998,772 08	1,662,984 82	2,219,497 36	1,135,971 09	164,399 81
1815	1,727,848 63	7,282,942 22	4,678,059 07	2,162,673 41	1,287,959 28	285,282 84
1816	13,106,592 88	36,306,874 88	5,124,708 31	4,253,635 09	1,717,985 03	273,782 35
1817	22,033,519 19	26,283,348 49	2,678,100 77	1,834,187 04	1,991,226 06	109,761 08
1818	14,989,465 48	17,176,385 00	955,270 20	264,333 36	2,606,564 77	51,617 71
1819	1,478,526 74	20,283,608 76	229,593 63	83,650 78	3,274,422 78	57,098 42
1820	2,079,992 38	15,005,612 15	106,260 53	31,586 82	1,635,871 61	61,338 44
1821	1,198,461 21	13,004,447 15	69,027 63	29,349 05	1,212,966 46	152,589 43
1822	1,681,592 24	17,589,761 94	67,665 71	20,961 56	1,803,581 54	452,957 19
1823	4,237,427 55	19,088,433 44	34,242 17	10,337 71	916,523 10	141,129 84
1824	9,463,922 81	17,878,325 71	34,663 37	6,201 96	984,418 15	127,603 60
1825	1,946,597 13	20,098,713 45	25,771 35	2,330 85	1,216,090 56	130,451 81
1826	5,201,650 43	23,341,331 77	21,589 93	6,638 76	1,393,785 09	94,588 66
1827	6,358,686 18	19,712,283 29	19,885 68	2,626 90	1,495,845 26	1,315,722 83
1828	6,668,286 10	23,205,523 64	17,451 54	2,218 81	1,018,308 75	65,126 49
1829	5,972,435 81	22,681,965 91	14,502 74	11,335 05	1,517,175 13	112,648 55
1830	5,755,704 79	21,922,391 39	12,160 62	16,980 59	2,329,356 14	73,227 77
1831	6,014,539 75	24,224,441 77	6,933 51	10,506 01	3,210,815 48	584,124 05
1832	4,502,914 45	23,465,237 24	11,630 65	6,791 13	2,623,381 03	270,410 61
1833	2,011,777 55	29,032,508 91	2,759 00	394 12	3,967,682 55	470,096 67
1834	11,702,905 31	16,214,957 15	4,196 09	19 80	4,857,600 69	480,812 32
1835	8,892,858 42	19,391,310 59	10,459 48	4,263 33	14,757,600 75	759,972 13
1836	26,749,803 96	23,409,940 53	370 00	728 79	24,877,179 86	2,245,902 23
1837	46,708,436 00	11,169,290 39	5,493 84	1,687 70	6,776,236 52	7,001,444 59
1838	37,327,252 69	16,158,800 36	2,467 27	.....	3,730,945 66	6,410,348 45
1839	36,891,196 94	23,137,924 81	2,553 32	755 22	7,361,576 40	979,939 86
1840	33,157,503 68	13,499,502 17	1,682 25	.....	3,411,818 63	2,567,112 28
1841	29,963,163 46	14,487,216 74	3,261 36	.....	1,365,627 42	1,004,054 75
1842	28,685,111 08	18,187,908 76	495 00	.....	1,335,797 52	451,995 97
1843*	30,521,979 44	7,046,843 91	103 25	.....	898,158 18	235,895 92
1844	39,186,284 74	26,183,570 94	1,777 34	.....	2,059,939 80	1,075,419 70
1845	36,742,829 62	27,528,112 70	3,517 12	.....	2,077,022 30	361,453 68
1846	36,194,274 81	26,712,667 87	2,897 26	.....	2,694,452 48	289,950 13
1847	38,261,959 65	23,747,864 66	375 00	.....	2,498,355 20	220,808 30
1848	33,079,276 43	31,757,070 96	375 00	.....	3,328,642 56	612,610 69
1849	29,416,612 45	28,346,738 82	.....	.....	1,688,959 55	683,379 13
1850	32,827,082 69	39,668,686 42	.....	.....	1,859,894 25	2,064,308 21
1851	35,871,753 31	49,017,567 92	.....	.....	2,352,305 30	1,185,166 11
1852	40,158,353 25	47,339,326 62	.....	.....	2,043,259 58	464,249 40
1853	43,338,860 02	58,931,865 52	.....	.....	1,667,084 99	988,081 17
1854	50,261,901 09	64,224,190 27	.....	.....	8,470,798 39	1,105,352 74
1855	48,591,073 41	53,025,794 21	.....	.....	11,497,049 07	827,731 40
1856	47,777,672 13	64,022,863 50	.....	.....	8,917,644 93	1,116,190 81
1857	49,108,229 80	63,875,905 05	.....	.....	3,829,486 64	1,259,920 88
1858	46,802,855 00	41,789,620 96	.....	.....	3,513,715 87	1,352,029 13
1859	35,113,334 22	49,565,824 38	.....	.....	1,756,687 30	1,454,596 24
1860	33,193,248 60	53,187,511 87	.....	.....	1,778,557 71	1,088,530 25
1861	32,979,530 78	39,582,125 64	.....	.....	870,658 54	1,023,515 31
1862	30,963,857 83	49,056,397 62	.....	1,795,331 73	152,203 77	915,327 97
1863	46,965,304 87	69,059,642 40	37,640,787 95	1,485,103 61	167,617 17	3,741,794 38
1864	36,523,046 13	102,316,152 99	109,741,134 10	475,648 96	588,333 29	30,291,701 86
1865	134,433,738 44	84,928,260 60	209,464,215 25	1,200,573 03	996,553 31	25,441,556 00
1866	33,933,657 89	179,946,651 58	309,226,813 42	1,974,754 12	665,031 03	29,636,314 23
1867	160,817,099 73	176,417,810 88	266,027,537 43	4,200,233 70	1,163,575 76	15,037,522 15
1868	198,076,537 09	164,464,599 56	191,087,589 41	1,788,145 85	1,348,715 41	17,745,403 59
1869	158,936,082 87	180,048,426 63	158,356,460 86	765,685 61	4,020,344 34	13,997,338 65
1870	183,781,985 76	194,538,374 44	184,899,756 49	229,102 88	3,350,481 76	12,942,118 30
1871	177,604,116 51	206,270,408 05	143,098,153 63	580,355 37	2,388,646 68	22,093,541 21
1872	138,019,122 15	216,370,286 77	130,642,177 72	.....	2,575,714 19	15,106,051 23
1873	134,666,001 85	188,089,522 70	113,729,314 14	315,254 51	2,882,312 38	17,161,270 05
1874	159,293,673 41	163,103,833 69	102,409,784 90	.....	1,852,428 93	32,575,043 32
1875	178,833,339 54	157,167,722 35	110,907,493 58	.....	1,413,640 17	15,431,915 31
1876	172,804,061 32	148,071,984 61	116,700,732 03	93,798 80	1,129,466 95	24,070,602 31
1877	149,909,377 21	130,956,493 07	118,630,407 83	.....	976,253 68	30,437,487 42
1878	214,887,645 88	130,170,680 20	110,581,624 74	.....	1,079,743 37	15,614,728 09
1879	286,591,453 88	137,250,047 70	113,561,610 58	.....	924,781 06	20,585,697 49
1880	386,832,588 65	186,522,064 60	124,009,373 92	30 85	1,016,506 60	21,978,525 01
1881	231,940,064 44	198,159,676 02	135,264,385 51	1,516 89	2,201,863 17	25,154,850 98
1882	280,607,668 37	220,410,730 25	146,497,595 45	160,141 69	4,753,140 37	31,703,642 52
.....	.....	4,857,533,832 67	2,953,854,961 73	2,810,415 16	212,519,322 95	470,286,853 52

\* For the half year from January 1, to June 30, 1843.



by calendar years to 1843 and by fiscal years (ended June 30) from that time.

Year.	Dividends.	Net ordinary receipts.	Interest.	Premiums.	Receipts from loans and notes.	Gross receipts.	Unavail'ble
1791		\$4,409,951 19			\$361,391 34	\$4,771,342 53	
1792	\$8,028 00	3,669,960 31			5,102,498 45	8,772,458 76	
1793	38,500 00	4,652,923 14			1,797,272 01	6,450,195 15	
1794	303,472 00	5,431,904 87			4,007,950 78	9,439,855 65	
1795	160,000 00	6,114,534 59	\$4,800 00		3,396,424 00	9,515,758 59	
1796	160,000 00	8,377,529 65	42,800 00		320,000 00	8,740,329 65	
1797	80,960 00	8,688,780 99			70,000 00	8,758,780 99	
1798	79,920 00	7,900,495 80	78,675 00		200,000 00	8,179,170 80	
1799	71,040 00	7,546,813 31			5,000,000 00	12,546,813 31	
1800	71,040 00	10,848,749 10			1,565,229 24	12,413,978 34	
1801	88,800 00	12,935,330 95	10,125 00			12,945,455 95	
1802	39,960 00	14,995,793 95				14,995,793 95	
1803		11,064,097 63				11,064,097 63	
1804		11,826,307 38				11,826,307 38	
1805		13,560,693 20				13,560,693 20	
1806		15,559,931 07				15,559,931 07	
1807		16,398,019 26				16,398,019 26	
1808		17,060,661 93				17,060,661 93	
1809		7,773,473 12				7,773,473 12	
1810		9,384,214 28			2,750,000 00	12,134,214 28	
1811		14,422,634 09				14,422,634 09	
1812		9,801,132 76			12,837,900 00	22,639,032 76	
1813		14,340,409 95	300 00		26,184,135 00	40,524,844 95	
1814		11,181,625 16	85 79		23,377,826 00	34,559,536 95	
1815		15,696,916 82	11,541 74	\$32,107 64	35,220,671 40	50,961,237 60	
1816		47,676,985 66	68,665 16	686 09	9,425,084 91	57,171,421 82	
1817	202,426 30	33,099,049 74	267,819 14		466,723 45	33,833,592 33	
1818	525,000 00	21,585,171 04	412 62		8,353 00	21,593,936 66	
1819	675,000 00	24,603,374 37			2,291 00	24,605,665 37	
1820	1,000,000 00	17,840,669 55		40,000 00	3,000,824 13	20,881,493 68	
1821	105,000 00	14,573,379 72			5,000,324 00	19,573,703 72	
1822	297,500 00	20,232,427 94				20,232,427 94	
1823	350,000 00	20,540,666 26				20,540,666 26	
1824	350,000 00	19,381,212 79			5,000,000 00	24,381,212 79	
1825	367,500 00	21,840,858 02			5,000,000 00	26,840,858 02	
1826	402,500 00	25,260,434 21				25,260,434 21	
1827	420,000 00	22,966,363 96				22,966,363 96	
1828	455,000 00	24,763,629 23				24,763,629 23	
1829	490,000 00	24,827,627 38				24,827,627 38	
1830	490,000 00	24,844,116 51				24,844,116 51	
1831	490,000 00	28,526,820 82				28,526,820 82	
1832	490,000 00	31,867,450 66				31,867,450 66	\$1,889 50
1833	474,985 00	33,948,426 25				33,948,426 25	
1834	234,349 50	21,791,935 55				21,791,935 55	
1835	506,480 82	35,430,087 10				35,430,087 10	
1836	292,674 67	50,826,796 08				50,826,796 08	
1837		24,954,153 04			2,992,989 15	27,947,142 19	63,288 35
1838		26,302,561 74			12,716,820 86	39,019,382 60	
1839		31,482,749 61			3,857,276 21	35,340,025 82	1,458,782 93
1840		19,480,115 33			5,589,547 51	25,069,662 84	37,469 25
1841		16,860,160 27			13,659,317 38	30,519,477 65	
1842		19,976,197 25			14,808,735 64	31,784,932 89	11,188 00
1843		8,231,001 26		71,700 83	12,479,708 36	20,782,410 45	
1844		29,320,707 78		666 60	1,877,181 35	31,198,555 73	
1845		29,970,105 80				29,970,105 80	28,251 90
1846		29,699,967 74				29,699,967 74	
1847		26,467,403 16		28,365 91	28,872,399 45	55,368,108 52	30,000 00
1848		35,698,699 21		37,080 00	21,256,700 00	56,992,479 21	
1849		30,721,077 50		487,065 48	28,588,750 00	59,796,892 98	
1850		43,592,888 88		10,550 00	4,045,950 00	47,649,388 88	
1851		52,555,039 33		4,264 92	203,400 00	52,762,704 25	
1852		49,846,815 60			46,300 00	49,893,115 60	
1853		61,587,031 68		22 50	16,350 00	61,603,404 18	103,301 37
1854		73,800,341 40			2,001 67	73,802,343 07	
1855		65,350,574 68			800 00	65,351,374 68	
1856		74,056,899 24			200 00	74,056,899 24	
1857		68,965,312 57			3,900 00	68,969,212 57	
1858		46,655,365 96			23,717,300 00	70,372,665 96	
1859		52,777,107 92		709,357 72	28,287,500 00	81,773,965 64	15,408 34
1860		56,054,599 83		10,008 00	20,776,800 00	76,841,407 83	
1861		41,476,299 49		33,630 90	41,861,709 74	83,371,640 13	
1862		51,919,261 09		68,400 00	529,692,460 50	581,680,121 59	11,110 81
1863		112,094,945 51		602,345 44	776,682,361 57	889,379,652 52	6,000 01
1864		243,412,971 20		21,174,101 01	1,128,873,945 36	1,393,461,017 57	9,210 40
1865		322,031,158 19		11,683,446 89	1,472,224,740 85	1,805,939,345 93	6,095 11
1866		519,949,564 38		38,083,055 68	712,851,553 05	1,278,884,173 11	172,694 29
1867		462,846,679 92		27,787,330 35	640,426,910 29	1,131,060,920 56	721,827 93
							2,675,918 19
1868		376,434,453 82		29,203,629 50	625,111,433 20	1,030,749,516 52	
1869		357,188,256 09		13,755,491 12	238,678,081 06	609,621,828 27	*2,070 73
1870		395,959,833 87		15,295,643 76	285,474,496 00	696,729,973 63	
1871		374,431,104 94		8,892,839 95	268,768,523 47	652,092,468 36	*3,396 18
1872		364,394,229 91		9,412,637 65	305,047,054 00	679,153,921 56	*18,228 35
1873		322,177,673 78		11,560,530 89	214,931,017 00	548,669,221 67	*3,047 80
1874		299,941,090 84		5,037,665 22	439,272,535 46	744,251,291 52	12,691 49
1875		284,020,771 41		3,979,279 69	387,971,556 00	675,971,607 10	
1876		290,066,584 70		4,029,280 58	397,455,808 00	691,551,673 28	
1877		281,000,642 00		405,776 58	348,871,749 00	630,278,167 58	
1878		257,446,776 40		317,102 30	404,581,201 00	662,345,079 70	
1879		272,322,136 83		1,505,047 63	792,807,643 00	1,066,634,827 46	
1880		323,526,500 98		110 00	211,814,103 00	545,340,713 98	
1881		360,782,292 57			113,750,534 00	474,532,826 57	
1882		403,525,250 28			120,945,724 00	524,470,974 28	
							2,661,866 53
.....	\$9,720,136 29	8,531,725,522 32	485,224 45	204,259,220 83	10,831,989,965 84	19,568,459,933 44	2,661,866 53

\* Amounts before credited to the Treasurer as unavailable, and since recovered and charged to him.

## STATEMENT of Expenditures of United States from March 4, 1796, to June 30, 1882,

Year.	War.	Navy.	Indians.	Pensions.	Miscellaneous.
1791.....	\$632,804 03		\$27,000 00	\$175,813 88	\$1,083,971 61
1792.....	1,100,702 09		13,648 85	109,243 15	4,672,664 38
1793.....	1,130,249 08		27,282 83	80,087 81	511,451 01
1794.....	2,639,097 59	\$61,408 97	13,042 46	81,399 24	750,350 74
1795.....	2,480,910 13	410,562 03	23,475 68	68,673 22	1,378,920 66
1796.....	1,260,263 84	274,784 04	115,563 98	100,843 71	801,847 58
1797.....	1,039,402 46	382,631 89	62,396 58	92,256 97	1,259,122 62
1798.....	2,009,522 30	1,381,347 76	16,470 09	104,845 33	1,139,524 94
1799.....	2,466,946 98	2,858,081 84	20,302 19	95,444 03	1,039,391 68
1800.....	2,560,878 77	3,448,716 03	31 22	64,130 73	1,337,613 22
1801.....	1,672,944 08	2,111,424 00	9,000 00	73,533 37	1,114,768 45
1802.....	1,179,148 25	915,561 87	94,000 00	85,440 39	1,462,929 40
1803.....	822,055 85	1,215,230 53	60,000 00	62,902 10	1,842,635 76
1804.....	875,423 93	1,189,832 75	116,509 00	80,092 80	2,191,009 43
1805.....	712,781 28	1,597,500 00	196,500 00	81,854 59	3,768,598 75
1806.....	1,224,355 38	1,649,641 44	234,200 00	81,875 53	2,890,137 01
1807.....	1,288,685 91	1,742,064 47	205,425 00	70,500 00	1,697,897 51
1808.....	2,900,834 40	1,884,067 80	213,575 00	82,576 04	1,423,285 61
1809.....	3,345,772 17	2,427,758 80	337,503 84	87,833 54	1,215,803 79
1810.....	2,294,323 94	1,654,244 20	177,625 00	83,744 16	1,101,144 98
1811.....	2,032,828 19	1,965,566 39	151,875 00	75,043 88	1,367,291 40
1812.....	11,817,798 24	3,959,365 15	277,845 00	91,402 10	1,683,088 21
1813.....	19,652,013 02	6,446,600 10	167,358 28	86,989 91	1,729,435 61
1814.....	20,350,806 86	7,311,290 60	167,394 86	90,164 36	2,208,029 76
1815.....	14,794,294 22	8,660,000 25	530,750 00	69,656 06	2,898,870 47
1816.....	16,012,096 80	3,908,278 30	274,512 16	182,804 15	2,989,741 17
1817.....	8,004,236 53	3,314,598 49	319,463 71	297,374 43	3,518,936 76
1818.....	5,622,715 10	2,953,695 00	505,704 27	890,719 90	3,835,839 51
1819.....	6,506,300 37	3,847,640 42	463,181 39	2,415,939 85	3,067,211 41
1820.....	2,630,392 31	4,387,990 00	315,750 01	3,208,379 31	2,592,621 94
1821.....	4,461,291 78	3,319,243 06	477,005 44	212,817 25	2,223,121 54
1822.....	3,111,981 48	2,224,458 98	575,007 41	1,948,199 40	1,967,996 24
1823.....	3,096,924 43	2,503,765 83	380,781 82	1,780,588 52	2,022,093 99
1824.....	3,340,939 85	2,904,581 56	42,987 90	1,499,326 59	7,155,308 81
1825.....	3,659,914 18	3,049,083 86	724,106 44	1,308,810 57	2,748,544 89
1826.....	3,943,194 37	4,218,902 45	743,447 83	1,556,593 83	2,600,177 79
1827.....	3,948,977 88	4,263,877 45	750,624 88	976,138 86	2,713,476 58
1828.....	4,145,544 56	3,918,786 44	705,084 24	850,573 57	3,676,052 64
1829.....	4,724,291 07	3,308,745 47	576,344 74	949,594 47	3,082,234 65
1830.....	4,767,128 88	3,239,428 63	622,262 47	1,363,297 31	3,237,416 04
1831.....	4,841,835 55	3,856,183 07	930,738 04	1,170,665 14	3,064,646 10
1832.....	5,446,034 88	3,956,370 29	1,352,419 75	1,184,422 40	4,577,141 45
1833.....	6,704,019 10	3,901,356 75	1,802,980 93	4,589,152 40	5,716,245 93
1834.....	5,696,189 38	3,956,260 42	1,003,953 20	3,364,285 30	4,404,728 95
1835.....	5,759,156 89	3,864,939 06	1,706,444 48	1,954,711 32	4,229,698 53
1836.....	11,747,345 25	5,807,718 23	5,037,022 88	2,882,797 96	5,393,279 72
1837.....	13,682,730 80	6,646,914 53	4,348,036 19	2,672,162 45	9,893,370 27
1838.....	12,897,224 16	6,131,580 53	5,504,191 34	2,156,037 29	7,160,664 76
1839.....	8,916,995 80	6,182,294 25	2,528,917 28	3,142,750 51	5,725,990 89
1840.....	7,095,267 23	6,113,896 89	2,331,794 86	2,603,562 17	5,995,398 96
1841.....	8,801,610 24	6,001,076 97	2,514,837 12	2,388,431 51	6,490,881 45
1842.....	6,610,438 02	8,397,242 95	1,199,099 68	1,378,931 33	6,775,624 61
1843.....	2,908,671 95	3,727,711 53	578,371 00	839,041 12	3,202,713 00
1844.....	5,218,183 66	6,498,199 11	1,256,532 39	2,032,008 99	5,645,183 86
1845.....	5,746,291 28	6,297,177 89	1,539,351 35	2,400,788 11	5,911,760 98
1846.....	10,413,370 58	6,455,013 92	1,027,693 64	1,811,097 56	6,711,283 89
1847.....	35,840,030 33	7,900,635 76	1,430,411 30	1,744,883 63	6,885,608 35
1848.....	27,688,334 21	9,408,476 02	1,252,296 81	1,227,496 48	5,650,851 25
1849.....	14,558,473 26	9,786,705 92	1,374,161 55	1,328,867 64	12,885,334 24
1850.....	9,687,024 58	7,904,724 66	1,663,591 47	1,866,886 02	16,043,763 36
1851.....	12,161,965 11	8,880,581 38	2,829,801 77	2,293,377 22	17,883,992 18
1852.....	8,521,506 19	8,918,842 10	3,043,576 04	2,401,858 78	17,504,171 45
1853.....	9,910,498 49	11,067,789 53	3,880,494 12	1,756,306 2	17,463,068 01
1854.....	11,722,282 87	10,790,096 32	1,550,339 55	1,232,665 00	26,672,144 68
1855.....	14,648,074 07	13,327,095 11	2,772,990 78	1,477,612 33	24,090,425 43
1856.....	16,963,160 51	14,074,834 64	2,644,263 97	1,296,229 65	31,794,038 87
1857.....	19,159,150 87	12,651,694 61	4,354,418 87	1,310,380 58	28,565,493 77
1858.....	25,679,121 63	14,053,264 64	4,978,266 18	1,219,768 30	26,400,016 42
1859.....	23,154,720 53	14,690,927 90	3,490,534 53	1,222,222 71	23,797,544 40
1860.....	16,472,202 72	11,514,649 83	2,991,121 54	1,100,802 32	27,977,978 30
1861.....	23,001,530 67	12,387,156 52	2,865,481 17	1,034,599 73	23,327,287 69
1862.....	389,173,562 29	42,640,353 09	2,327,948 37	852,170 47	21,385,862 59
1863.....	603,314,411 82	63,261,235 31	3,152,032 70	1,078,513 36	23,198,382 37
1864.....	690,391,048 66	85,704,963 74	2,629,975 97	4,985,473 90	27,572,216 87
1865.....	1,030,690,400 06	122,617,434 07	5,059,360 71	16,347,621 34	42,989,383 10
1866.....	283,154,676 06	43,285,662 00	3,295,729 32	15,605,549 88	40,613,114 17
1867.....	95,224,415 63	31,034,011 04	4,642,531 77	20,936,551 71	51,110,223 72
1868.....	123,246,648 62	25,775,592 72	4,100,682 32	23,782,386 78	53,009,867 67
1869.....	78,501,990 61	20,000,757 97	7,042,923 06	28,476,621 78	56,474,061 53
1870.....	57,655,675 40	21,780,229 87	3,407,938 15	28,340,202 17	53,237,461 56
1871.....	35,799,991 82	19,431,027 21	7,426,997 44	34,443,894 88	60,481,916 23
1872.....	35,372,157 20	21,249,809 99	7,061,728 82	28,533,402 76	60,984,757 42
1873.....	46,323,138 31	23,526,256 79	7,951,704 88	29,359,426 86	73,328,110 06
1874.....	42,313,927 22	30,932,587 42	6,692,462 09	29,038,414 66	85,141,593 61
1875.....	41,120,645 98	21,497,626 27	8,384,656 82	29,456,216 22	71,070,702 98
1876.....	38,070,888 64	18,963,309 82	5,966,558 17	28,257,395 69	73,599,661 04
1877.....	37,082,735 90	14,959,935 36	5,277,007 22	27,963,752 27	58,926,532 53
1878.....	32,154,147 85	17,365,301 37	4,629,280 28	27,137,019 08	53,771,703 57
1879.....	40,425,660 73	15,125,126 84	5,206,109 08	35,121,482 39	65,741,555 49
1880.....	38,116,916 22	13,536,984 74	5,945,457 09	56,777,174 44	54,713,529 76
1881.....	40,466,460 55	15,686,671 66	6,514,161 09	50,059,279 62	64,416,324 71
1882.....	43,570,494 19	15,032,046 26	9,736,747 40	61,345,193 95	57,219,750 98
.....	4,397,705,987 22	1,043,526,993 89	203,409,443 71	658,645,809 14	1,636,957,076 71

by calendar years to 1843 and by fiscal years (ended June 30) from that time.

Year.	Net ordinary expenditures.	Premiums.	Interest.	Public debt.	Gross expenditures.	Bal. in Treasury
1791	\$1,919,589 52		\$1,177,863 03	\$699,984 23	\$3,797,436 78	\$973,905 75
1792	5,896,258 47		2,373,611 28	693,050 25	8,962,920 00	783,414 51
1793	1,749,070 73		2,097,859 17	2,333,048 07	6,479,977 17	753,661 69
1794	3,545,299 00		2,752,523 04	2,743,771 13	9,041,593 17	1,151,924 17
1795	4,362,541 72		2,947,050 06	2,841,639 37	10,151,240 15	516,442 61
1796	2,551,303 15		3,239,347 68	2,577,126 01	8,367,776 84	888,995 42
1797	2,836,110 52		3,172,516 73	2,617,250 12	8,625,877 37	1,021,899 04
1798	4,651,710 42		2,955,875 90	976,032 09	8,583,618 41	617,451 43
1799	6,480,166 72		2,815,651 41	1,706,578 84	11,002,396 97	2,161,867 77
1800	7,411,369 97		3,402,601 04	1,138,563 11	11,952,534 12	2,623,311 99
1801	4,981,669 90		4,411,830 06	2,879,876 98	12,273,376 94	3,295,391 00
1802	3,737,079 91		4,239,172 16	5,294,235 24	13,270,487 31	5,020,697 64
1803	4,002,824 24		3,949,462 36	3,306,697 07	11,258,983 67	4,825,811 60
1804	4,452,858 91		4,185,048 74	3,977,206 07	12,615,113 72	4,037,005 26
1805	6,357,234 62		2,657,114 22	4,583,960 63	13,598,309 47	3,999,388 99
1806	6,080,209 36		3,368,968 26	5,572,018 64	15,021,196 26	4,538,123 80
1807	4,984,572 89		3,369,578 48	2,938,141 62	11,292,292 99	9,643,850 07
1808	6,504,338 85		2,557,074 23	7,701,288 96	16,762,702 04	9,941,809 96
1809	7,414,672 14		2,866,074 90	3,586,479 26	13,867,226 39	3,848,056 78
1810	5,311,082 28		3,163,671 09	4,835,241 12	13,309,994 49	2,672,276 57
1811	5,592,604 86		2,585,435 57	5,414,564 43	13,592,604 86	3,502,305 80
1812	17,829,498 70		2,451,272 57	1,998,349 88	22,279,121 15	3,862,217 41
1813	28,082,396 92		3,599,455 22	7,508,668 22	39,190,520 36	5,196,542 00
1814	30,127,686 38		4,593,239 04	3,307,304 90	38,028,230 32	1,727,548 63
1815	26,953,571 00		5,990,090 24	6,638,832 11	39,582,493 35	13,106,592 88
1816	23,373,432 58		7,822,923 34	17,048,139 59	48,244,495 51	22,633,519 19
1817	15,454,609 92		4,536,282 55	20,886,753 57	40,877,646 04	14,989,465 48
1818	13,808,673 78		6,209,954 03	15,086,247 59	35,104,875 40	1,478,526 74
1819	16,300,273 44		5,211,730 56	2,492,195 73	24,004,199 73	2,079,992 38
1820	13,134,530 57		5,151,004 32	3,477,489 96	21,763,024 85	1,198,461 21
1821	10,723,479 07		5,126,073 79	3,241,019 83	19,090,572 69	1,681,592 24
1822	9,827,643 51		5,172,788 79	2,676,160 33	17,676,592 63	4,237,427 55
1823	9,784,154 59		4,922,475 40	607,541 01	15,314,171 00	9,463,922 81
1824	15,330,144 71		4,943,557 93	11,624,835 83	31,898,538 47	1,946,597 13
1825	11,490,459 94		4,366,757 40	7,728,587 38	23,585,804 72	5,201,650 43
1826	13,062,316 27		3,975,542 95	7,065,539 24	24,103,398 46	6,358,686 18
1827	12,653,095 65		3,486,071 51	6,517,596 88	22,656,764 04	6,068,286 10
1828	13,296,041 45		3,098,800 60	9,064,637 47	25,459,479 52	5,972,435 81
1829	12,641,210 40		2,542,843 23	9,860,304 77	25,044,358 40	5,755,704 79
1830	13,229,533 33		1,912,574 93	9,443,173 29	24,585,281 55	6,014,539 75
1831	13,864,067 90		1,373,748 74	14,800,629 48	30,038,446 12	4,502,914 45
1832	16,516,388 77		772,561 50	17,067,747 79	34,356,698 06	2,011,777 55
1833	22,713,755 11		303,796 87	1,239,746 51	24,257,298 49	11,702,905 31
1834	18,425,417 25		202,152 98	5,974,412 21	24,601,982 44	8,892,858 42
1835	17,514,950 28		57,863 08	328 20	17,573,141 56	26,749,803 96
1836	30,868,164 04				30,868,164 04	46,708,436 00
1837	37,243,214 24			21,822 91	37,265,037 15	37,327,252 69
1838	33,849,718 08		14,996 48	5,599,723 79	39,455,438 35	36,891,196 94
1839	26,496,948 73		399,833 89	10,718,153 53	37,614,936 15	33,157,503 68
1840	24,139,920 11		174,598 08	3,912,015 62	28,226,533 81	29,963,163 46
1841	26,196,840 29		284,977 55	5,315,712 19	31,797,530 03	28,685,111 08
1842	24,361,336 59		773,549 85	7,801,990 09	32,936,876 53	30,521,979 44
1843	11,256,508 60		523,583 91	338,012 64	12,118,105 15	39,186,284 74
1844	20,650,108 01		1,833,452 13	11,158,450 71	33,642,010 85	36,742,829 62
1845	21,895,369 61	\$18,231 43	1,040,458 18	7,536,349 49	30,490,408 71	36,194,274 81
1846	26,418,459 59		842,723 27	371,100 04	27,632,282 90	38,261,959 65
1847	53,801,569 37		1,119,214 72	5,600,067 65	60,520,851 74	33,079,276 43
1848	45,227,454 77		2,390,765 88	13,036,922 54	60,655,143 19	29,416,612 45
1849	39,933,542 61	82,865 81	3,565,535 78	12,804,478 54	56,386,422 74	32,827,082 69
1850	37,165,990 09		3,78,393 03	3,656,335 14	44,604,718 26	35,871,753 31
1851	44,054,717 66	69,713 19	3,696,760 75	654,912 71	48,476,104 31	40,158,353 25
1852	40,389,954 56	170,063 42	4,000,297 80	2,152,293 05	46,712,608 83	43,338,860 02
1853	41,078,156 35	420,498 64	3,665,832 74	6,412,574 01	54,577,061 74	50,261,901 09
1854	51,967,528 42	2,877,818 69	3,070,926 69	17,556,896 95	75,473,170 75	48,591,073 41
1855	56,316,197 72	874,047 39	2,314,464 99	6,662,065 86	66,164,775 96	47,777,672 18
1856	66,772,527 64	385,372 90	1,953,822 37	3,614,618 66	72,726,341 57	49,108,229 80
1857	66,041,143 70	363,572 39	1,593,265 23	3,276,606 05	71,274,587 37	46,802,855 00
1858	72,330,437 17	574,443 08	1,652,055 67	7,505,250 82	82,062,186 74	35,113,334 22
1859	66,355,950 07		2,637,649 70	14,685,043 15	83,678,642 92	33,193,248 60
1860	60,056,754 71		3,144,120 94	13,854,250 00	77,055,125 65	32,979,530 78
1861	62,616,055 78		4,034,157 30	18,737,100 00	85,387,313 08	80,963,857 83
1862	456,379,896 81		13,190,344 84	96,097,322 09	565,667,563 74	46,965,304 87
1863	694,004,575 56		24,729,700 62	181,081,635 07	899,815,911 25	36,523,046 13
1864	811,283,676 14		53,685,421 69	430,572,014 03	1,295,541,114 86	134,433,738 44
1865	1,217,704,199 28	1,717,900 11	77,395,090 30	609,616,141 68	1,906,433,331 37	33,933,657 89
1866	385,954,731 43	58,476 51	133,067,624 91	620,263,249 10	1,133,344,081 95	165,301,654 76
1867	202,947,733 87	10,813,349 38	143,781,591 91	735,536,980 11	1,093,079,655 27	198,076,537 09
1868	229,915,088 11	7,001,151 04	140,424,045 71	692,549,685 88	1,069,889,970 74	158,936,082 87
1869	190,496,354 95	1,674,680 05	130,634,242 80	261,912,718 31	584,777,996 11	183,781,985 76
1870	164,421,507 15	15,996,555 60	129,235,498 00	393,254,282 13	702,907,842 88	177,604,116 51
1871	157,583,827 58	9,016,794 74	125,576,565 93	399,503,670 65	691,680,858 90	138,019,122 15
1872	153,201,856 19	6,958,266 76	117,357,839 72	405,007,307 54	682,525,270 21	134,666,001 85
1873	180,488,636 90	5,105,919 99	104,750,688 44	233,699,352 58	524,044,597 91	159,293,673 41
1874	194,118,985 00	1,395,073 55	107,119,815 21	422,065,060 23	724,698,933 99	178,833,339 54
1875	171,529,848 27		103,093,544 57	407,377,492 48	682,000,885 32	172,804,061 32
1876	164,857,813 36		100,243,271 23	449,345,272 80	714,446,357 39	149,909,377 21
1877	144,209,963 28		97,124,511 58	323,965,424 05	565,299,898 11	214,887,645 88
1878	134,463,452 15		102,500,874 65	353,676,944 90	590,641,271 70	286,591,453 88
1879	161,619,934 53		105,327,949 00	699,445,809 16	966,393,692 69	386,832,588 65
1880	169,090,062 25	2,795,320 42	95,757,575 11	432,590,280 41	700,233,238 19	231,940,064 44
1881	177,142,897 68	1,061,248 78	82,508,741 18	165,152,335 05	425,865,222 64	280,607,668 37
1882	186,904,232 78		71,077,206 79	271,646,299 55	529,627,739 12	247,349,258 62
	7,940,245,310 67	60,429,363 87	2,259,266,369 58	9,021,406,119 26	19,290,347,163 38	.....

**STATEMENT of the Outstanding Principal of the Public Debt of the United States, June 30, 1882.**

	Length of loan.	When redeemable.	Rate of interest.	Price at which sold.	Amount authorized.	Amount issued.	Amount outstanding.
<b>OLD DEBT.</b>							
For detailed information in regard to the earlier loans embraced under this head, see Finance Report for 1876.							
<b>TREASURY NOTES PRIOR TO 1846.</b>							
Acts of October 12, 1837 (5 Statutes, 201); May 21, 1838 (5 Statutes, 228); March 2, 1839 (5 Statutes, 323); March 31, 1840 (5 Statutes, 370); February 15, 1841 (5 Statutes, 411); January 31, 1842 (5 Statutes, 469); August 31, 1842 (5 Statutes, 581); and March, 3, 1843 (5 Statutes, 614).	1 and 2 years.	1 and 2 years from date.	$\frac{1}{10}$ of 1 to 6 per cent.	Par.....	\$51,000,000 00	\$47,002,900 00	82,525 35
<b>TREASURY NOTES OF 1846.</b>							
Act of July 22, 1846 (9 Statutes, 39).....	1 year.....	One year from date.	$\frac{1}{10}$ of 1 to $5\frac{1}{2}$ per cent.	Par.....	10,000,000 00	7,687,800 00	6,000 00
<b>MEXICAN INDEMNITY.</b>							
Act of August 10, 1846 (9 Statutes, 94).....	5 years.....	5 years from date.	5 per cent.....	Par.....	320,000 00	303,573 92	1,104 91
<b>TREASURY NOTES OF 1847.</b>							
Act of January 28, 1847 (9 Statutes, 118).....	1 and 2 years.	1 and 2 years from date.	$5\frac{2}{3}$ and 6 per cent.	Par.....	23,000,000 00	*26,122,100 00	950 00
<b>LOAN OF 1847.</b>							
Act of January 28, 1847 (9 Statutes, 118).....	20 years.....	January 1, 1868	6 per cent.....	$1\frac{1}{4}$ to 2 per cent. premium.	23,000,000 00	†28,230,350 00	1,250 00
<b>BOUNTY-LAND SCRIP.</b>							
Act of February 11, 1847 (9 Statutes, 125).....	Indefinite.....	At pleasure of government.	6 per cent.....	Par.....	Indefinite.....	233,075 00	3,275 00
<b>TEXAN INDEMNITY STOCK.</b>							
Act of September 9, 1850 (9 Statutes, 447).....	14 years.....	January 1, 1865	5 per cent.....	Par.....	10,000,000 00	5,000,000 00	20,000 00
<b>TREASURY NOTES OF 1857.</b>							
Act of December 23, 1857 (11 Statutes, 257).....	1 year.....	1 yr. from date.	3 to 6 per cent.	Par.....	Indefinite.....	52,778,900 00	1,700 00
<b>LOAN OF 1858.</b>							
Act of June 14, 1858 (11 Statutes, 365).....	15 years.....	January 1, 1874	5 per cent.....	Average premium of $3\frac{59}{100}$	20,000,000 00	20,000,000 00	7,000 00
<b>LOAN OF 1860.</b>							
Act of June 22, 1860 (12 Statutes, 79).....	10 years.....	January 1, 1871	5 per cent.....	Par to $1\frac{45}{100}$ per cent. premium.	21,000,000 00	7,022,000 00	10,000 00
<b>LOAN OF FEBRUARY, 1861 (1881s).</b>							
Act of February 8, 1861 (12 Statutes, 129).....	10 or 20 years.	Dec. 31, 1880....	6 per cent.....	(Av.) 89.03.....	25,000,000 00	18,415,000 00	82,000 00
<b>TREASURY NOTES OF 1861.</b>							
Act of March 2, 1861 (12 Statutes, 178).....	60 days or 2 years.	60 days or 2 yrs. after date.	6 per cent.....	Par to $1\frac{27}{100}$ per cent. premium.	Indefinite.....	35,364,450 00	3,000 00
<b>OREGON WAR DEBT.</b>							
The act of March 2, 1861 (12 Statutes, 198), appropriated \$2,800,000 for the payment of expenses incurred by the Territories of Washington and Oregon in the suppression of Indian hostilities in the years 1855 and 1856. Section 4 of the act authorized the payment of these claims in bonds redeemable in twenty years, with interest at 6 per centum per annum.	20 years.....	July 1, 1881.....	6 per cent.....	Par.....	2,800,000 00	1,090,850 00	12,950 00

<p><b>LOAN OF JULY AND AUGUST, 1861 (1881s).</b> The act of July 17, 1861 (12 Statutes, 259), authorized the issue of \$250,000, 000 bonds with interest at not exceeding 7 per centum per annum, redeemable after twenty years. The act of August 5, 1861 (12 Statutes, 313), authorized the issue of bonds, with interest at 6 per centum per annum, payable after twenty years from date, in exchange for 7.30 notes issued under the act of July 17, 1861. None of such bonds were to be issued for a sum less than \$500, and the whole amount of them was not to exceed the whole amount of 7.30 notes issued under the above act of July 17. The amount issued in exchange for 7.30s was \$139,321,350.</p>	<p>20 years.....</p>	<p>After June 30, 1881.</p>	<p>6 per cent.....</p>	<p>Par †.....</p>	<p>250,000,000 00</p>	<p>{ 50,000,000 00 139,321,350 00</p>	<p>679,300 00</p>
<p><b>LOAN OF JULY AND AUGUST, 1861.</b> Continued at 3½ per cent. interest, and redeemable at the pleasure of the government.</p>	<p>Indefinite.....</p>	<p>At the pleasure of government.</p>	<p>3½ per cent.....</p>	<p>Par.....</p>	<p>.....</p>	<p>.....</p>	<p>22,077,450 00</p>
<p><b>OLD DEMAND NOTES.</b> Acts of July 17, 1861 (12 Statutes, 259); August 5, 1861 (12 Statutes, 313); February 12, 1862 (12 Statutes, 338).</p>	<p>Indefinite.....</p>	<p>On demand.....</p>	<p>None.....</p>	<p>Par.....</p>	<p>60,000,000 00</p>	<p>*60,030,000 00</p>	<p>59,695 00</p>
<p><b>SEVEN-THIRTIES OF 1861.</b> Act of July 17, 1861 (12 Statutes, 259).....</p>	<p>3 years.....</p>	<p>Aug. 19 and Oct. 1, 1864.</p>	<p>7 <sup>3</sup>/<sub>10</sub> per cent.</p>	<p>Av. prem'm of <sup>4.65</sup>/<sub>1000</sub></p>	<p>Indefinite.....</p>	<p>139,999,750 00</p>	<p>16,300 00</p>
<p><b>FIVE-TWENTIES OF 1862.</b> Acts of February 25, 1862 (12 Statutes, 345); March 3, 1864 (13 Statutes, 13), and January 28, 1865 (13 Statutes, 425).</p>	<p>5 or 20 years.</p>	<p>May 1, 1867.....</p>	<p>6 per cent.....</p>	<p>Av. prem'm of <sup>3.55</sup>/<sub>1000</sub></p>	<p>515,000,000 00</p>	<p>514,771,600 00</p>	<p>370,000 00</p>
<p><b>LEGAL TENDER NOTES.</b> The act of February 25, 1862 (12 Statutes, 345), authorized the issue of \$150,000,000 United States notes, not bearing interest, payable to bearer, at the Treasury of the United States, and of such denominations, not less than five dollars, as the Secretary of the Treasury might deem expedient, \$50,000,000 to be applied to the redemption of demand-notes authorized by the act of July 17, 1861; these notes to be a legal tender in payment of all debts, public and private, within the United States, except duties on imports and interest on the public debt, and to be exchangeable for 6 per cent. United States bonds. The act of July 11, 1862 (12 Statutes, 532), authorized an additional issue of \$150,000,000 of such denominations as the Secretary of the Treasury might deem expedient, but no such note should be for a fractional part of a dollar, and not more than \$35,000,000 of a lower denomination than five dollars; these notes to be a legal tender as before authorized. The act of March 3, 1863 (12 Statutes, 710), authorized an additional issue of \$150,000,000 of such denominations, not less than one dollar, as the Secretary of the Treasury might prescribe; which notes were made a legal tender, as before authorized. The same act limited the time in which Treasury notes might be exchanged for United States bonds to July 1, 1863. The amount of notes authorized by this act were to be in lieu of \$100,000,000 authorized by the resolution of January 17, 1863 (12 Statutes, 822).</p>	<p>Indefinite.....</p>	<p>On demand.....</p>	<p>None.....</p>	<p>Par.....</p>	<p>450,000,000 00</p>	<p>.....</p>	<p>346,681,016 00</p>
<p><b>TEMPORARY LOAN.</b> Acts of February 25, 1862 (12 Statutes, 346), March 17, 1862 (12 Statutes, 370), July 11, 1862 (12 Statutes, 532), and June 30, 1864 (13 Statutes, 218).</p>	<p>Indefinite.....</p>	<p>After ten days' notice.</p>	<p>4, 5 and 6 per cent.</p>	<p>Par.....</p>	<p>150,000,000 00</p>	<p>*716,099,247 16</p>	<p>2,900 00</p>
<p><b>CERTIFICATES OF INDEBTEDNESS.</b> Acts of March 1, 1862 (12 Statutes, 352), May 17, 1862 (12 Statutes, 370), and March 3, 1863 (12 Statutes, 710).</p>	<p>1 year.....</p>	<p>1 year after date.</p>	<p>6 per cent.....</p>	<p>Par.....</p>	<p>No limit.....</p>	<p>561,753,241 65</p>	<p>4,000 00</p>

\* Including reissues.  
† Including conversion of Treasury notes.  
‡ \$50,000,000 6 per cent. bonds issued at a discount of \$5,338,768.09, being equivalent to par for 7 per cent. bonds authorized by the act.

## STATEMENT of the Outstanding Principal of the Public Debt of the United States, June 30, 1882.

	Length of loan.	When redeemable.	Rate of interest.	Price at which sold.	Amount authorized.	Amount issued.	Amount outstanding.
<b>FRACTIONAL CURRENCY.</b>							
Acts of July 17, 1862 (12 Statutes, 592), March 3, 1863 (12 Statutes, 711), and June 30, 1864 (13 Statutes, 220).	Indefinite.....	On presentation.	None.....	Par.....	\$50,000,000 00	*\$368,720,079 51	7,047,247 77
<b>LOAN OF 1863.</b>							
The act of March 3, 1863 (12 Statutes, 709), authorized a loan of \$9,000,000,000, and the issue of bonds, with interest not exceeding 6 per centum per annum, and redeemable in not less than ten nor more than forty years, principal and interest payable in coin. The act of June 30, 1864 (13 Statutes, 219), repeals so much of the preceding act as limits the authority thereunder to the current fiscal year, and also repeals the authority altogether except as related to \$75,000,000 of bonds already advertised for. Bonds of this loan continued at 3½ per cent. interest, and redeemable at the pleasure of the government.	17 years.....	July 1, 1881.....	6 per cent.....	Average prem. of $4\frac{4.5}{1000}$ .	75,000,000 00	75,000,000 00	214,900 00
	Indefinite.....	At the pleasure of government.	3½ per cent.....	Par.....	.....	.....	47,820,100 00
<b>ONE-YEAR NOTES OF 1863.</b>							
Act of March 3, 1863 (12 Statutes, 710).....	1 year.....	1 year after date.	5 per cent.....	Par.....	400,000,000 00	44,520,000 00	42,065 00
Act of March 3, 1863 (12 Statutes, 710).....	2 years.....	2 years after date.	5 per cent.....	Par.....	400,000,000 00	166,480,000 00	32,900 00
<b>GOLD-CERTIFICATES.</b>							
Act of March 3, 1863 (12 Statutes, 711).....	Indefinite.....	On demand.....	None.....	Par.....	Indefinite.....	.....	5,037,120 00
<b>COMPOUND INTEREST NOTES.</b>							
Acts of March 3, 1863 (12 Statutes, 710), and June 30, 1864 (13 Statutes, 218).	3 years.....	3 years from date.	6 per cent. compound.	Par.....	400,000,000 00	266,595,440 00	220,960 00
Act of March 3, 1864 (13 Statutes, 13).....	10 or 40 years.	March 1, 1874.	5 per cent.....	Par to 7 per c't. premium.	200,000,000 00	196,118,300 00	384,700 00
Act of June 30, 1864 (13 Statutes, 218).....	5 or 20 years.	Nov. 1, 1869.....	6 per cent.....	Average prem. of $2\frac{5.3}{1000}$ .	400,000,000 00	125,561,300 00	67,450 00
Acts of June 30, 1864 (13 Statutes, 218), January 28, 1865 (13 Statutes, 425), and March 3, 1865 (13 Statutes, 468).	3 years.....	Aug. 15, 1867 } June 15, 1868 } July 15, 1868 }	7 $\frac{3}{10}$ per ct. }	Average prem. of $3\frac{8}{1000}$ .	800,000,000 00	829,992,500 00	138,950 00
<b>NAVY PENSION FUND.</b>							
The act of July 1, 1864 (13 Statutes, 414), authorized the Secretary of the Navy to invest in registered securities of the United States so much of the Navy pension fund in the Treasury January 1 and July 1 in each year as would not be required for the payment of naval pensions. Section 2 of the act of July 23, 1868 (15 Statutes, 170), fixed the interest on this fund at 3 per centum per annum in lawful money, and confined its use to the payment of naval pensions exclusively.	Indefinite.....	Indefinite.....	3 per cent.....	Par.....	Indefinite.....	14,000,000 00	14,000,000 00
<b>FIVE-TWENTIES OF 1865.</b>							
Acts of March 3, 1865 (13 Statutes, 468), and April 12, 1866 (14 Statutes, 31).	5 or 20 years.	Nov. 1, 1870.....	6 per cent.....	Average prem. of $2\frac{5.4}{1000}$ .	Indefinite.....	203,327,250 00	70,750 00
<b>CONSOLS OF 1865.</b>							
Acts of March 3, 1865 (13 Statutes, 468), and April 12, 1866 (14 Statutes, 31).	5 or 20 years.	July 1, 1870.....	6 per cent.....	Average prem. of $3\frac{6.9}{1000}$ .	Indefinite.....	332,998,950 00	382,800 00

Acts of March 3, 1865 (13 Statutes, 468), and April 12, 1866 (14 Statutes, 31). CONSOLS OF 1867.	5 or 20 years.	July 1, 1872.....	6 per cent.....	Average prem. of 1 <sup>62</sup> / <sub>1000</sub> .	Indefinite.....	\$379,618,000 00	\$962,750 00
Acts of March 3, 1865 (13 Statutes, 468), and April 12, 1866 (14 Statutes, 31). CONSOLS OF 1868.	5 or 20 years.	July 1, 1873.....	6 per cent.....	Average prem. of 4 <sup>5</sup> / <sub>1000</sub> .	Indefinite.....	42,539,350 00	273,500 00
THREE-PER-CENT. CERTIFICATES.	Indefinite.....	On demand.....	3 per cent.....	Par .....	\$75,000,000 00	*85,155,000 00	5,000 00
FIVE PER CENT. LOAN OF 1881. (FOR SILVER).	10 years.....	May 1, 1881.....	5 per cent.....	Par .....	Indefinite.....	17,494,150 00	
The act of January 14, 1875 (18 Statutes, 296), authorizes the Secretary of the Treasury to use any surplus revenues from time to time in the Treasury not otherwise appropriated, and to issue, sell, dispose of, at not less than par, in coin, either of the description of bonds of the United States described in the act of July 14, 1870 (16 Statutes, 272), to the extent necessary for the redemption of fractional currency in silver coins of the denomination of ten, twenty-five, and fifty cents of standard value.							
FIVE-PER-CENT. LOAN OF 1881. (TO PAY J. B. EADS).	10 years.....	May 1, 1881.....	5 per cent.....	Par .....	Indefinite.....	500,000 00	
The act of March 3, 1875 (18 Statutes, 466), directs the Secretary of the Treasury to issue bonds of the character and description set out in the act of July 14, 1870 (16 Statutes, 272), to James B. Eads or his legal representatives in payment at par of the warrants of the Secretary of War for the construction of jetties and auxiliary works to maintain a wide and deep channel between the South Pass of the Mississippi River and the Gulf of Mexico, unless Congress shall have previously provided for the payment of the same by the necessary appropriation of money.							
FIVE-PER-CENT. LOAN OF 1881. (REFUNDING).	10 years.....	May 1, 1881.....	5 per cent.....	Par .....	.....	486,043,000 00	1,171,700 00
The act of July 14, 1870 (16 Statutes, 272), authorizes the issue of \$200,000,000 at 5 per centum, principal and interest payable in coin of the present standard value, at the pleasure of the United States Government, after ten years: these bonds to be exempt from the payment of all taxes or duties of the United States, as well as from taxation in any form by or under State, municipal, or local authority. Bonds and coupons payable at the Treasury of the United States. This act not to authorize an increase of the bonded debt of the United States. Bonds to be sold at not less than par in coin, and the proceeds to be applied to the redemption of outstanding 5-20s, or to be exchanged for said 5-20s, par for par. Payment of these bonds, when due, to be made in order of dates and numbers, beginning with each class last dated and numbered. Interest to cease at the end of three months from notice of intention to redeem. The act of January 20, 1871 (16 Statutes, 399), increases the amount of 5 per cents to \$500,000,000, provided the total amount of bonds issued shall not exceed the amount originally authorized, and authorizes the interest on any of these bonds to be paid quarterly.							
The act of December 17, 1873 (18 Statutes, 1), authorized the issue of an equal amount of the bonds of the loan of 1858, which the holders thereof may, on or before February 1, 1874, elect to exc. ange for the bonds of this loan.						13,957,000 00	

\* Including reissues.

STATEMENT of the Outstanding Principal of the Public Debt of the United States, June 30, 1882.—[Continued].

	Length of loan.	When redeemable.	Rate of interest	Price at which sold.	Amount authorized.	Amount issued.	Amount outstanding.
<p><b>FOUR-AND-ONE-HALF-PER-CENT. LOAN OF 1891. (REFUNDING).</b></p> <p>The act of July 14, 1870 (16 Statutes, 272), authorizes the issue of \$300,000,000 at 4½ per centum, payable in coin of the present standard value, at the pleasure of the United States Government, after fifteen years; these bonds to be exempt from the payment of all taxes or duties of the United States, as well as from taxation in any form by or under State, municipal, or local authority. Bonds and coupons payable at the Treasury of the United States. This act not to authorize an increase of the bonded debt of the United States. Bonds to be sold at not less than par in coin, and the proceeds to be applied to the redemption of outstanding 5-20s, or to be exchanged for said 5-20s, par for par. Payment of these bonds, when due, to be made in order of dates and numbers, beginning with each class last dated and numbered. Interest to cease at the end of three months from notice of intention to redeem.</p>	15 years.....	Sept. 1, 1891.....	4½ per cent.....	Par .....	.....	\$185,000,000 00	\$185,000,000 00
<p><b>FOUR-PER-CENT. LOAN OF 1907. (REFUNDING).</b></p> <p>The act of July 14, 1870 (16 Statutes, 272), authorizes the issue of \$1,000,000,000 at 4 per centum, payable in coin of the present standard value, at the pleasure of the United States Government, after thirty years; these bonds to be exempt from the payment of all taxes or duties of the United States, as well as from taxation in any form by or under State, municipal, or local authority. Bonds and coupons payable at the Treasury of the United States. This act not to authorize an increase of the bonded debt of the United States. Bonds to be sold at not less than par in coin, and the proceeds to be applied to the redemption of outstanding 5-20s, or to be exchanged for said 5-20s, par for par. Payment of these bonds, when due, to be made in order of dates and numbers, beginning with each class last dated and numbered. Interest to cease at the end of three months from notice of intention to redeem. See Refunding Certificate, page 36.</p>	30 years.....	July 1, 1907.....	4 per cent.....	Par to ½ per cent. prem.	.....	708,980,800 00	708,384,300 00
<p><b>FOUR-AND-ONE-HALF-PER CENT. LOAN OF 1891. (RESUMPTION).</b></p> <p>The act of January 14, 1875 (18 Statutes, 296), authorizes the Secretary of the Treasury to use any surplus revenues from time to time in the Treasury not otherwise appropriated, and to issue, sell, dispose of, at not less than par, in coin, either of the description of bonds of the United States described in the act of July 14, 1870 (16 Statutes, 272), for the purpose of redeeming, on and after January 1, 1879, in coin, at the office of the assistant treasurer of the United States in New York, the outstanding United States legal-tender notes when presented in sums of not less than fifty dollars.</p>	15 years.....	Sept. 1, 1891.....	4½ per cent.....	Par to 1½ per cent. prem.	Indefinite.....	65,000,000 00	65,000,000 00



**FOUR-PER-CENT. LOAN OF 1907. (RESUMPTION).**

The act of January 14, 1875 (18 Statutes, 296) authorizes the Secretary of the Treasury to use any surplus revenues from time to time in the Treasury not otherwise appropriated, and to issue, sell, dispose of, at not less than par, in coin, either of the description of bonds of the United States described in the act of July 14, 1870 (16 Statutes, 272), for the purpose of redeeming, on and after January 1, 1879, in coin, at the office of the assistant treasurer of the United States in New York, the outstanding United States legal-tender notes when presented in sums of not less than fifty dollars.

**CERTIFICATES OF DEPOSIT.**

The act of June 8, 1872 (17 Statutes, 336), authorizes the deposit of United States notes without interest by banking associations in sums not less than \$10,000, and the issue of certificates therefor in denominations of not less than \$5,000; which certificates shall be payable on demand in United States notes at the place where the deposits were made. It provides that the notes so deposited in the Treasury shall not be counted as a part of the legal reserve, but that the certificates issued therefor may be held and counted by the national banks as part of their legal reserve, and may be accepted in the settlement of clearing-house balances at the places where the deposits therefor were made, and that the United States notes for which such certificates were issued, or other United States notes of like amount, shall be held as special deposits in the Treasury, and used only for the redemption of such certificates.

**SILVER CERTIFICATES.**

The act of February 28, 1878 (20 Statutes, 26, sec. 3), provides that any holder of the coin authorized by this act may deposit the same with the Treasurer or any assistant treasurer of the United States, in sums not less than ten dollars, and receive therefor certificates of not less than ten dollars each, corresponding with the denomination of the United States notes. The coin deposited for or representing the certificates shall be retained in the Treasury for the payment of the same on demand. Said certificates shall be receivable for customs, taxes, and all public dues, and, when so received, may be reissued.

**REFUNDING CERTIFICATES.**

The act of February 26, 1879 (20 Statutes, 321), authorizes the Secretary of the Treasury to issue, in exchange for lawful money of the United States, certificates of deposit, of the denomination of ten dollars, bearing interest at the rate of 4 per centum per annum, and convertible at any time, with accrued interest, into the four per centum bonds described in the refunding act; the money so received to be applied only to the payment of the bonds bearing interest at a rate not less than five per centum, in the mode prescribed by said act.

**FUNDED LOAN OF 1881, CONTINUED AT 3½ PER CENT.**

These bonds are issued in exchange for 5 per cent. bonds of the funded loan of 1881, by mutual agreement between the Secretary of the Treasury and the holders, and were made redeemable at the pleasure of the government.

30 years.....	July 1, 1907.....	4 per cent.....	Par .....	Indefinite.....	\$30,500,000 00	30,500,000 00
Indefinite.....	On demand.....	None .....	Par .....	No limit .....	64,780,000 00	13,320,000 00
Indefinite.....	On demand.....	None .....	Par .....	No limit .....	.....	66,096,710 00
Indefinite.....	Convertible in- to 4 per cent. bonds.	4 per cent.....	Par .....	No limit .....	40,012,750 00	465,050 00
Indefinite.....	At the pleasure of government.	3½ per cent.....	Par.....	.....	.....	401,503,900 00
						1,918,312,994 03

**STATEMENT of 30-year 6 per cent. Bonds (interest payable in January and July) issued to the several Pacific Railway Companies under the acts of July 1, 1862, (12 Statutes, 492), and July 2, 1864 (13 Statutes, 359).**

Railway companies.	Amount of bonds outstanding.	Amount of interest accrued and paid to date, as per preceding statement.	Amount of interest due as per Register's schedule.	Total interest paid by the United States.	Repayment of interest by transportation of mails, troops, &c.	Balance due the United States on interest account, deducting repayments.
<b>On January 1, 1876:</b>						
Central Pacific.....	\$25,885,120 00	\$13,027,697 67	\$776,553 60	\$11,804,251 27	\$1,191,765 86	\$10,612,485 41
Kansas Pacific.....	6,303,000 00	3,103,893 09	189,090 00	3,292,983 09	1,440,664 84	1,352,318 25
Union Pacific.....	27,236,512 00	11,884,324 65	817,095 36	12,701,420 01	3,943,715 65	8,757,704 36
Cent. Branch Un. Pac.	1,600,000 00	781,808 26	48,000 00	829,808 26	44,408 05	785,400 21
Western Pacific.....	1,970,560 00	722,380 14	59,116 80	781,496 94	9,367 00	772,129 94
Sioux City & Pacific..	1,628,320 00	682,703 89	48,849 60	731,553 49	39,005 96	692,547 53
	64,623,512 00	28,202,807 70	1,938,705 36	30,141,513 06	6,668,927 36	23,472,585 70
<b>On July 1, 1876:</b>						
Central Pacific.....	25,885,120 00	11,804,251 27	776,553 60	12,580,804 87	1,231,213 76	11,349,591 11
Kansas Pacific.....	6,303,000 00	3,292,983 09	189,090 00	3,482,073 09	1,448,327 39	2,033,745 70
Union Pacific.....	27,236,512 00	12,701,420 01	817,095 36	13,518,515 37	4,079,704 77	9,438,810 60
Cent. Branch Un. Pac.	1,600,000 00	829,808 26	48,000 00	877,808 26	44,408 05	833,400 21
Western Pacific.....	1,970,560 00	781,496 94	59,116 80	840,613 74	9,367 00	831,246 74
Sioux City & Pacific..	1,628,320 00	731,553 49	48,849 60	780,403 09	39,470 28	740,932 81
	64,623,512 00	30,141,513 06	1,938,705 36	32,080,218 42	6,852,491 25	25,227,727 17
<b>On January 1, 1877:</b>						
Central Pacific.....	25,885,120 00	12,580,804 87	776,553 60	13,357,358 47	1,268,672 12	12,088,686 35
Kansas Pacific.....	6,303,000 00	3,482,073 09	189,090 00	3,671,163 09	1,515,718 49	2,155,444 60
Union Pacific.....	27,236,512 00	13,518,515 37	817,095 36	14,335,610 73	4,126,871 52	10,208,739 21
Cent. Branch Un. Pac.	1,600,000 00	877,808 26	48,000 00	925,808 26	44,408 05	881,400 21
Western Pacific.....	1,970,560 00	849,613 74	59,116 80	899,730 54	9,367 00	890,363 54
Sioux City & Pacific..	1,628,320 00	780,403 09	48,849 60	829,252 69	39,440 28	789,782 41
	64,623,512 00	32,080,218 42	1,938,705 36	34,018,923 78	7,004,507 46	27,014,416 32
<b>On July 1, 1877:</b>						
Central Pacific.....	\$25,885,120 00	13,357,358 47	776,553 00	14,133,912 07	2,065,324 01	12,068,588 06
Kansas Pacific.....	6,303,000 00	3,671,163 09	189,090 00	3,860,253 09	1,531,680 06	2,328,573 03
Union Pacific.....	27,236,512 00	14,335,610 73	817,095 36	15,152,706 09	4,787,041 67	10,365,664 42
Cent. Branch Un. Pac.	1,600,000 00	925,808 26	48,000 00	973,808 26	58,498 35	915,309 91
Western Pacific.....	1,970,560 00	899,730 54	59,116 80	958,847 34	9,367 00	949,480 34
Sioux City & Pacific..	1,628,320 00	829,252 69	48,849 60	878,102 29	63,578 00	815,523 49
	64,623,512 00	34,018,923 78	1,938,705 36	34,957,629 14	8,514,489 89	27,443,139 25
<b>On January 1, 1878:</b>						
Central Pacific.....	25,885,120 00	14,133,912 07	776,553 60	14,910,465 67	2,198,960 71	12,711,504 96
Kansas Pacific.....	6,303,000 00	3,860,253 09	189,090 00	4,049,343 09	1,532,450 07	2,516,993 02
Union Pacific.....	27,236,512 00	15,152,706 09	817,095 36	15,969,801 45	5,134,103 84	10,835,697 61
Cent. Branch Un. Pac.	1,600,000 00	973,808 26	48,000 00	1,021,808 26	62,998 35	958,808 91
Western Pacific.....	1,970,560 00	958,847 34	59,116 80	1,017,964 14	9,367 00	1,008,597 14
Sioux City & Pacific..	1,628,320 00	878,102 29	48,849 60	926,951 89	68,409 65	858,542 24
	64,623,512 00	35,957,629 14	1,938,705 36	37,896,334 50	9,006,189 62	28,890,144 88
<b>On July 1, 1878:</b>						
Central Pacific.....	\$25,885,120 00	14,910,465 67	776,553 00	15,687,019 27	2,343,659 54	13,343,359 73
Kansas Pacific.....	6,303,000 00	4,049,343 09	189,090 00	4,238,433 09	1,531,530 42	2,705,902 67
Union Pacific.....	27,236,512 00	15,969,801 45	817,095 36	16,786,896 81	5,852,870 95	10,934,025 86
Cent. Branch Un. Pac.	1,600,000 00	1,021,808 26	48,000 00	1,069,808 26	67,498 35	1,002,309 91
Western Pacific.....	1,970,560 00	1,017,964 14	59,116 80	1,088,080 94	9,367 00	1,067,713 94
Sioux City & Pacific..	1,628,320 00	926,951 89	48,849 60	975,801 49	75,517 99	900,283 50
	64,623,512 00	37,896,334 50	1,938,705 36	39,835,334 50	9,881,444 25	29,953,595 61
<b>On January 1, 1879:</b>						
Central Pacific.....	25,885,120 00	15,687,019 27	776,553 60	16,463,572 87	2,516,742 86	13,946,830 01
Kansas Pacific.....	6,303,000 00	4,238,433 09	189,090 00	4,427,523 09	1,744,683 89	2,682,829 20
Union Pacific.....	27,236,512 00	16,786,896 81	817,095 36	17,603,992 17	6,145,214 86	11,458,777 31
Cent. Branch Un. Pac.	1,600,000 00	1,069,808 26	48,000 00	1,117,808 26	71,445 54	1,046,362 72
Western Pacific.....	1,970,560 00	1,077,080 94	59,116 80	1,136,197 74	9,367 00	1,126,830 74
Sioux City & Pacific..	1,628,320 00	975,801 49	48,849 60	1,024,651 09	83,648 56	941,002 53
	64,623,512 00	39,835,039 86	1,938,705 36	41,773,745 22	10,571,102 71	31,202,642 51
<b>On July 1, 1879:</b>						
Central Pacific.....	25,885,120 00	16,463,572 87	776,553 60	17,240,126 47	2,771,419 23	14,468,707 24
Kansas Pacific.....	6,303,000 00	4,427,523 09	189,090 00	4,616,613 09	2,324,910 55	2,291,702 54
Union Pacific.....	27,236,512 00	17,603,992 17	817,095 36	18,421,087 53	7,325,466 49	11,095,621 04
Cent. Branch Un. Pac.	1,600,000 00	1,117,808 26	48,000 00	1,165,808 26	73,142 73	1,092,665 53
Western Pacific.....	1,970,560 00	1,136,197 74	59,116 80	1,195,314 54	9,367 00	1,185,947 54
Sioux City & Pacific..	1,628,320 00	1,024,651 09	48,849 60	1,073,500 69	91,747 39	981,753 30
	64,623,320 00	41,773,745 22	1,938,705 36	43,712,450 58	12,594,053 39	31,116,397 19

STATEMENT of 30-year 6 per cent. Bonds, &c.—[Continued.]

Railway companies.	Amount of bonds outstanding.	Amount of interest accrued and paid to date, as per preceding statement.	Amount of interest due as per Receiver's schedule.	Total interest paid by the United States.	Repayment of interest by transportation of mails, troops, &c.	Balance due the United States on interest account deducting repayments.
<b>On January 1, 1880:</b>						
Central Pacific.....	25,885,120 00	\$17,240,126 47	\$776,553 60	\$18,016,680 07	\$3,552,135 70	\$14,464,544 37
Kansas Pacific.....	6,303,000 00	4,616,613 09	189,090 00	4,805,703 09	2,370,109 88	2,435,593 21
Union Pacific.....	27,236,512 00	18,421,087 53	817,095 36	19,238,182 89	7,421,734 97	11,816,447 92
Cent. Branch Un. Pac.	1,600,000 00	1,165,808 26	48,000 00	1,213,808 26	73,142 73	1,140,665 53
Western Pacific.....	1,970,560 00	1,195,314 54	59,116 80	1,224,431 34	9,367 00	1,245,064 34
Sioux City & Pacific..	1,628,320 00	1,073,500 69	48,849 60	1,122,350 29	93,983 91	1,028,366 38
	64,623,512 00	43,712,450 58	1,938,705 36	45,651,155 94	13,520,474 19	32,130,681 75
<b>On July 1, 1880:</b>						
Central Pacific.....	25,885,120 00	18,016,680 07	776,553 60	18,793,233 67	3,200,389 64	15,592,844 03
Kansas Pacific.....	6,303,000 00	4,805,703 09	189,090 00	4,994,793 09	2,447,397 28	2,547,395 81
Union Pacific.....	27,236,512 00	19,238,182 89	817,095 36	20,055,278 25	7,804,484 37	12,250,793 88
Cent. Branch Un. Pac.	1,600,000 00	1,213,808 26	48,000 00	1,261,808 26	47,621 69	1,214,186 57
Western Pacific.....	1,970,560 00	1,254,431 34	59,116 80	1,313,548 14	9,367 00	1,304,181 14
Sioux City & Pacific..	1,628,320 00	1,122,350 29	48,849 60	1,171,199 89	106,032 57	1,065,167 32
	64,623,512 00	45,651,155 94	1,938,705 36	47,589,861 30	13,615,292 55	33,974,568 75
<b>On January 1, 1881:</b>						
Central Pacific.....	25,885,120 00	18,793,233 67	776,533 60	19,569,787 27	3,358,026 85	16,211,760 42
Kansas Pacific.....	6,303,000 00	4,994,793 09	189,090 00	5,183,883 09	2,562,724 32	2,681,158 77
Union Pacific.....	27,236,512 00	20,055,278 25	817,095 36	20,872,373 61	7,992,936 82	12,879,436 79
Cent. Branch Un. Pac.	1,600,000 00	1,261,808 26	48,000 00	1,309,808 26	74,967 91	1,234,840 35
Western Union.....	1,970,560 00	1,313,548 14	59,116 80	1,372,664 94	9,367 00	1,363,297 94
Sioux City & Pacific..	1,628,320 00	1,171,199 89	48,849 60	1,220,049 49	114,424 58	1,105,624 91
	64,628,320 00	47,559,861 30	1,938,705 36	49,528,566 66	14,052,447 48	35,476,119 18
<b>On July 1, 1881:</b>						
Central Pacific.....	25,885,120 00	19,569,787 27	776,553 60	20,346,340 87	3,496,492 83	16,849,398 04
Kansas Pacific.....	6,303,000 00	5,183,883 09	189,090 00	5,372,973 09	2,565,443 44	2,807,529 65
Union Pacific.....	27,236,512 00	20,872,373 61	817,095 36	21,689,468 97	8,135,878 56	13,553,590 41
Cent. Branch Un. Pac.	1,600,000 00	1,309,808 26	48,000 00	1,357,808 26	93,515 38	1,264,292 88
Western Pacific.....	1,970,560 00	1,372,664 94	59,116 80	1,431,781 74	9,367 00	1,422,414 74
Sioux City & Pacific..	1,628,320 00	1,220,049 49	48,849 60	1,268,899 09	124,979 14	1,143,919 95
	64,623,512 00	49,528,566 66	1,938,805 36	51,467,272 02	14,426,126 35	37,041,145 67
<b>On July 1, 1882:</b>						
Central Pacific.....	25,885,120 00	21,122,894 47	776,533 60	21,899,448 07	3,812,411 95	18,087,036 12
Kansas Pacific.....	6,303,000 00	5,562,063 09	189,090 00	5,751,153 09	2,725,458 33	3,025,694 76
Union Pacific.....	27,236,512 00	22,506,564 33	817,095 36	23,323,659 69	8,453,537 56	14,870,122 09
Cent. Branch Un. Pac.	1,600,000 00	1,405,808 26	48,000 00	1,453,808 26	124,639 85	1,329,168 41
Western Pacific.....	1,970,560 00	1,490,898 54	59,116 80	1,550,015 34	9,367 00	1,540,648 34
Sioux City & Pacific..	1,628,320 00	1,317,748 69	48,849 60	1,366,598 29	95,278 57	1,271,319 72
	64,623,512 00	53,405,977 38	1,938,705 36	55,341,682 74	15,220,693 30	40,123,989 44

GOVERNMENT REVENUES.

The net revenues from all sources for the fiscal year ended June 30, 1882, as shown by the report of Chas. J. Folger, Secretary of the Treasury, were:

From customs.....	\$220,410,730 25	From proceeds of sales of Government property.....	314,959 85
From internal revenue.....	146,497,595 45	From profits on coinage.....	4,116,693 73
From sales of public lands.....	4,753,110 37	From revenues of the District of Columbia.....	1,715,176 41
From tax on circulation and deposits of national banks.....	8,956,794 45	From miscellaneous sources.....	11,657,377 13
From repayment of interest by Pacific Railway Companies.....	840,554 37	Total ordinary receipts.....	403,525,250 28
From customs' fees, fines, penalties, &c.....	1,343,348 00	Cash in Treasury June 30, 1881.....	252,506,023 46
From fees—consular, letters-patent and lands.....	2,638,990 97	Total.....	\$656,031,273 74

The ordinary expenditures for the same period were:—

For civil expenses.....	\$ 18,042,386 42	houses, and collecting the revenue.....	37,869,781 37
For foreign intercourse.....	1,307,583 19	(Including expenditures on account of the District of Columbia,.....	3,144,216 29.)
For Indians.....	9,736,747 40	For interest on the public debt.....	71,077,206 97
For pensions.....	61,345,193 95	For redemption of public debt.....	150,700,575 55
For the military establishment, including river and harbor improvements, and arsenals.....	43,570,494 19	Total expenditures.....	408,682,015 12
For the naval establishment, including vessels, machinery, and improvements at navy-yards.....	15,032,046 26	Cash in Treasury June 30, 1882..	\$247,349,288 62
For miscellaneous expenditures, including public buildings, light-			

**FISCAL YEAR 1883.**

**For the present fiscal year the revenue, actual and estimated is as follows:**

Source.	For the quarter ended September 30, 1882.	For the remaining three quarters of the year.
	Actual.	Estimated.
From customs . . . . .	\$64,908,875 71	\$170,091,124 29
From internal revenue . . . . .	37,760,804 58	107,239,195 42
From sales of public lands . . . . .	1,185,622 97	4,314,377 03
From tax on circulation and deposits of national banks . . . . .	4,492,426 39	4,507,573 61
From repayment of interest and sinking-fund, Pacific Railway Companies . . . . .	114,619 55	1,635,380 45
From customs fees, fines, penalties, &c . . . . .	422,140 09	977,859 91
From fees—consular, letters-patent, and lands . . . . .	822,842 49	1,828,157 51
From proceeds of sales of Government property . . . . .	113,995 95	886,004 05
From profits on coinage, &c . . . . .	1,040,119 39	3,159,880 61
From deposits for surveying public lands . . . . .	894,128 04	1,505,861 96
From revenues of the District of Columbia . . . . .	194,314 88	1,535,685 12
From miscellaneous sources . . . . .	840,717 28	4,529,282 72
<b>Total receipts . . . . .</b>	<b>112,790,607 32</b>	<b>302,209,392 68</b>

**The expenditures for the same period, actual and estimated, are—**

Source.	For the quarter ended September 30, 1882.	For the remaining three quarters of the year.
	Actual.	Estimated.
For civil and miscellaneous expenses, including public buildings, light-houses, and collecting revenues . . . . .	\$16,224,736 16	\$45,275,263 84
For Indians . . . . .	2,633,778 88	4,866,221 12
For pensions . . . . .	23,397,244 51	76,602,755 49
For military establishment, including fortifications, river and harbor improvements, and arsenals . . . . .	14,181,028 69	33,318,971 31
For naval establishment, including vessels and machinery, and improvements at navy-yards . . . . .	3,571,431 83	11,928,568 17
For expenditures on account of the District of Columbia . . . . .	1,415,882 20	2,084,117 80
For interest on the public debt . . . . .	17,219,246 19	42,280,753 81
<b>Total ordinary expenditures . . . . .</b>	<b>78,643,348 46</b>	<b>216,356,651 54</b>
<b>Total receipts, actual and estimated . . . . .</b>		<b>\$415,000,000 00</b>
<b>Total expenditures, actual and estimated . . . . .</b>		<b>295,000,000 00</b>
		<b>120,000,000 00</b>
<b>Estimated amount due the sinking fund . . . . .</b>		<b>44,422,956 25</b>
<b>Leaving a balance of . . . . .</b>		<b>75,577,043 75</b>

**FISCAL YEAR 1884.**

**The revenues of the fiscal year ending June 30, 1884, estimated on the basis of existing laws, will be—**

From customs, } Estimated prior to passage of new tariff and revenue law of March 3, 1883 . . . . .	\$235,000,000
From internal revenue, }	145,000,000
From sales of public lands . . . . .	5,500,000
From tax on circulation and deposits of national banks . . . . .	9,000,000
From repayment of interest by Pacific Railway Companies . . . . .	1,750,000
From customs' fees, fines, penalties, &c . . . . .	1,400,000
From fees—consular, letters-patent, and lands . . . . .	2,650,000
From proceeds of sales of Government property . . . . .	1,000,000
From profits on coinage, &c . . . . .	4,200,000
From deposits for surveying public lands . . . . .	2,400,000
From revenues of the District of Columbia . . . . .	1,730,000
From miscellaneous sources . . . . .	5,370,000
<b>Total estimated ordinary receipts . . . . .</b>	<b>415,000,000</b>

The estimates of expenditures for the same period, received from the several Executive Departments as follows:

Legislative . . . . .	\$3,274,049 39
Executive. . . . .	18,668,595 73
Judicial . . . . .	408,300 00
Foreign intercourse. . . . .	1,390,905 00
Military establishment . . . . .	28,901,445 94
Naval establishment . . . . .	23,481,078 54
Indian affairs. . . . .	6,725,731 54
Pensions . . . . .	101,575,000 00

**Public Works.**

Legislative . . . . .	\$6,500 00	
Treasury Department . . . . .	5,317,500 00	
War Department . . . . .	4,753,602 00	
Navy Department . . . . .	3,855,513 00	
Interior Department . . . . .	417,100 00	
Department of Agriculture . . . . .	10,500 00	
Department of Justice . . . . .	1,000 00	
	<hr/>	14,361,715 64
Miscellaneous . . . . .		20,925,100,44
District of Columbia . . . . .		3,550,299 08

**Permanent Annual Appropriations.**

Interest on the public debt . . . . .	\$55,877,410 72
Sinking-fund . . . . .	45,072,222 54
Refunding—customs, internal revenue, land, etc . . . . .	7,417,100 00
Collecting revenue from customs . . . . .	5,500,000 00
Miscellaneous . . . . .	3,151,305,00
	<hr/>
	117,018,038 26

Total estimated expenditures, including sinking-fund . . . . . 340,280,162 22

Or, an estimated surplus of . . . . . 74,719,837 78

Excluding the sinking-fund, the estimated expenditures will be \$295,207,939 68, showing a surplus of \$119,792,060 32.

The estimates of these Departments are submitted as made up by the officers in charge of the public duties to which they respectively pertain.

**CUSTOMS.**

The revenue from customs for the fiscal year, ending June 30, 1881, was \$198,159,676.02, an increase of \$11,637,611.42 over that of the preceding year.

Of the amount collected, \$138,908,562.39 was collected at the port of New York, leaving \$59,251,113.63 as the amount collected at all the other ports of the country.

Of the total amount, \$47,977,137,63 was collected on sugar, melado, and molasses; \$27,285,624.78 on wool and its manufactures; \$21,462,534.34 on iron and steel, and manufactures thereof; \$19,038,665.81 on manufactures of silk; \$10,825,115.21 on manufactures of cotton; and \$6,469,643.04 on wines and spirits; making a total revenue from the articles specified, of \$133,058,720.81.

The expenses of collection for the year ending June 30, 1881 were \$6,419,345.20, an increase over the preceding year of \$387,410.04. While there was an increase in the revenue from customs over the preceding year of over eleven and a half millions of dollars, the gross value of the imports, including free goods, decreased over twenty-five millions of dollars. The most marked decrease was in the value of unmanufactured wool, \$14,023,682, and in that of scrap and pig-iron, \$12,810,671. There was, on the other hand, an increase in the value of sugar imported of \$7,427,474; on steel rails, of \$4,345,521; on barley, \$2,154,204; and on steel in ingots, bars, &c., \$1,620,046.

The exports, as contrasted with the imports during the fiscal year, 1881 are as follows:

Exports of domestic merchandise . . . . .	\$883,925,947 00
Exports of foreign merchandise . . . . .	18,451,399 00
	<hr/>
Total . . . . .	902,377,346 00

Imports of merchandise . . . . .	642,664,628 00
Excess of exports over imports of merchandise . . . . .	259,712,718 00
Aggregate of exports and imports. . . . .	1,545,041,974 00

Compared with the previous year, there was an increase of \$66,738,688 in the value of exports of merchandise, and a decrease of \$25,290,118 in the value of imports. The annual average of the excess of imports of merchandise over exports thereof, for ten years previous to June 30, 1873, was \$104,706,922; but for the last six years there has been an excess of exports over imports of merchandise amounting to \$1,180,668,105—an annual average of \$196,778,017. The specie value of the exports of domestic merchandise has increased from \$376,616,473 in 1870, to \$883,925,947 in 1881, an increase of \$507,309,474, or 135, per cent. The imports of merchandise have increased from \$435,958,408 in 1870, to \$642,664,628 in 1881, an increase of \$206,706,220, or 47 per cent.

During each year from 1862 to 1879, inclusive, the exports of specie exceeded the imports thereof. The largest excess of such exports over imports was reached during the year 1864, when it amounted to \$92,280,929. But during the year ended June 30, 1880, the imports of coin and bullion exceeded the exports thereof by \$75,891,391; and during the fiscal year ending June 30, 1881 the excess of imports over exports was \$91,168,650.

**INTERNAL REVENUE.**

The receipts from the several objects of internal revenue taxation during the last two fiscal years have been as follows:

SOURCES OF REVENUE.	RECEIPTS FOR 1881.	RECEIPTS FOR 1882.	INCREASE.	DECREASE.
<i>Spirits.</i>				
Spirits distilled from fruit . . . . .	\$1,531,075 83	\$1,095,164 60	. . . . .	\$435,911 23
Spirits distilled from grain, molasses, etc . . .	60 683,051 73	63,683,592 37	\$3,000,540 64	. . . . .
Rectifiers . . . . .	170,145 99	184,483 67	14,337 68	. . . . .
Retail liquor dealers . . . . .	4,322,298 21	4,455,355 55	133,057 34	. . . . .
Wholesale liquor dealers . . . . .	418,813 68	430,018 86	20,205 18	. . . . .
Miscellaneous . . . . .	28,589 44	15,793 13	. . . . .	12,796 31
Total of spirits. . . . .	67,153,974 88	69,872,408 18	2,719,433 30	. . . . .
<i>Tobacco.</i>				
Cigars . . . . .	16,095,724 78	18,245,852 37	2,150,127 59	. . . . .
Cigarettes . . . . .	992,981 22	972,570 10	. . . . .	20,411 12
Snuff . . . . .	689,183 03	778,650 87	89,467 84	. . . . .
Tobacco, chewing and smoking . . . . .	22,833,287 60	25,033,741 97	2,200,454 37	. . . . .
Dealers in leaf tobacco . . . . .	76,996 76	76,309 15	. . . . .	687 61
Dealers in manufactured tobacco . . . . .	1,976,071 55	2,094,536 21	118,464 66	. . . . .
Manufacturers of tobacco and cigars . . . . .	151,442 57	152,622 14	1,179 57	. . . . .
Peddlers of tobacco . . . . .	26,258 13	22,875 22	. . . . .	3,382 91
Miscellaneous . . . . .	13,045 67	14,830 88	1,785 21	. . . . .
Total of tobacco . . . . .	42,854,991 31	47,391,988 91	4,536,997 60	. . . . .
<i>Fermented Liquors</i>				
Ale, beer, lager beer, and porter. . . . .	13,237,700 63	15,680,678 54	2,442,977 91	. . . . .
Brewers' special tax. . . . .	195,308 52	195,824 31	515 79	. . . . .
Dealers in malt liquors . . . . .	267,232 06	277,417 57	10,185 51	. . . . .
Total of fermented liquors. . . . .	13,700,241 21	16,153,920 42	2,453,679 21	. . . . .
<i>Banks and Bankers.</i>				
Bank deposits . . . . .	2,946,906 64	4,096,102 45	1,149,195 81	. . . . .
Bank capital . . . . .	811,006 35	1,153,070 25	342,063 90	. . . . .
Bank circulation . . . . .	4,295 08	4,285 77	. . . . .	9 31
Total of banks and bankers . . . . .	3,762,208 07	5,253,458 47	1,491,250 40	. . . . .
<i>Miscellaneous.</i>				
Bank checks . . . . .	2,253,411 20	2,318,455 14	65,043 94	. . . . .
Friction matches . . . . .	3,278,580 62	3,272,258 00	. . . . .	6,322 62
Patent medicines, perfumery, cosmetics, etc . .	1,843,263 90	1,978,395 56	135,131 66	. . . . .
Penalties. . . . .	231,078 21	199,830 04	. . . . .	31,248 17
Collections not otherwise provided for . . . . .	152,162 90	81,559 00	. . . . .	70,603 90
Total of Miscellaneous . . . . .	7,758,496 83	7,850,497 74	92,000 91	. . . . .
Aggregate receipts. . . . .	135,229,912 30	146,523,273 72	11,293,361 42	. . . . .

**Circular Estimating and Proclaiming in United States Money of Account, the Values of the Standard Coins in Circulation of the Various Nations of the World.**

1882.  
DEPARTMENT NO. 1. }  
Secretary's Office.

TREASURY DEPARTMENT,  
BUREAU OF THE MINT,

Washington, D. C., January 2, 1882.

SIR: In pursuance of the provisions of section 3564 of the Revised Statutes of the United States, I have estimated the values of the standard coins in circulation of the various nations of the world, and submit the same in the accompanying table.

Very Respectfully,

HORATIO C. BURCHARD,  
Director of the Mint.

HON. CHAS. J. FOLGER,  
Secretary of the Treasury.

*ESTIMATE of VALUES of FOREIGN COINS.*

Country.	Monetary unit.	Standard	Value in United States money.	Standard coin.
Austria.....	Florin.....	Silver.....	\$0 40.6	
Belgium.....	Franc.....	Gold and silver..	19.3	5, 10, and 20 francs.
Bolivia.....	Boliviano.....	Silver.....	82.3	Boliviano.
Brazil.....	Milreis of 1,000 reis....	Gold.....	54.6	
British Possessions in North America.	Dollar.....	do.....	1 00	
Chili.....	Peso.....	Gold and silver..	91.2	Condor, doubloon, and es-cudo.
Cuba.....	do.....	do.....	93.2	$\frac{1}{16}$ , $\frac{1}{8}$ , $\frac{1}{4}$ , $\frac{1}{2}$ , and 1 doubloon.
Denmark.....	Crown.....	Gold.....	26.8	10 and 20 crowns.
Ecuador.....	Peso.....	Silver.....	82.3	Peso.
Egypt.....	Piaster.....	Gold.....	04.9	5, 10, 25, 50, and 100 piasters.
France.....	Franc.....	Gold and silver..	19.3	5, 10, and 20 francs.
Great Britain.....	Pound Sterling.....	Gold.....	4 86.6 $\frac{1}{2}$	$\frac{1}{2}$ sovereign and sovereign.
Greece.....	Drachma.....	Gold and silver..	19.3	5, 10, 20, 50, and 100 drachmas.
German Empire.....	Mark.....	Gold.....	23.8	5, 10, and 20 marks.
Havti.....	Gourde.....	Gold and silver..	96.5	1, 2, 5, and 10 gourdes.
India.....	Rupee of 16 annas.....	Silver.....	39	
Italy.....	Lira.....	Gold and silver..	19.3	5, 10, 20, 50, and 100 lire.
Japan.....	Yen.....	Silver.....	88.7	1, 2, 5, 10, and 20 yen; gold and silver yen.
Liberia.....	Dollar.....	Gold.....	1 00	
Mexico.....	do.....	Silver.....	89.4	Peso or dollar 5, 10, 25 and 50 centavo.
Netherlands.....	Florin.....	Gold and silver..	40.2	
Norway.....	Crown.....	Gold.....	26.8	10 and 20 crowns.
Peru.....	Sol.....	Silver.....	82.3	Sol.
Portugal.....	Milreis of 1,000 reis....	Gold.....	1 08	2, 5, and 10 milreis.
Russia.....	Rouble of 100 copecks.	Silver.....	65.8	$\frac{1}{4}$ , $\frac{1}{2}$ , and 1 rouble.
Sandwich Islands.....	Dollar.....	Gold.....	1 00	
Spain.....	Peseta of 100 centimes	Gold and silver..	19.3	5, 10, 20, 50, and 100 pesetas
Sweden.....	Crown.....	Gold.....	26.8	10 and 20 crowns.
Switzerland.....	Franc.....	Gold and silver..	19.3	5, 10, and 20 francs.
Tripoli.....	Mahbub of 20 piasters.	Silver.....	74.3	
Turkey.....	Piaster.....	Gold.....	04.4	25, 50, 100, 250, and 500 piasters.
United States of Colombia	Peso.....	Silver.....	82.3	Peso.
Venezuela.....	Bolivar.....	Gold and silver..	19.3	5, 10, 20, 50, and 100 Bolivar.

TREASURY DEPARTMENT,

Washington, D. C., January 2, 1882.

The foregoing estimation, made by the Director of the Mint, of the value of the foreign coins above mentioned, I hereby proclaim to be the values of such coins expressed in the money of account of the United States, and to be taken in estimating the values of all foreign merchandise, made out in any of said currencies, imported on or after January 1, 1882.

CHAS. J. FOLGER,  
Secretary of the Treasury.

INTEREST LAWS OF ALL THE STATES AND TERRITORIES IN THE UNITED STATES.

STATES & TERRITORIES.	PENALTY OF USURY.	LEGAL.	SPECIAL.
Alabama . . . . .	Loss of interest. . . . .	8%	
Arizona . . . . .	No penalty . . . . .	10	No limit.
Arkansas . . . . .	Forfeiture of principal and interest . . . . .	6	No limit.
California . . . . .	No penalty . . . . .	10	No limit.
Colorado . . . . .	No penalty . . . . .	10	No limit.
Connecticut . . . . .	Forfeiture of all interest. . . . .	6	No limit.
Dakota . . . . .	Forfeiture of contract . . . . .	7	18%
Delaware . . . . .	Forfeiture of contract . . . . .	6	6
District of Columbia . . . . .	Forfeiture of all interest. . . . .	6	10
Florida . . . . .	No penalty . . . . .	8	No limit.
Georgia . . . . .	Forfeiture of excess. . . . .	7	12
Idaho * . . . . .	\$300 fine, or imprisonment six months, or both. . . . .	10	24
Illinois . . . . .	Forfeiture of all interest. . . . .	6	8
Indiana . . . . .	Forfeiture of interest and costs. . . . .	6	10
Iowa . . . . .	Forfeiture of interest and costs. . . . .	6	10
Kansas . . . . .	Forfeiture of excess over 12% . . . . .	7	12
Kentucky . . . . .	Forfeiture of all interest. . . . .	6	8
Louisiana . . . . .	Forfeiture of interest . . . . .	5	8
Maine . . . . .	No penalty . . . . .	6	No limit.
Maryland . . . . .	Forfeiture of excess. . . . .	6	6
Massachusetts . . . . .	No penalty ; 6% on judgments . . . . .	6	No limit.
Michigan . . . . .	Forfeiture of excess. . . . .	7	10
Minnesota . . . . .	Forfeiture of excess over 7% . . . . .	7	12
Mississippi . . . . .	No penalty . . . . .	6	No limit.
Missouri . . . . .	Forfeiture of all interest. . . . .	6	10
Montana . . . . .	No penalty . . . . .	10	
Nebraska . . . . .	Forfeiture of all interest and costs . . . . .	10	12
Nevada . . . . .	No penalty . . . . .	10	No limit.
New Hampshire . . . . .	Forfeit of three times interest received . . . . .	6	6
New Jersey . . . . .	Forfeit of all interest . . . . .	6	7
New Mexico . . . . .	No penalty . . . . .	6	12
New York † . . . . .	Forfeiture of contract . . . . .	7	7
North Carolina . . . . .	{ Forfeiture of double amount of principal, and } \$1,000 fine . . . . .	6%	8%
Ohio . . . . .	Forfeiture of excess. . . . .	6	8
Oregon . . . . .	Forfeiture of principal, interest and costs . . . . .	10	12
Pennsylvania . . . . .	Forfeiture of excess, Act of 1858 . . . . .	6	6
Rhode Island † . . . . .	Forfeiture, unless by contract . . . . .	6	No limit.
South Carolina . . . . .	No penalty . . . . .	7	No limit.
Tennessee . . . . .	Forfeiture of over 6%, and \$100 fine . . . . .	6	10
Texas . . . . .	No penalty . . . . .	8	12
Utah . . . . .	No penalty . . . . .	10	7
Vermont . . . . .	Forfeit of excess on Railroad Bonds only . . . . .	6	
Virginia . . . . .	Forfeit of excess. No corporation can plead usury. . . . .	6	No limit.
Washington Territory . . . . .	No penalty . . . . .	10	6
West Virginia . . . . .	Forfeit of excess . . . . .	6	6
Wisconsin . . . . .	Forfeit of all interest . . . . .	7	10
Wyoming Territory . . . . .	No penalty . . . . .	10	No limit.

\* Liable to arrest for misdemeanor.

† Also punishable as a misdemeanor. Banks forfeit interest only, or double the interest if charged in advance.

‡ Also 6% on judgments.

AGGREGATE ISSUES OF PAPER MONEY IN WAR TIMES.

The following table exhibits the amount *per capita* issued of the Continental money, the French *assignats*, the Confederate currency, and the legal-tender greenbacks and National bank-notes of the United States

	POPULATION.	AMOUNT ISSUED.	AMOUNT PER HEAD.
Continental money.....	3,000,000 in 1780.	\$359,546,825	\$119.84
French assignats.....	26,500,000 (France in 1790).	9,115,600,000	343.98
Confederate currency.....	9,103,332 (11 Confederate States, 1860).	654,465,963	71.89
Greenbacks and National bank-notes .	31,443,321 (United States in 1860).	750,820,228	23.87
Highest amount in circulation, Jan. '66	.....	750,820,228	.....







1844	{ Polk, Tenn. (Dem.)	9	6	6	12	4	6	36	7	26	3	8	17	9	10	9	6	6	13	12	23	12	9	7	3	5	170
Pres.	{ Clay, Ky. (Whig)	9	6	6	12	4	6	7	26	3	8	17	9	10	9	6	6	13	12	23	12	9	7	3	5	105	
Vice-	{ Dallas, Pa. (Dem.)	9	6	6	12	4	6	36	7	26	3	8	17	9	10	9	6	6	13	12	23	12	9	7	3	5	170
Pres.	{ Frelinghuysen, N. Y. (Whig)	9	6	6	12	4	6	7	26	3	8	17	9	10	9	6	6	13	12	23	12	9	7	3	5	105	
1848	{ Taylor, La. (Whig)	9	6	6	12	4	6	7	26	3	8	17	9	10	9	6	6	13	12	23	12	9	7	3	5	163	
Pres.	{ Cass, Mich. (Dem.)	9	6	6	12	4	6	7	26	3	8	17	9	10	9	6	6	13	12	23	12	9	7	3	5	127	
Vice-	{ Fillmore N. Y. (Whig)	9	6	6	12	4	6	36	7	26	3	8	17	9	10	9	6	6	13	12	23	12	9	7	3	5	163
Pres.	{ Butler, Ky. (Dem.)	9	6	6	12	4	6	7	26	3	8	17	9	10	9	6	6	13	12	23	12	9	7	3	5	127	
1852	{ Pierce, N. H. (Dem.)	8	5	5	13	4	6	35	7	27	3	8	15	10	8	10	9	7	6	12	12	11	9	4	6	254	
Pres.	{ Scott, Va. (Whig)	8	5	5	13	4	6	35	7	27	3	8	15	10	8	10	9	7	6	12	12	11	9	4	6	42	
Vice-	{ King, Ala. (Dem.)	8	5	5	13	4	6	35	7	27	3	8	15	10	8	10	9	7	6	12	12	11	9	4	6	254	
Pres.	{ Graham, N. C. (Whig)	8	5	5	13	4	6	35	7	27	3	8	15	10	8	10	9	7	6	12	12	11	9	4	6	42	
1856	{ Buchanan, Pa. (Dem.)	8	5	5	13	4	6	35	7	27	3	8	15	10	8	10	9	7	6	12	12	11	9	4	6	174	
Pres.	{ J. C. Fremont, N. Y. (Rep.)	8	5	5	13	4	6	35	7	27	3	8	15	10	8	10	9	7	6	12	12	11	9	4	6	114	
Vice-	{ Fillmore, N. Y. (Am.)	8	5	5	13	4	6	35	7	27	3	8	15	10	8	10	9	7	6	12	12	11	9	4	6	8	
Pres.	{ Breckinridge, Ky. (Dem.)	8	5	5	13	4	6	35	7	27	3	8	15	10	8	10	9	7	6	12	12	11	9	4	6	174	
1860	{ Lincoln, Ill. (Rep.)	8	5	5	13	4	6	35	7	27	3	8	15	10	8	10	9	7	6	12	12	11	9	4	6	114	
Pres.	{ Breckinridge, Ky. (Dem.)	8	5	5	13	4	6	35	7	27	3	8	15	10	8	10	9	7	6	12	12	11	9	4	6	8	
Vice-	{ Bell, Tenn. (Am.)	8	5	5	13	4	6	35	7	27	3	8	15	10	8	10	9	7	6	12	12	11	9	4	6	180	
Pres.	{ Douglas, Ill. (Dem.)	8	5	5	13	4	6	35	7	27	3	8	15	10	8	10	9	7	6	12	12	11	9	4	6	72	
Vice-	{ Hamlin, Me. (Rep.)	8	5	5	13	4	6	35	7	27	3	8	15	10	8	10	9	7	6	12	12	11	9	4	6	39	
Pres.	{ Lane, Oregon (Dem.)	8	5	5	13	4	6	35	7	27	3	8	15	10	8	10	9	7	6	12	12	11	9	4	6	12	
Vice-	{ Everett, Mass. (Am.)	8	5	5	13	4	6	35	7	27	3	8	15	10	8	10	9	7	6	12	12	11	9	4	6	180	
Pres.	{ Johnson, Geo. (Dem.)	8	5	5	13	4	6	35	7	27	3	8	15	10	8	10	9	7	6	12	12	11	9	4	6	72	
1864	{ Lincoln, Ill. (Rep.)	7	5	5	12	4	6	33	7	26	3	7	10	9	6	8	7	6	11	11	16	11	11	8	5	212	
Pres.	{ McClellan, N. J. (Dem.)	7	5	5	12	4	6	33	7	26	3	7	10	9	6	8	7	6	11	11	16	11	11	8	5	21	
Vice-	{ Vacancies. Seceded States	7	5	5	12	4	6	33	7	26	3	7	10	9	6	8	7	6	11	11	16	11	11	8	5	81	
Pres.	{ Johnson, Tenn. (Rep.)	7	5	5	12	4	6	33	7	26	3	7	10	9	6	8	7	6	11	11	16	11	11	8	5	212	
Vice-	{ Pendleton, Ohio (Dem.)	7	5	5	12	4	6	33	7	26	3	7	10	9	6	8	7	6	11	11	16	11	11	8	5	21	
Pres.	{ Vacancies	7	5	5	12	4	6	33	7	26	3	7	10	9	6	8	7	6	11	11	16	11	11	8	5	81	
1868	{ Grant, Ill. (Rep.)	7	5	5	12	4	6	33	7	26	3	7	10	9	6	8	7	6	11	11	16	11	11	8	5	214	
Pres.	{ Seymour, N. Y. (Dem.)	7	5	5	12	4	6	33	7	26	3	7	10	9	6	8	7	6	11	11	16	11	11	8	5	80	
Vice-	{ Vacancies	7	5	5	12	4	6	33	7	26	3	7	10	9	6	8	7	6	11	11	16	11	11	8	5	23	



APPORTIONMENT UNDER TENTH CENSUS.

Present apportionment, (293), and proposed apportionment under Census of 1880 from 293 to 325 Representatives, based on a population of 49,371,340 in the States.

STATES.	Pres No.	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325			
Alabama . . . . .	8	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7		
Arkansas . . . . .	4	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	
California . . . . .	4	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	
Colorado . . . . .	1	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	
Connecticut . . . . .	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	
Delaware . . . . .	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
Florida . . . . .	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
Georgia . . . . .	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	
Illinois . . . . .	19	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	18	
Indiana . . . . .	13	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	
Indiana . . . . .	9	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	
Iowa . . . . .	3	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	
Kansas . . . . .	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	
Kentucky . . . . .	6	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	
Louisiana . . . . .	5	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	
Maine . . . . .	6	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	
Maryland . . . . .	11	10	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	11	
Massachusetts . . . . .	9	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	
Michigan . . . . .	3	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5	
Minnesota . . . . .	6	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	
Mississippi . . . . .	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13
Missouri . . . . .	1	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	
Nebraska . . . . .	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
Nevada . . . . .	3	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	
New Hampshire . . . . .	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	
New Jersey . . . . .	33	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	
New York . . . . .	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	
North Carolina . . . . .	20	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	
Ohio . . . . .	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
Oregon . . . . .	27	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	
Pennsylvania . . . . .	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	
Rhode Island . . . . .	5	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	6	
South Carolina . . . . .	10	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	
Tennessee . . . . .	6	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	
Texas . . . . .	3	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	
Vermont . . . . .	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	9	
Virginia . . . . .	3	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	
West Virginia . . . . .	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	
Wisconsin . . . . .	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	
Total . . . . .	293	293	293	293	293	293	293	293	293	293	293	293	293	293	293	293	293	293	293	293	293	293	293	293	293	293	293	293	293	293	293	293	293	293	293	293	

The House of Representatives, March 3, 1881—yeas 136, nays 123—adopted 319 as the number of Representatives; but the bill was amended to fix the number at 325, and this met the approval of the Senate, and is now the law.  
 \* From the New York Tribune Almanac, 1882.

STATE AND TERRITORIAL GOVERNMENTS.

States and Territories.	Populat'n Total	Area in square miles.	Capitals.	Governors.	Salaries	Length term. Years.	Terms expire.	Legislatures' next sessions meet.	Repre-sents in Congress.	Time of Election in each State.
Alabama.....	1,262,501	50,722	Montgomery.....	<i>Edward A. O'Neal</i> .....	\$3000	2	December 1884	*November 1884	8	1st Monday, Aug. 1884
Alaska Territory.....	.....	577,380	Sitka.....	.....	.....	.....	.....	.....	.....	.....
Arizona Territory.....	40,440	113,916	Prescott.....	Frederick A. Tritle.....	2700	4	October 1882	*January 1883	1	Tues. aft. 1st Mon. Nov. 1884
Arkansas.....	802,525	52,198	Little Rock.....	<i>J. H. Berry</i> .....	3000	2	January 1885	*January 1883	5	1st Monday, Sept. 1884
California.....	864,684	188,981	Sacramento.....	<i>George Stoneman</i> .....	8000	4	December 1887	January 1883	6	Tues. aft. 1st Mon. Sept. 1884
Colorado.....	194,377	104,500	Denver.....	<i>James B. Grant</i> .....	3000	2	January 1885	January 1884	1	1st Tuesday Nov. 1884
Connecticut.....	622,700	4,750	Hartford.....	<i>Thomas M. Waller</i> .....	2000	2	January 1885	January 1884	4	Tues. aft 1st Mon. Nov. 1884
Dakota Territory.....	135,177	152,000	Yankton.....	<i>N. G. Ordway</i> .....	3000	4	June 1884	*January 1885	1	Tues. aft 1st Mon. Nov. 1884
Delaware.....	146,608	2,120	Dover.....	<i>Charles C. Stockley</i> .....	2000	4	January 1887	*January 1885	1	Tues. aft 1st Mon. Nov. 1884
Dist. of Columbia.....	177,624	60	Washington.....	.....	.....	.....	.....	.....	.....	.....
Florida.....	269,493	59,248	Tallahassee.....	<i>W. D. Bloxham</i> .....	3500	4	January 1885	.....	2	Tues. aft 1st Mon. Nov. 1884
Georgia.....	1,542,180	57,000	Atlanta.....	<i>Alexander H. Stephens</i> .....	4000	2	December 1884	January 1883	10	1st Wednesday, Oct. 1884
Idaho Territory.....	32,610	90,932	Boise City.....	<i>John B. Neil</i> .....	2600	4	December 1884	*December 1884	1	Tues. aft 1st Mon. Nov. 1884
Illinois.....	3,077,871	55,410	Springfield.....	<i>John M. Hamilton</i> .....	6000	4	January 1885	*January 1885	20	Tues. aft 1st Mon. Nov. 1884
Indiana.....	1,978,301	33,809	Indianapolis.....	<i>Albert G. Porter</i> .....	5000	4	January 1885	*January 1885	13	2d Tuesday, Oct. 1884
Indian Territory.....	.....	68,991	Tallequah.....	<i>D. W. Bushyhead, Prime Chief</i> .....	1000	4	November 1883	November 1884	.....	1st Monday, Aug. 1883
Iowa.....	1,624,615	55,945	Des Moines.....	<i>Buren R. Sherman</i> .....	3000	2	January 1884	*January 1884	11	2d Tuesday, Oct. 1884
Kansas.....	996,096	88,318	Topeka.....	<i>George W. Glick</i> .....	3000	2	January 1885	*January 1885	7	Tues. aft 1st Mon. Nov. 1884
Kentucky.....	1,648,690	37,680	Frankfort.....	<i>Luke P. Blackburn</i> .....	5000	4	September 1883	December 1883	11	1st Monday, Aug. 1883
Louisiana.....	939,946	41,346	Baton Rouge.....	<i>John McEnery</i> .....	4000	4	May 1884	May 1884	6	3d Monday, April, 1884
Maine.....	648,936	35,000	Augusta.....	<i>Frederick H. Robie</i> .....	2000	2	January 1885	*January 1885	4	2d Monday, Sept. 1884
Maryland.....	934,943	11,124	Annapolis.....	<i>W. T. Hamilton</i> .....	4500	4	January 1885	*January 1885	6	Tues. aft 1st Mon. Nov. 1883
Massachusetts.....	1,783,085	7,800	Boston.....	<i>Benjamin F. Butler</i> .....	4000	1	January 1884	January 1884	12	Tues. aft 1st Mon. Nov. 1883
Michigan.....	1,336,937	56,451	Lansing.....	<i>Joseph W. Bregate</i> .....	1000	2	January 1885	*January 1885	11	Tues. aft 1st Mon. Nov. 1884
Minnesota.....	780,773	83,531	St. Paul.....	<i>L. F. Hubbard</i> .....	3800	2	January 1884	*January 1884	5	Tues. aft 1st Mon. Nov. 1883
Mississippi.....	1,131,597	47,156	Jefferson City.....	<i>Robert Lowry</i> .....	4000	4	January 1886	*January 1884	7	Tues. aft 1st Mon. Nov. 1884
Missouri.....	2,168,380	65,350	Jefferson City.....	<i>T. T. Crittenden</i> .....	5000	4	January 1885	*January 1885	14	Tues. aft 1st Mon. Nov. 1884
Montana Ter.....	59,159	143,776	Helena.....	<i>J. Schuyler Crosby</i> .....	2600	4	.....	.....	1	Tues. aft 1st Mon. Nov. 1884
Nebraska.....	452,402	75,995	Lincoln.....	<i>James W. Dawes</i> .....	2500	2	January 1885	*January 1885	3	Tues. aft 1st Mon. Nov. 1884
Nevada.....	62,266	81,539	Carson City.....	<i>Jewett W. Adams</i> .....	6000	4	January 1885	February 1885	1	Tues. aft 1st Mon. Nov. 1884
New Hampshire.....	346,991	9,280	Concord.....	<i>Samuel W. Hale</i> .....	1000	2	June 1885	*June 1883	2	Tues. aft 1st Mon. Nov. 1884
New Jersey.....	1,131,116	8,320	Trenton.....	<i>George C. Ludlow</i> .....	5000	3	January 1884	January 1883	1	Tues. aft 1st Mon. Nov. 1884
New Mexico Ter.....	119,565	121,201	Santa Fe.....	<i>Lionel A. Sheldon</i> .....	2600	4	January 1885	*January 1884	7	Tues. aft 1st Mon. Nov. 1884
New York.....	5,082,871	47,000	Albany.....	<i>Grover Cleveland</i> .....	10000	3	January 1886	*January 1883	34	Tues. aft 1st Mon. Nov. 1884
North Carolina.....	1,399,750	50,704	Raleigh.....	<i>Thomas J. Jarvis</i> .....	3000	4	January 1885	*January 1883	9	Tues. aft 1st Mon. Nov. 1884
Ohio.....	3,198,062	39,954	Columbus.....	<i>Charles Foster</i> .....	4000	2	January 1884	*January 1884	21	2d Tuesday, Oct. 1884
Oregon.....	174,768	95,274	Salem.....	<i>Zeas F. Moody</i> .....	1500	4	September 1886	*September 1884	1	1st Monday, June, 1884
Pennsylvania.....	4,282,891	46,000	Harrisburg.....	<i>Robert E. Pattison</i> .....	10000	4	January 1887	*January 1885	28	Tues. aft 1st Mon. Nov. 1884
Rhode Island.....	276,531	1,306	New'pt and Prov.....	<i>A. H. Littlefield</i> .....	1000	1	May 1883	June 1884	2	1st Wednesday, April, 1883
South Carolina.....	995,577	34,000	Columbia.....	<i>Hugh S. Thompson</i> .....	3500	2	November 1884	November 1884	7	Tues. aft 1st Mon. Aug. 1884
Tennessee.....	1,542,359	45,000	Nashville.....	<i>William B. Bate</i> .....	4000	2	January 1885	*January 1884	10	Aug. 1884
Texas.....	1,591,849	274,356	Austin.....	<i>John Ireland</i> .....	4000	2	January 1885	*January 1885	11	Tues. aft 1st Mon. Nov. 1884
Utah Territory.....	143,963	88,056	Salt Lake City.....	<i>Eli H. Murray</i> .....	2600	4	January 1884	*January 1884	1	1st Monday, Aug. 1884
Vermont.....	332,286	10,212	Montpelier.....	<i>John L. Barstow</i> .....	1000	2	October 1882	*October 1884	2	1st Tuesday, Sept. 1884
Virginia.....	1,512,505	38,352	Richmond.....	<i>W. E. Cameron, Itadj.</i> .....	5000	4	January 1886	December 1884	10	Tues. aft 1st Mon. Nov. 1884
Washington Ter.....	75,116	69,994	Olympia.....	<i>William A. Newell</i> .....	2600	4	.....	*October 1884	1	Tues. aft 1st Mon. Nov. 1884
West Virginia.....	618,457	23,000	Wheeling.....	<i>Jacob B. Jackson</i> .....	2700	4	.....	*October 1885	4	2d Tuesday, Oct. 1884
Wisconsin.....	1,315,497	53,924	Madison.....	<i>J. M. Rusk</i> .....	5000	2	March 1884	*January 1883	9	Tues. aft 1st Mon. Nov. 1884
Wyoming Ter.....	20,789	85,000	Cheyenne.....	<i>William Hale</i> .....	2600	4	April 1882	*January 1884	1	Tues. aft 1st Mon. Nov. 1884

\*Legislature elected biennially.  
Democrats in Italics; Republicans in Roman.



Connecticut.		
	1880.	1870.
Fairfield.....	112042	95276
Hartford.....	125382	109007
Litchfield.....	52044	48727
Middlesex.....	35589	36099
New Haven.....	156523	121257
New London.....	73152	66570
Tolland.....	24112	22000
Windham.....	43856	38518
<b>Total</b> .....	<b>622700</b>	<b>537454</b>
Of whom, Colored..	11793	9668

Dakota Territory.		
	1880.	1870.
Aurora.....	69	.....
Barnes.....	1585	.....
Beadle.....	1290	.....
Billings.....	1323	.....
Bon Homme.....	5468	608
Boreman.....	534	.....
Bottineau.....	.....	.....
Brookings.....	4965	163
Brown.....	353	.....
Brule.....	238	.....
Buffalo.....	63	246
Burleigh.....	3246	.....
Campbell.....	50	.....
Cass.....	8998	.....
Cavalier.....	.....	.....
Charles Mix.....	407	152
Cheyenne.....	.....	.....
Clark.....	114	.....
Clay.....	5001	2621
Codington.....	2156	.....
Custer.....	995	.....
Davison.....	1256	.....
Day.....	97	.....
Delano.....	.....	.....
De Smet.....	.....	.....
Denel.....	2302	37
Douglas.....	6	.....
Edmunds.....	.....	.....
Emmons.....	38	.....
Faulk.....	4	.....
Forsythe.....	.....	.....
Fort Sisseton.....	134	.....
Foster.....	37	.....
Gingras.....	.....	.....
Grand Forks.....	6248	.....
Grant.....	3010	.....
Gregory.....	.....	.....
Hamlin.....	693	.....
Hand.....	153	.....
Hanson.....	1301	.....
Howard.....	12	.....
Hughes.....	268	.....
Hutchinson.....	5573	37
Hyde.....	.....	.....
Kidder.....	81	.....
Kingsbury.....	1902	.....
Jayne.....	.....	5
Lake.....	2657	.....
La Moure.....	20	.....
Lawrence.....	13248	.....
Lincoln.....	5896	712
Logan.....	.....	.....
Lugenbeel.....	.....	.....
Lyman.....	124	.....
McCook.....	1283	.....
McHenry.....	.....	.....
McPherson.....	.....	.....
Mandan.....	.....	.....
Mercer.....	.....	.....
Meyer.....	115	.....
Minnehaha.....	8251	355
Miner.....	363	.....
Mountraille.....	13	.....
Moody.....	3915	.....
Morton.....	200	.....
Pembina.....	4862	1213
Pennington.....	2244	.....
Potter.....	.....	.....
Pratt.....	.....	.....
Presho.....	.....	.....
Ramsey.....	281	.....
Ransom.....	537	.....
Renville.....	.....	.....
Richland.....	3597	.....
Rolette.....	.....	.....

	1880.	1870.
Rusk.....	46	.....
Shannon.....	113	.....
Sheridan.....	.....	.....
Sisseton.....	.....	.....
and Wah- } Ind. } peton. } Res. }	73	.....
Spink.....	477	.....
Stanley.....	793	.....
Stark.....	.....	.....
Stevens.....	247	.....
Stutsman.....	1007	.....
Sulley.....	296	.....
Todd.....	203	337
Traill.....	4123	.....
Tripp.....	.....	.....
Turner.....	5320	.....
Union.....	6313	3507
Walette.....	432	.....
Walworth.....	46	.....
White River.....	.....	.....
Williams.....	46	.....
Yankton.....	8390	2097
Ziebach.....	.....	.....
Unor'z'd p'rt'n of Ter. ....	.....	2091
<b>Total</b> .....	<b>135177</b>	<b>14181</b>
Of whom, Colored...	2003	94

District of Columbia.		
	1880.	1870.
Washington Co.....	177624	131700
Of whom, Colored..	59402	43404

Delaware.		
	1880.	1870.
Kent.....	32874	29504
New Castle.....	77116	63515
Sussex.....	36018	31696
<b>Total</b> .....	<b>146608</b>	<b>125015</b>
Of whom, Colored...	26456	22794

Florida..		
	1880.	1870.
Alachua.....	16462	17328
Baker.....	2303	1325
Bradford.....	6112	3671
Brevard.....	1478	1216
Calhoun.....	1580	998
Clay.....	2838	2098
Columbia.....	9589	7335
Dade.....	257	85
Duval.....	19431	11921
Escambia.....	12156	7817
Franklin.....	1791	1256
Gadsden.....	12139	9802
Hamilton.....	6790	5749
Hernando.....	4248	2938
Hillsborough.....	5814	3216
Holmes.....	2170	1572
Jackson.....	14372	9528
Jefferson.....	16065	13398
La Fayette.....	2441	1783
Leon.....	19662	15236
Levy.....	5767	2018
Liberty.....	1362	1050
Madison.....	14798	11121
Manatee.....	3544	1931
Marion.....	13046	10804
Monroe.....	10940	5657
Nassau.....	6635	4247
Orange.....	6618	2195
Polk.....	3181	3169
Putnam.....	6261	3821
Saint John's.....	4535	2618
Santa Rosa.....	6645	3312
Sumter.....	4686	2952
Suwannee.....	7161	3556
Taylor.....	2279	1453
Volusia.....	3294	1723
Wakulla.....	2723	2506
Walton.....	4201	3041
Washington.....	4089	2302
<b>Total</b> .....	<b>269493</b>	<b>187748</b>
Of whom, Colored...	125317	91689

Georgia.		
	1880.	1870.
Appling.....	5276	5086
Baker.....	7307	6843
Baldwin.....	13806	10618
Banks.....	7337	4974
Bartow.....	18690	16566
Berrien.....	6619	4518
Bibb.....	27147	20255
Brooks.....	11727	8342
Bryan.....	4929	5252
Bullock.....	8053	5610
Burke.....	27128	17679
Butts.....	8311	6941
Calhoun.....	7024	5503
Camden.....	6183	4615
Campbell.....	9970	9176
Carroll.....	16901	11782
Catoosa.....	4739	4409
Charlton.....	2154	1897
Chatham.....	45023	41279
Chattahooche.....	5670	6059
Chattooga.....	10021	6902
Cherokee.....	14325	10399
Clarke.....	11702	12941
Clay.....	6650	5493
Clayton.....	8027	5477
Clinch.....	4138	3945
Cobb.....	20748	13814
Coffee.....	5070	3192
Colquitt.....	2527	1654
Columbia.....	10465	13529
Coweta.....	21109	15875
Crawford.....	8656	7557
Dade.....	4702	3033
Dawson.....	5837	4369
Decatur.....	19072	15183
De Kalb.....	14497	10014
Dodge.....	5358	.....
Dooly.....	12420	9790
Dougherty.....	12622	11517
Douglas.....	6934	.....
Early.....	7611	6998
Echols.....	2553	1978
Effingham.....	5979	4214
Elbert.....	12957	9240
Emanuel.....	9759	6134
Fannin.....	7245	5429
Fayette.....	8605	8221
Floyd.....	24418	17230
Forsyth.....	10559	7983
Franklin.....	11453	7893
Fulton.....	49137	33346
Gilmer.....	8386	6644
Glascocock.....	3577	2736
Glynn.....	6497	5376
Gordon.....	11171	9268
Greene.....	17547	12454
Gwinnett.....	19531	12431
Habersham.....	8718	6322
Hall.....	15298	9607
Hancock.....	16989	11317
Haralson.....	5974	4004
Harris.....	15738	13284
Hart.....	9994	6783
Heard.....	8769	7866
Henry.....	14193	10102
Houston.....	22414	20406
Irwin.....	2696	1837
Jackson.....	16297	11181
Jasper.....	11851	10439
Jefferson.....	15671	12190
Johnson.....	4800	2964
Jones.....	11613	9436
Laurens.....	10053	7834
Lee.....	10577	9567
Liberty.....	10649	7688
Lincoln.....	6412	5413
Lowndes.....	11049	8321
Lumpkin.....	6526	5161
McDuffy.....	9449	.....
McIntosh.....	6241	4491
Macon.....	11675	11458
Madison.....	7978	5227
Marion.....	8598	8000
Meriwether.....	17651	13756
Miller.....	3720	3091
Milton.....	6261	4284
Mitchell.....	9392	6633
Monroe.....	18808	17213
Montgomery.....	5381	3586
Morgan.....	14032	10696
Murray.....	8269	6500
Muscogee.....	19322	16663



**Georgia.**—[Continued.]

	1880.	1870.
Newton.....	13623	14615
Oconee.....	6351	.....
Oglethorpe.....	15400	11782
Paulding.....	10887	7639
Pickens.....	6790	5317
Pierce.....	4538	2778
Pike.....	15849	10905
Polk.....	11952	7822
Pulaski.....	14958	11910
Putnam.....	14539	10461
Quitman.....	4392	4150
Rabun.....	4634	3256
Randolph.....	13341	10561
Richmond.....	31665	25724
Rockdale.....	6838	.....
Schley.....	5302	5129
Screven.....	14785	9175
Spalding.....	12585	10205
Stewart.....	13993	14201
Sumter.....	18239	16559
Talbot.....	11115	11913
Taliaferro.....	7034	4796
Tattnall.....	6988	4860
Taylor.....	8597	7143
Telfair.....	4828	3245
Terrell.....	10451	9053
Thomas.....	2597	14523
Towns.....	3261	2780
Troup.....	20565	17632
Twiggs.....	8018	8545
Union.....	6431	5267
Upson.....	12400	9430
Walker.....	11056	9925
Walton.....	15622	11038
Ware.....	4159	2286
Warren.....	10885	19545
Washington.....	21964	15842
Wayne.....	5980	2177
Webster.....	5237	4677
White.....	5341	4506
Whitfield.....	11900	10417
Wilcox.....	3109	2439
Wilkes.....	15985	11796
Wilkinson.....	12031	9383
Worth.....	5892	3778
Total.....	1542180	1184109
Of whom, colored...	724765	545142

**Idaho Territory.**

	1880.	1870.
Ada.....	4674	2675
Alturas.....	1693	639
Bear Lake.....	3235	.....
Boise.....	3214	3834
Cassia.....	1312	.....
Idaho.....	2031	819
Kootenai.....	518	.....
Lemhi.....	2239	938
Nez Percés.....	3965	1607
Oneida.....	6964	1922
Owyhee.....	1426	1713
Shoshone.....	469	722
Washington.....	879	.....
Total.....	32610	14999
Of whom, colored...	3600	60

**Illinois.**

	1880.	1870.
Adams.....	59135	56362
Alexander.....	14808	10564
Bond.....	14866	13152
Boone.....	11508	12912
Brown.....	13041	12205
Bureau.....	32172	32415
Calhoun.....	7467	6562
Carroll.....	16976	16705
Cass.....	14493	11580
Champaign.....	40863	32737
Christian.....	23227	20363
Clark.....	21894	18719
Clay.....	16192	15875

	1880.	1870.
Clinton.....	18714	16285
Coles.....	27042	25235
Cook.....	607524	349956
Crawford.....	16197	13889
Cumberland.....	13759	12233
De Kalb.....	2768	23265
De Witt.....	17010	14768
Douglas.....	15853	13484
Du Page.....	19161	16685
Edgar.....	25499	21450
Edwards.....	8597	7395
Effingham.....	18920	15653
Fayette.....	23241	19638
Ford.....	15099	9103
Franklin.....	16129	12552
Fulton.....	41240	38291
Gallatin.....	12861	11131
Greene.....	23010	20277
Grundy.....	16732	14938
Hamilton.....	16712	13014
Hancock.....	35337	35935
Hardin.....	6924	5113
Henderson.....	10722	12582
Henry.....	36597	35506
Iroquois.....	35451	25782
Jackson.....	22505	19634
Jasper.....	14515	11234
Jefferson.....	20686	17864
Jorsey.....	15542	15054
Jo Daviess.....	27528	27820
Johnson.....	13078	11218
Kane.....	44939	39091
Kankakee.....	25047	21352
Ken dall.....	13083	12399
Knox.....	38344	33522
Lake.....	21296	21014
La Salle.....	70403	60792
Lawrence.....	13563	12533
Lee.....	27491	27171
Livingston.....	38450	31471
Logan.....	25037	23053
McDonough.....	27970	26509
McHenry.....	21908	23762
McLean.....	60115	53988
Macon.....	30665	26481
Macoupin.....	37692	32726
Madison.....	50126	41131
Marion.....	23686	20622
Marshall.....	15055	16956
Mason.....	16242	16184
Massac.....	10443	9581
Menard.....	13024	11735
Mereer.....	19502	18769
Monroe.....	13682	12932
Montgomery.....	23078	25314
Morgan.....	31514	28463
Moultrie.....	13699	10335
Ogle.....	29937	27492
Peoria.....	55355	47540
Perry.....	16907	13723
Piate.....	15583	10953
Pike.....	33751	30768
Pope.....	13256	11427
Pulaski.....	9597	8752
Putnam.....	5554	6280
Randolph.....	25690	20859
Richland.....	15545	12803
Rock Island.....	33392	29783
Saint Clair.....	61896	51068
Saline.....	15940	12714
Sangamon.....	52894	46352
Schuyler.....	16249	17419
Scott.....	10741	10530
Shelby.....	30270	25476
Stark.....	11207	19751
Stephenson.....	31963	30608
Tazewell.....	29666	27903
Union.....	13102	16518
Vermillion.....	41588	30388
Wabash.....	9945	8811
Warren.....	22933	23171
Washington.....	21112	17599
Wayne.....	21291	19758
White.....	23087	16845
Whitesides.....	30885	27593
Will.....	53422	43013
Williamson.....	19324	17329
Winnebago.....	30505	29301
Woodford.....	21620	18956
Total.....	3077871	2539891
Of whom, Colored...	46395	28762

**Indiana.**

	1880.	1870.
Adams.....	15385	11382
Allen.....	54763	43494
Bartholomew.....	22777	21133
Benton.....	11108	5615
Blackford.....	8020	6272
Boone.....	25922	22593
Brown.....	10264	8681
Carroll.....	18345	16152
Cass.....	27611	24193
Clarke.....	28610	24770
Clay.....	25854	19084
Clinton.....	23472	17330
Crawford.....	12356	9851
Daviess.....	21552	16747
Dearborn.....	25671	24116
Decatur.....	19779	19053
DeKalb.....	20225	17167
Delaware.....	22926	19030
Dubois.....	15992	12597
Elkhart.....	33454	26026
Fayette.....	11391	10476
Floyd.....	24590	23300
Fountain.....	20228	16389
Franklin.....	20092	20223
Fulton.....	14301	12726
Gibson.....	22742	17371
Grant.....	23618	18487
Greene.....	22996	19514
Hamilton.....	24801	20882
Hancock.....	17123	15123
Harrison.....	21326	19913
Hendricks.....	22981	20277
Henry.....	24016	32986
Howard.....	19584	15847
Huntington.....	21805	19036
Jackson.....	23050	18974
Jasper.....	9464	6354
Jay.....	19282	15000
Jefferson.....	25977	29741
Jennings.....	16453	16218
Johnson.....	19537	18366
Knox.....	26324	21562
Kosciusko.....	26494	23531
Lagrange.....	15630	14148
Lake.....	15091	12399
La Porte.....	30985	27062
Lawrence.....	18543	14628
Madison.....	27527	22770
Marion.....	102782	71939
Marshall.....	23114	20211
Martin.....	13475	11103
Miami.....	24083	21052
Monroe.....	15875	14168
Montgomery.....	27316	23765
Morgan.....	18900	17528
Newton.....	8167	5829
Noble.....	22956	20389
Ohio.....	5563	5837
Orange.....	14363	13197
Owen.....	15901	16137
Parke.....	19460	18166
Perry.....	16997	14801
Pike.....	16383	13779
Porter.....	17227	13942
Posey.....	20857	19185
Pulaski.....	9851	7801
Putnam.....	22501	21514
Randolph.....	26435	22862
Ripley.....	21627	20977
Rush.....	19233	17626
Saint Joseph.....	33178	25322
Scott.....	8343	7873
Shelby.....	25257	21892
Spencer.....	22122	17998
Stark.....	5105	3888
Steuben.....	14645	12854
Sullivan.....	20336	18453
Switzerland.....	13336	12134
Tippecanoe.....	35966	33515
Tipton.....	14407	11953
Union.....	7673	6341
Vanderburgh.....	42193	33145
Vermillion.....	12025	10840
Vigo.....	54658	33549
Wabash.....	25241	21305
Warren.....	11497	10204
Warriek.....	20162	17653
Washington.....	18955	18495
Wayne.....	38613	34048
Wells.....	18442	13585



**Kentucky.—[Continued.]**

	1880.	1870.
Henry .....	14492	11066
Hickman .....	16651	8453
Hopkins .....	19122	13827
Jackson .....	6678	4547
Jefferson .....	146010	118953
Jessamine.....	10864	8638
Johnson .....	9155	7494
Josh Bell.....	.....	3721
Kenton .....	43983	36096
Knox .....	10587	8294
La Rue .....	9793	8235
Laurel .....	9131	6016
Lawrence.....	13262	8497
Lee .....	4254	3055
Leslie .....	3740	.....
Letcher.....	6601	4608
Lewis.....	13154	9115
Lincoln.....	15080	10947
Livingston.....	9165	8200
Logan.....	24358	20429
Lyon.....	6768	6233
McCracken.....	16262	13988
McLean .....	9293	7614
Madison .....	22052	19543
Magoffin.....	6944	4684
Marion.....	14693	12833
Marshall.....	9647	9455
Martin .....	3057	.....
Mason .....	20469	18126
Meade.....	10323	9485
Menifee.....	3755	1986
Mercer .....	14142	13144
Metcalf.....	9423	7934
Monroe .....	10741	9231
Montgomery.....	10566	7577
Morgan .....	8455	5975
Muhlenburgh.....	15098	12638
Nelson.....	16609	14804
Nicholas.....	11869	919
Ohio .....	19669	15561
Oldham.....	7667	9027
Owen .....	17401	14309
Owsley .....	4942	3889
Pendleton .....	16702	14039
Perry.....	5607	4274
Pike.....	13001	9562
Powell.....	3639	2599
Pulaski .....	21318	17670
Robertson.....	5814	5399
Rockcastle.....	9670	7145
Rowan.....	4420	2991
Russell.....	7591	5809
Scott.....	14965	11607
Shelby .....	16813	15733
Simpson .....	10641	9573
Spencer.....	7040	5956
Taylor.....	9259	8226
Todd.....	15994	12612
Trigg.....	14489	13686
Trimble.....	7171	5577
Union.....	17809	13640
Warren .....	27531	21742
Washington.....	14419	12464
Wayne.....	12512	10602
Webster.....	14246	10937
Whitley.....	12000	8278
Wolfe.....	5638	3603
Woodford.....	11800	8240
<b>Total.....</b>	<b>1648690</b>	<b>1321011</b>
<b>Of whom, colored...</b>	<b>271522</b>	<b>222210</b>

**Louisiana.**

	1880.	1870.
Ascension .....	16895	11577
Assumption.....	17010	13234
Avoyelles.....	16747	12926
Bienville.....	10442	10636
Bossier .....	16042	12675
Caddo.....	26296	21714
Calcasieu .....	12484	6733
Calwell.....	5767	4820
Cameron.....	2416	1591
Carrall.....	.....	10110
Catahoula.....	10277	8475
Clatborne.....	18837	20240
Concordia .....	14914	9977
De Soto .....	15693	14962
East Baton Rouge..	19966	17816
East Carroll .....	12134	.....

	1880.	1870.
East Feliciana.....	15132	13499
Franklin.....	6495	5078
Grant.....	6188	4517
Iberia.....	16676	9042
Iberville.....	17544	12347
Jackson.....	5328	7646
Jefferson.....	12166	17767
La Fayette .....	13235	10388
La Fourche.....	19113	14719
Lincoln.....	11075	.....
Livinston.....	5258	4026
Madison.....	13906	8600
Morehouse.....	14206	9387
Natchitoches .....	19707	18265
Orleans.....	216090	191418
Ouachita.....	14685	11582
Plaquemines.....	11575	10552
Pointe Coupee.....	17785	12981
Rapides.....	23563	18015
Red River.....	8573	.....
Richland.....	8440	5110
Sabine.....	7344	6456
St. Bernard.....	4405	3553
St. Charles.....	7161	4867
St. Helena.....	7504	5423
St. James .....	14714	10152
St. John Baptist,....	9686	6762
St. Landry .....	40004	25553
St. Martin's.....	12663	9370
St. Mary's.....	19891	13860
St. Tammany.....	6887	5586
Tangipahoa .....	9638	7928
Tensas.....	17815	12419
Terre Bonne.....	17957	12451
Union.....	13526	11685
Vermillion .....	8728	4528
Vernot .....	6160	.....
Washington .....	5190	3330
Webster.....	10005	.....
West Baton Rouge..	7667	5114
West Carroll .....	2776	.....
West Feliciana.....	12809	10499
Winn.....	5846	4954
<b>Total.....</b>	<b>939946</b>	<b>726915</b>
<b>Of whom, colored...</b>	<b>485200</b>	<b>364210</b>

**Maine.**

	1880.	1870.
Androscogan.....	45042	35866
Aroostook.....	41700	29609
Cumberland.....	86359	82021
Franklin.....	18180	18807
Hancock .....	38129	36495
Kennebec .....	53058	53203
Knox.....	32863	30823
Lincoln.....	24821	25597
Oxford.....	32627	33488
Penobscot.....	70476	75150
Piscataquis .....	14872	14403
Sagadahoc.....	19272	18803
Somerset.....	32333	34611
Waldo .....	32463	34522
Washington .....	44484	43343
York.....	62257	60174
<b>Total.....</b>	<b>648936</b>	<b>626915</b>
<b>Of whom, colored...</b>	<b>2042</b>	<b>1606</b>

**Maryland.**

	1880.	1870.
Alleghany .....	38012	38536
Anne Arundel.....	28526	24457
Baltimore City.....	332313	330741
Baltimore.....	83336	.....
Calvert.....	10538	9865
Caroline .....	13766	12101
Carroll.....	20992	28619
Cecil.....	27108	25874
Charles .....	18548	15738
Dorchester.....	23110	19458
Frederick .....	50482	47572
Garrett.....	12175	.....
Harford.....	28042	22605
Howard.....	16140	14150
Kent.....	17605	17102
Montgomery .....	24759	20563
Prince George.....	26451	21138
Queen Anne.....	19257	16171
St. Mary's.....	16934	14944

	1880.	1870.
Somerset.....	21668	18190
Talbot.....	19065	16137
Washington .....	38561	34712
Wicomico.....	18016	15802
Worcester .....	19539	16419
<b>Total.....</b>	<b>934943</b>	<b>780894</b>
<b>Of whom, colored...</b>	<b>209914</b>	<b>175391</b>

**Massachusetts.**

	1880.	1870.
Barnstable.....	31897	32774
Berkshire .....	69032	64827
Bristol.....	139040	102886
Dukes .....	4300	3787
Essex.....	244535	200843
Franklin.....	36001	32635
Hampden.....	104142	78409
Hampshire.....	47232	44388
Middlesex.....	317830	274353
Nantucket.....	3727	4123
Norfolk.....	96507	89443
Plymouth.....	74018	65365
Suffolk.....	387927	270802
Worcester .....	226897	192716
<b>Total.....</b>	<b>178035</b>	<b>1457351</b>
<b>Of whom, colored...</b>	<b>19004</b>	<b>13947</b>

**Michigan.**

	1880.	1870.
Alcona .....	3107	696
Allegan.....	37815	32105
Alpena.....	8789	2756
Antrim .....	5237	1985
Baraga.....	1804	.....
Barry .....	25317	22199
Bay.....	38081	15900
Benzie.....	3433	2184
Berrien.....	36785	35104
Branch .....	27941	26226
Calhoun.....	38452	36569
Cass.....	22009	21094
Charlevoix .....	5115	1724
Cheboygan .....	6524	2196
Chippewa.....	5248	1689
Clare .....	4187	866
Clinton.....	28100	22845
Crawford .....	1159	.....
Delta .....	6812	2542
Eaton.....	31225	25171
Emmett .....	6639	1211
Genesee.....	39220	33900
Gladwin.....	1127	.....
Grand Traverse.....	8422	4443
Gratiot.....	21936	11810
Hillsdale .....	32723	31684
Houghton .....	22473	13879
Huron .....	20089	9049
Ingham .....	33676	25268
Ionia.....	33872	27681
Iosco.....	6873	3163
Isabella.....	12159	4113
Isle Royale .....	55	.....
Jackson.....	42031	36047
Kalamazoo .....	34342	32054
Kalkaska .....	2937	424
Kent.....	73253	50403
Keweenaw.....	4270	4205
Lake .....	3233	548
Lapeer.....	30138	21345
Leelenaw .....	6253	4576
Lenawee.....	48343	45595
Livingston .....	22251	19336
Mackinac.....	2902	1716
Macomb.....	31627	27616
Manistee .....	12532	6074
Manitou .....	1334	891
Marquette.....	25394	15033
Mason .....	10065	3263
Mecosta.....	13973	5642
Menominee.....	11987	1791
Midland .....	6893	3285
Missaukee.....	1553	130
Monroe .....	33624	27483
Montcalm .....	33148	13629
Muskegon .....	26586	14894
Newaygo .....	14688	7294
Oakland.....	41537	4867
Oceana .....	11699	7222

Michigan.—[Continued.]

	1880.	1870.
Ogemaw.....	1914	12
Ontonagon.....	255	2845
Osceola.....	10777	2093
Oscoda.....	467	70
Otsego.....	1974	.....
Ottawa.....	33126	26651
Presque Isle.....	3113	355
Roscommon.....	1459	.....
Saginaw.....	59095	39097
St. Clair.....	46197	36661
St. Joseph.....	26626	26275
Sanilae.....	26341	14562
Schoolcraft.....	1575	.....
Shiawassee.....	27059	20858
Tuscola.....	25738	13714
Van Buren.....	30807	28829
Washtenaw.....	41848	41434
Wayne.....	166444	119088
Wexford.....	6815	650
<b>Total.....</b>	<b>1636937</b>	<b>1457351</b>
<b>Of whom, Colored...</b>	<b>22253</b>	<b>11849</b>

Minnesota.

	1880.	1870.
Aitkin.....	366	178
Anoka.....	7108	3940
Becker.....	5218	308
Beltrami.....	10	80
Benton.....	3012	1558
Big Stone.....	3688	24
Blue Earth.....	22889	17302
Brown.....	12018	6396
Carlton.....	1230	9286
Carver.....	14140	11586
Cass.....	486	380
Chippewa.....	5408	1467
Chisago.....	7982	4358
Clay.....	5887	92
Cook.....	65	.....
Cottonwood.....	5533	534
Crow Wing.....	2319	200
Dakota.....	17391	16312
Dodge.....	11344	8598
Douglas.....	9130	4239
Faribault.....	13016	9940
Fillmore.....	28162	24887
Freeborn.....	16069	10578
Goodhue.....	29651	22618
Grant.....	3004	340
Hennepin.....	67013	31566
Houston.....	16332	14936
Isanti.....	5063	2035
Itasca.....	124	96
Jackson.....	4806	1825
Kanabec.....	505	93
Kandiyohi.....	10159	1760
Kitson.....	905	.....
Lac-qui-parle.....	4891	145
Lake.....	106	135
Le Sueur.....	16103	11607
Lincoln.....	2945	.....
Lyon.....	6257	.....
McLeod.....	12342	5643
Marshall.....	992	.....
Martin.....	5249	3867
Mecker.....	11739	6090
Mille Lacs.....	1501	1109
Monongana.....	.....	3161
Morrison.....	5875	1681
Mower.....	16799	10447
Murray.....	3604	209
Nicollet.....	12333	8362
Nobles.....	4435	117
Olmsted.....	21543	19793
Otter Tail.....	18675	1968
Pembina.....	.....	64
Pine.....	1365	648
Pipe Stone.....	2092	.....
Polk.....	11433	.....
Pope.....	5874	2691
Ramsey.....	45890	23085
Redwood.....	5375	1829
Renville.....	10791	3219
Rice.....	22481	16083
Rock.....	3649	138
St. Louis.....	4504	4561
Scott.....	13516	11043
Sherburne.....	3855	2050
Sibley.....	10637	6725

	1880.	1870.
Stearns.....	21956	14200
Steele.....	12460	8271
Stevens.....	3911	174
Swift.....	7473	.....
Todd.....	6133	2036
Traverse.....	1507	13
Wabashaw.....	18206	15859
Wadena.....	2080	6
Waseca.....	12385	7854
Washington.....	19563	11809
Watsonwan.....	5104	2426
Wilkin.....	1906	295
Winona.....	27197	22319
Wright.....	18104	9457
Yellow Medicine ..	5884	.....
<b>Total.....</b>	<b>780773</b>	<b>439706</b>
<b>Of whom, colored...</b>	<b>3866</b>	<b>759</b>

Mississippi.

	1880.	1870.
Adams.....	22649	19084
Alcorn.....	14272	10431
Amite.....	14004	10973
Attala.....	19488	14776
Benton.....	11023	.....
Bolivar.....	18652	9732
Calhoun.....	13492	10561
Carroll.....	17795	21047
Chickasaw.....	17905	19899
Choctaw.....	9036	16988
Claiborne.....	16768	13386
Clarke.....	15021	7505
Clay.....	17367	.....
Coahoma.....	13568	7144
Copiah.....	27552	20608
Covington.....	5993	4753
De Soto.....	22924	32021
Franklin.....	9729	7498
Greene.....	3194	2038
Grenada.....	12071	10571
Hancock.....	6439	4239
Harrison.....	7895	5795
Hinds.....	43958	30488
Holmes.....	27164	19370
Issaquena.....	10004	6887
Itawamba.....	19663	7812
Jackson.....	7607	4362
Jasper.....	12426	10884
Jefferson.....	17314	13840
Jones.....	3828	3313
Kemper.....	15719	12920
La Fayette.....	21671	18802
Lauderdale.....	21501	13462
Lawrence.....	8420	6720
Leake.....	13146	8496
Lee.....	20470	15955
Le Flore.....	10246	.....
Lincoln.....	13547	10184
Lowndes.....	28244	30502
Madison.....	25866	20948
Marion.....	6901	4211
Marshall.....	29330	20416
Monroe.....	28553	22631
Montgomery.....	13348	.....
Neshoba.....	8741	7439
Newton.....	13436	10067
Noxubee.....	29874	20905
Oktibbeha.....	15978	14891
Panola.....	28352	20754
Perry.....	3427	2694
Pike.....	16688	11303
Pontotock.....	13758	12526
Prentiss.....	12158	9348
Quitman.....	1407	.....
Rankin.....	16752	12977
Scott.....	10845	7347
Sharkey.....	6306	.....
Simpson.....	8008	5718
Smith.....	8088	7126
Sumner.....	9534	.....
Sun Flower.....	4661	5015
Tallahatchee.....	10926	7852
Tate.....	18721	.....
Tippah.....	12867	20727
Tishomingo.....	8774	7350
Tunica.....	8461	5358
Union.....	13930	.....
Warren.....	31238	26709
Washington.....	25367	14569
Wayne.....	8741	4206

	1880.	1870.
Wilkinson.....	17815	12705
Winston.....	10087	8984
Yalabusha.....	15649	13254
Yazoo.....	33845	17279
<b>Total.....</b>	<b>1131597</b>	<b>827922</b>
<b>Of whom, colored...</b>	<b>652221</b>	<b>444201</b>

Missouri.

	1880.	1870.
Adair.....	15190	11448
Andrew.....	16318	15137
Atchison.....	14556	8410
Audrain.....	19732	12367
Barry.....	14105	10373
Barton.....	10332	8087
Bates.....	25381	15960
Benton.....	12396	11322
Bollinger.....	11130	8162
Boone.....	25422	20765
Buchanan.....	49792	35100
Butler.....	6011	4298
Caldwell.....	13646	11390
Callaway.....	23670	19202
Camden.....	7266	6108
Cape Girardeau.....	20098	17558
Carroll.....	23274	17446
Carter.....	2168	1455
Cass.....	22431	19296
Cedar.....	10741	9474
Chariton.....	25224	19136
Christian.....	9628	6707
Clarke.....	15031	13667
Clay.....	15572	15564
Clinton.....	16073	14063
Cole.....	15515	10292
Cooper.....	21596	20692
Crawford.....	10756	7982
Dade.....	12557	8683
Dallas.....	9263	8383
Daviess.....	19145	14410
De Kalb.....	13334	9858
Dent.....	10646	6357
Douglass.....	7753	3915
Dunklin.....	9604	5982
Franklin.....	26534	30998
Gasconade.....	11153	10093
Gentry.....	17176	11607
Greene.....	28801	21549
Grundy.....	15185	10567
Harrison.....	20304	14635
Henry.....	23906	17401
Hickory.....	7387	6452
Holt.....	15509	11652
Howard.....	18428	17233
Howell.....	8814	4218
Iron.....	8183	6278
Jackson.....	82325	55041
Jasper.....	32019	14928
Jefferson.....	18736	15380
Johnson.....	28172	24648
Knox.....	13047	10974
Laclede.....	11524	9380
La Fayette.....	25710	22623
Lawrence.....	17583	13067
Lewis.....	15925	15114
Lincoln.....	17426	15960
Linn.....	20016	15900
Livingston.....	20196	16730
McDonald.....	7815	5226
Macon.....	26222	23230
Madison.....	8876	5849
Maries.....	7304	5916
Marion.....	24837	23780
Mercer.....	14673	11557
Miller.....	9805	6616
Mississippi.....	9270	4982
Moniteau.....	14346	11375
Monroe.....	19071	17149
Montgomery.....	16249	10405
Morgan.....	10132	8434
New Madrid.....	7694	6357
Newton.....	78947	12821
Nodaway.....	29544	14751
Oregon.....	6791	3287
Osage.....	11824	10793
Ozark.....	5618	3363
Pemiscot.....	4299	2059
Perry.....	11895	9877
Pettis.....	27271	18706
Phelps.....	12568	10506

Missouri.—[Continued.]

	1880.	1870.
Pike.....	26715	23076
Platte.....	17366	17352
Polk.....	15734	12445
Pulaski.....	7250	4714
Putnam.....	13555	11217
Ralls.....	11838	10510
Randolph.....	22751	15908
Ray.....	20190	18700
Reynolds.....	5722	3756
Ripley.....	5377	3175
St. Charles.....	23065	21304
St. Clair.....	14125	6742
St. Francois.....	13822	9742
St. Genevieve.....	10390	8384
St. Louis City.....	350518	351189
St. Louis Co. ....	31888	
Saline.....	29911	21672
Schuyler.....	10470	8520
Scotland.....	12508	10670
Scott.....	8587	7317
Shannon.....	3441	2330
Shelby.....	14924	10119
Stoddard.....	13431	8535
Stone.....	4404	3253
Sullivan.....	16369	11907
Taney.....	5599	4107
Texas.....	12206	9618
Vernon.....	19369	11247
Warren.....	10806	9673
Washington.....	12836	11719
Wayne.....	9036	6068
Webster.....	12175	10434
Worth.....	8203	5004
Wright.....	9712	5684
Total.....	2168380	1721295
Colored.....	145236	118071

Montana.

	1880.	1870.
Beaver Head.....	2712	722
Big Horn.....	.....	38
Choteau.....	3058	517
Custer.....	2510	.....
Dawson.....	180	177
Deer Lodge.....	8376	4367
Gallatin.....	3643	1578
Jefferson.....	2464	1531
Lewis and Clarke..	6521	5040
Madison.....	3915	2684
Mcagher.....	2743	1387
Missoula.....	2537	2554
Total.....	39159	20595
Of whom, Colored...	3689	183

Nebraska.

	1880.	1870.
Adams.....	10235	19
Antelope.....	3953	.....
Blackbird.....	109	31
Boone.....	4170	.....
Buffalo.....	7531	193
Burt.....	6937	2847
Butler.....	9194	1290
Cass.....	16683	8151
Cedar.....	2899	1032
Chase.....	70	.....
Cheyenne.....	1558	190
Clay.....	11294	54
Colfax.....	6588	1424
Cuning.....	5569	2964
Custer.....	2211	.....
Dakota.....	3213	2040
Dawson.....	2909	103
Dixon.....	4177	1345
Dodge.....	11263	4212
Douglas.....	37645	19982
Dundy.....	37	.....
Fillmore.....	10204	238
Franklin.....	5465	26
Frontier.....	934	.....
Furnas.....	6407	.....
Gage.....	13164	3359
Gosper.....	1673	.....
Grant.....	.....	484
Greeley.....	1461	.....
Hall.....	8572	1057
Hamilton.....	8267	130

	1880.	1870.
Harlan.....	6086	.....
Harrison.....	.....	631
Hayes.....	119	.....
Hitchcock.....	1012	.....
Holt.....	3287	.....
Howard.....	4391	.....
Jackson.....	.....	9
Jefferson.....	8096	2410
Johnson.....	7595	3429
Kearney.....	4072	58
Keith.....	194	.....
Knox.....	3666	.....
Lancaster.....	28090	7074
Leau qui Court.....	.....	261
Lincoln.....	3632	17
Lyon.....	.....	78
Madison.....	5589	1133
Merriek.....	5341	557
Monroe.....	.....	235
Nance.....	1212	.....
Nemaha.....	10451	7593
Nuckolls.....	4235	8
Otoe.....	15727	12345
Pawnee.....	6920	4171
Phelps.....	2447	.....
Pierce.....	1292	152
Platte.....	9511	1899
Polk.....	6846	136
Red Willow.....	3044	.....
Richardson.....	15031	9780
Saline.....	14491	3106
Surry.....	4481	2913
Saunders.....	15810	4547
Seward.....	11147	2953
Sherman.....	2061	.....
Sioux.....	699	.....
Stanton.....	1813	633
Taylor.....	.....	97
Thayer.....	6113	.....
Valley.....	2324	.....
Washington.....	8631	4452
Wayne.....	813	182
Webster.....	7104	16
Wheeler.....	614	.....
York.....	11170	604
Unorganized Ter...	2913	258
Total.....	452402	122993
Of whom, Colored...	2627	789

Nevada.

	1880.	1870.
Churchhill.....	479	196
Douglass.....	1581	1215
Elko.....	5716	3447
Esmeralda.....	3220	1553
Eureka.....	7086	.....
Humboldt.....	3480	1916
Lander.....	3624	2315
Lineoln.....	2637	2985
Lyon.....	2409	1837
Nye.....	1875	1087
Ormsby.....	5412	3668
Roop.....	286	133
Storey.....	16115	11359
Washoe.....	5664	3091
White Pine.....	2682	7189
Total.....	62266	42491
Of whom, Colored (inc. Chinese and Indians).....	8691	580

New Hampshire.

	1880.	1870.
Belknap.....	17948	17681
Carroll.....	18224	17332
Cheshire.....	28734	27265
Coos.....	18580	14932
Grafton.....	38788	39103
Hillsborough.....	75634	64238
Merrimack.....	46300	42151
Rockingham.....	49064	47297
Stafford.....	35558	30243
Sullivan.....	18161	18058
Total.....	346991	318300
Of whom, Colored...	720	580

New Jersey.

	1880.	1870.
Atlantie.....	18704	14093
Bergen.....	36786	30122
Burlington.....	55402	53639
Camden.....	62942	46193
Cape May.....	9765	8349
Cumberland.....	37687	34665
Essex.....	18929	14339
Gloucester.....	25886	21562
Hudson.....	187944	129967
Hunterdon.....	38570	33963
Mercer.....	58061	46386
Middlesex.....	52286	45029
Monmouth.....	55538	46195
Morris.....	50861	43937
Ocean.....	14455	13628
Passaic.....	68860	46416
Salem.....	24579	23940
Somerset.....	27162	23510
Sussex.....	23539	23168
Union.....	55571	41859
Warren.....	3689	34330
Total.....	1131116	906090
Of whom, Colored..	38853	30658

New Mexico.

	1880.	1870.
Bernalillo.....	17225	7501
Colfax.....	3398	1992
Dona Ana.....	7612	5864
Grant.....	4539	1143
Lincoln.....	2513	1803
Mora.....	9751	8056
Rio Arriba.....	11023	9294
San Miguel.....	20638	16058
Santa Ana.....	.....	2599
Santa Fe.....	10867	9699
Socorro.....	7875	6603
Taos.....	11029	12079
Valencia.....	13095	9093
Total.....	119565	91874
Of whom, colored..	1015	172

New York.

	1880.	1870.
Albany.....	154890	133052
Alleghany.....	40510	40314
Broome.....	49483	44163
Cattaraugus.....	55866	43909
Cayuga.....	65081	59550
Chautauqua.....	65342	59327
Chemung.....	43065	35281
Chenango.....	39891	40564
Clinton.....	50897	47947
Columbia.....	47928	47044
Cortland.....	25825	25173
Delaware.....	42721	42972
Dutchess.....	79184	74041
Erie.....	219884	178699
Essex.....	34515	29042
Franklin.....	32390	30271
Fulton.....	30985	27064
Genesee.....	32806	31606
Greene.....	32695	31832
Hamilton.....	3923	2960
Herkimer.....	42669	39929
Jefferson.....	66103	65415
Kings.....	599495	419921
Lewis.....	31416	28699
Livingston.....	39562	38309
Madison.....	44112	43522
Monroe.....	144903	117868
Montgomery.....	38315	34457
New York.....	1206299	942292
Niagara.....	54173	50437
Oneida.....	115475	110098
Onondaga.....	117893	104183
Ontario.....	49541	45108
Orange.....	88220	80902
Orleans.....	30128	27689
Oswego.....	77911	77941
Otsego.....	51397	48967
Putnam.....	15181	15420
Queens.....	90574	73803
Rensselaer.....	115328	99549
Richmond.....	38991	33020
Rockland.....	27690	25213

**New York.**—[Continued.]

	1880.	1870.
St. Lawrence .....	85997	84826
Saratoga.....	55156	51529
Schenectady.....	23538	21347
Schoharie .....	32910	33340
Schuyler.....	18842	18989
Seneca.....	29278	27823
Steuben.....	77586	67717
Suffolk.....	53888	46924
Sullivan.....	32491	34550
Tioga.....	32673	30572
Tompkins.....	34445	33178
Ulster.....	85838	84075
Warren.....	25179	22592
Washington.....	47871	49568
Wayne.....	51700	47710
Westchester.....	108988	131348
Wyoming.....	30907	29164
Yates.....	21087	19595

Total.....	5082871	4382759
Of whom, colored..	65104	52081

**North Carolina.**

	1880.	1870.
Alamance.....	14613	11874
Alexander.....	8355	6868
Alleghany.....	5486	3691
Anson.....	17994	12428
Ashe.....	14437	9573
Beaufort.....	17474	13011
Bertie.....	16399	12950
Bladen.....	16158	12831
Brunswick.....	9389	7754
Buncombe.....	21909	15412
Burke.....	12809	9777
Cabarrus.....	14964	11954
Caldwell.....	10291	8476
Camden.....	6274	5361
Carteret.....	9784	9010
Caswell.....	17825	16081
Catawba.....	14946	10984
Chatham.....	23453	19723
Cherokee.....	8182	8080
Chowan.....	7900	6450
Clay.....	3316	2461
Cleveland.....	16571	12696
Columbus.....	14439	8474
Craven.....	19729	20516
Cumberland.....	23836	17035
Currituck.....	6476	5131
Dare.....	3243	2778
Davidson.....	20333	17414
Davie.....	11096	9620
Duplin.....	18773	15542
Edgecomb.....	26181	22970
Forsyth.....	18070	13050
Franklin.....	20829	14134
Gaston.....	14254	12602
Gates.....	8897	7724
Graham.....	2335	.....
Granville.....	31286	24831
Greene.....	10037	8687
Guilford.....	23585	21736
Halifax.....	30300	20408
Harnett.....	10892	8895
Haywood.....	10271	7921
Henderson.....	10281	7706
Hertford.....	11843	9273
Hyde.....	7765	6445
Iredell.....	22675	16931
Jackson.....	7343	6683
Johnston.....	23461	16897
Jones.....	7491	5002
Lenoir.....	15344	10434
Lincoln.....	11061	9573
McDowell.....	9836	7592
Macon.....	8064	6615
Madison.....	12810	8192
Martin.....	13140	9647
Mecklenburgh.....	34175	24299
Mitchell.....	9435	4705
Montgomery.....	9374	7487
Moore.....	16821	12040
Nash.....	17731	11077
New-Hanover.....	21376	27978
Northampton.....	20032	14749
Onslow.....	9829	7569
Orange.....	23698	17507
Pamlico.....	6323	.....
Pasquotank.....	19369	8131

	1880.	1870.
Pender.....	12168	.....
Perquimons.....	9466	7945
Person.....	13719	11170
Pitt.....	21794	17276
Polk.....	5062	4319
Randolph.....	20836	17551
Richmond.....	18245	12882
Robeson.....	23880	16262
Roekingham.....	21744	15708
Rowan.....	19965	16810
Rutherford.....	15198	13121
Sampson.....	22894	16436
Stanly.....	10505	8315
Stokes.....	15353	11208
Surry.....	15302	11252
Swain.....	3781	.....
Transylvania.....	5340	3536
Tyrrell.....	4545	4173
Union.....	18056	12217
Wake.....	47939	35617
Warren.....	22619	17768
Washington.....	8928	6516
Watauga.....	8160	5287
Wayne.....	24951	18144
Wilkes.....	19181	15539
Wilson.....	16064	12258
Yadkin.....	12420	10697
Yancey.....	7694	5909

Total.....	1399750	1071361
Of whom, colored..	531277	391650

**Ohio.**

	1880.	1870.
Adams.....	21005	20750
Allen.....	31314	23623
Ashland.....	23883	21933
Ashtabula.....	37139	32517
Athens.....	28411	23768
Auglaize.....	25444	20041
Belmont.....	49638	39714
Brown.....	32911	30802
Butler.....	42579	39912
Carroll.....	16416	14491
Champaign.....	27817	24188
Clarke.....	41948	32070
Clermont.....	36713	34268
Clinton.....	24756	21914
Columbiana.....	48602	38299
Coshocton.....	26642	23600
Crawford.....	30583	25556
Cuyahoga.....	196943	132010
Darke.....	40496	32278
Defiance.....	22515	15719
Delaware.....	27381	25175
Erie.....	32640	28188
Fairfield.....	34284	31138
Fayette.....	20364	17170
Franklin.....	86797	63019
Fulton.....	21053	17789
Gallia.....	28124	25545
Geauga.....	14251	14190
Greene.....	31349	28038
Guernsey.....	27197	23838
Hamilton.....	313374	260370
Hancock.....	27784	23847
Hardin.....	27023	18714
Harrison.....	20456	18682
Henry.....	20585	14028
Highland.....	30281	29133
Hocking.....	21126	17925
Holmes.....	20776	18177
Huron.....	31609	28532
Jackson.....	23686	21759
Jefferson.....	33018	29188
Knox.....	27431	26333
Lake.....	16326	15935
Lawrence.....	39068	34380
Licking.....	40450	35766
Logan.....	26267	23028
Lorain.....	35526	30308
Lucas.....	67377	46722
Madison.....	20129	15633
Mahoning.....	42871	31001
Marion.....	20565	16184
Medina.....	21453	20092
Meigs.....	32325	31465
Mercer.....	21808	17254
Miami.....	36158	32740
Monroe.....	26496	25779
Montgomery.....	78550	64006

	1880.	1870.
Morgan.....	20074	20363
Morrow.....	19072	18583
Muskingum.....	49774	44886
Noble.....	21138	19919
Ottawa.....	19762	13364
Paulding.....	13485	8544
Perry.....	28218	18453
Pickaway.....	27415	24875
Pike.....	17927	15447
Portage.....	27500	24584
Preble.....	24523	21809
Putnam.....	23713	17081
Richland.....	36396	32516
Ross.....	40307	37097
Sandusky.....	32057	25563
Scioto.....	33511	29302
Seneca.....	36947	30827
Shelby.....	24137	20748
Stark.....	64031	62508
Summit.....	43788	34764
Trumbull.....	44880	38659
Tuscarawas.....	40198	33840
Union.....	22375	18730
Van Wert.....	23028	15843
Vinton.....	17223	15027
Warren.....	28392	26689
Washington.....	43244	40609
Wayne.....	40076	35116
Williams.....	23821	20991
Wood.....	34022	24596
Wyandot.....	22395	18550

Total.....	3198032	2665260
Of whom, Colored ..	79900	63213

**Oregon.**

	1880.	1870.
Baker.....	4616	2804
Benton.....	6403	4584
Clackamas.....	9260	5993
Clatsop.....	7222	1255
Columbia.....	2042	863
Coos.....	4834	1644
Curry.....	1208	504
Douglas.....	9596	6066
Grant.....	4303	2251
Jackson.....	8154	4778
Josephine.....	2485	1204
Lake.....	2804	.....
Lane.....	9411	6126
Linn.....	12676	8717
Marion.....	14576	9965
Multnomah.....	25203	11510
Polk.....	6601	4701
Tillamook.....	970	498
Umatilla.....	9607	2916
Union.....	6650	2552
Wasco.....	11120	2509
Washington.....	7082	4261
Yam Hill.....	7945	5012

Total.....	174768	90923
Of whom, Colored (inc. Chinese and Indians).....	9997	346

**Pennsylvania.**

	1880.	1870.
Adams.....	32455	30315
Alleghany.....	355869	262204
Armstrong.....	47641	43382
Beaver.....	39005	36148
Bedford.....	31929	29635
Berks.....	122597	106701
Blair.....	52740	38051
Bradford.....	58541	53204
Bucks.....	68656	64336
Butler.....	52536	36510
Cambria.....	46811	36569
Cameron.....	5159	4273
Carbon.....	31923	28144
Centre.....	37922	34418
Chester.....	83481	77805
Clarion.....	40328	26537
Clearfield.....	43408	25741
Clinton.....	26278	23211
Columbia.....	32409	28766
Crawford.....	68607	63832
Cumberland.....	45977	43912
Dauphin.....	76148	60740



Texas.—[Continued.]

	1880.	1870.
Freestone.....	14921	8139
Frio.....	2130	309
Gaines.....	8	.....
Galveston.....	24121	15290
Garza.....	36	.....
Gillespie.....	5228	3566
Goliad.....	5832	3628
Gonzales.....	14840	8951
Gray.....	56	.....
Grayson.....	38108	14387
Gregg.....	8530	.....
Grimes.....	18603	13218
Guadalupe.....	12202	7282
Hall.....	36	.....
Hamilton.....	6335	733
Hansford.....	18	.....
Hardeman.....	50	.....
Hardin.....	1870	1460
Harris.....	27985	17375
Harrison.....	25177	13441
Hartley.....	100	.....
Haskell.....	48	.....
Hays.....	7555	4088
Hemphill.....	149	.....
Henderson.....	9735	6785
Hidalgo.....	4547	2387
Hill.....	16354	7453
Hood.....	6125	2585
Hopkins.....	15461	12651
Houston.....	16702	8147
Howard.....	50	.....
Hunt.....	17230	10291
Hutchinson.....	50	.....
Jack.....	6626	694
Jackson.....	2723	2278
Jasper.....	5779	4218
Jefferson.....	3489	1906
Johnson.....	17911	4923
Jones.....	546	.....
Karnes.....	3270	1705
Kaufman.....	15448	6895
Kendall.....	2763	1536
Kent.....	92	.....
Kerr.....	2168	1042
Kimble.....	1343	72
King.....	40	.....
Kinney.....	4487	1204
Knox.....	77	.....
Lamar.....	27193	15790
Lampasas.....	5421	1344
La Salle.....	789	69
Lavaca.....	13641	9168
Lee.....	8937	.....
Leon.....	12817	6523
Liberty.....	4999	4414
Limestone.....	16246	8591
Lipscomb.....	69	.....
Live Oak.....	1994	852
Llano.....	4962	1379
Lubbock.....	25	.....
Lynn.....	9	.....
McCulloch.....	1533	173
McLennan.....	26934	13500
McMullen.....	701	230
Madison.....	5395	4061
Marion.....	10983	8562
Martin.....	12	.....
Mason.....	2655	678
Matagorda.....	3940	3377
Maverick.....	2967	1951
Medina.....	4492	2078
Menard.....	1239	667
Milam.....	18659	8984
Mitchell.....	117	.....
Montague.....	11257	890
Montgomery.....	10154	6483
Morris.....	5032	.....
Motley.....	24	.....
Nacogdoches.....	11590	9614
Navarro.....	21702	8879
Newton.....	4359	2187
Nolan.....	640	.....
Nueces.....	7673	3975
Oldham.....	287	.....
Orange.....	2938	1255
Palo Pinto.....	5885	.....
Panola.....	12219	10119
Parker.....	15870	4186
Pecos.....	1807	.....
Polk.....	7189	8707
Potter.....	28	.....
Presidio.....	2873	1636

	1880.	1870.
Rains.....	3035	.....
Randall.....	3	.....
Red River.....	17194	10655
Refugio.....	1585	2324
Roberts.....	32	.....
Robertson.....	22388	9090
Rockwall.....	2984	.....
Runnels.....	980	.....
Rusk.....	18986	16916
Sabine.....	4161	3256
San Augustine.....	5084	4196
San Jacinto.....	6186	.....
San Patricio.....	1010	602
San Saba.....	5324	1425
Shackelford.....	2037	455
Shelby.....	9523	5732
Scurry.....	102	.....
Smith.....	21863	16532
Somervell.....	2649	.....
Starr.....	8301	4154
Stephens.....	4725	330
Stonewall.....	104	.....
Swisher.....	4	.....
Tarrant.....	24671	5788
Taylor.....	1736	.....
Throckmorton.....	711	.....
Titus.....	5959	11339
Tom Green.....	3615	.....
Travis.....	27028	13153
Trinity.....	4915	4141
Tyler.....	5825	5010
Upshur.....	10266	12039
Uvalde.....	2541	851
Van Zandt.....	12619	6494
Victoria.....	6289	4860
Walker.....	12024	9776
Waller.....	9024	.....
Washington.....	27565	23101
Wobb.....	5278	2615
Wharton.....	4549	3426
Wheeler.....	512	.....
Wichita.....	433	.....
Wilbarger.....	126	.....
Williamson.....	15155	6368
Wilson.....	7118	2556
Wise.....	16601	1450
Wood.....	11212	6894
Young.....	4726	135
Zapata.....	3636	1488
Zavala.....	410	133

Total.....	1591749	818579
Of whom, colored...	393384	253475

Utah Territory.

	1880.	1870.
Beaver.....	3918	2007
Box Elder.....	6761	4855
Cache.....	12562	8229
Davis.....	5279	4459
Emery.....	556	.....
Iron.....	4013	2277
Juab.....	3474	2034
Kane.....	3085	1513
Millard.....	3727	2753
Morgan.....	1783	1972
Pi Ute.....	1651	82
Rich.....	1263	1955
Rio Virgin.....	.....	450
Salt Lake.....	31977	18337
San Juan.....	204	.....
San Pete.....	11557	6786
Sevier.....	4457	19
Summit.....	4921	2512
Toole.....	4497	2177
Uintah.....	799	.....
Utah.....	17973	12203
Wahsatch.....	2927	1244
Washington.....	4235	3064
Weber.....	12344	7858

Total.....	143963	86786
Of whom, colored...	1557	118

Vermont.

	1880.	1870.
Addison.....	24173	23484
Bennington.....	21950	21325
Caledonia.....	23607	22235
Chittenden.....	32792	36480

	1880.	1870.
Essex.....	7931	6811
Franklin.....	30225	30291
Grand Isle.....	414	4029
Lamoille.....	12684	12448
Orange.....	23525	23090
Orleans.....	22083	21035
Rutland.....	41829	40651
Washington.....	25404	26520
Windham.....	26763	26036
Windsor.....	35196	36063

Total.....	332286	330559
Of whom, colored...	1043	924

Virginia.

	1880.	1870.
Accomac.....	24408	20409
Albemarle.....	32618	27544
Alexandria.....	17546	16755
Alleghany.....	5586	3674
Amelia.....	10377	9878
Amherst.....	18709	14900
Appomattox.....	16080	8950
Augusta.....	35710	28763
Bath.....	4482	3795
Bedford.....	31205	25327
Bland.....	5004	4000
Botetourt.....	14809	11329
Brunswick.....	16707	13427
Buchanan.....	5694	3777
Buckingham.....	15540	13371
Campbell.....	36250	28384
Caroline.....	7243	15128
Carroll.....	13323	9147
Charles City.....	5512	4975
Charlotte.....	16653	14513
Chesterfield.....	25085	18470
Clarke.....	7682	6670
Craig.....	3794	2942
Culpepper.....	13008	12227
Cumberland.....	10540	8142
Dinwiddie.....	32870	30702
Elizabeth City.....	10689	8303
Essex.....	11032	9527
Fairfax.....	16025	12952
Fauquier.....	22993	19690
Floyd.....	13255	9824
Flovanna.....	16802	9875
Franklin.....	25084	18264
Frederick.....	16553	16596
Giles.....	8791	5875
Gloucester.....	11876	10211
Goochland.....	10292	10313
Grayson.....	13068	9587
Greene.....	5380	4634
Greenville.....	8407	6362
Halifax.....	33588	27828
Hanover.....	18588	16455
Henrico.....	82703	66179
Henry.....	16009	12303
Highland.....	5164	4151
Isle of Wight.....	10572	8320
James City.....	5422	4425
King and Queen.....	10502	9709
King George.....	6397	5742
King William.....	8751	7515
Lancaster.....	6160	5355
Lee.....	15116	13268
Loudoun.....	23634	20929
Louisa.....	18942	16332
Lunenburg.....	11535	10403
Madison.....	10562	8670
Mathews.....	7501	6200
Mecklenburgh.....	24610	21318
Middlesex.....	6252	4981
Montgomery.....	16693	12556
Nansemond.....	15903	11576
Nelson.....	16536	13898
New Kent.....	5515	4381
Norfolk.....	58657	46702
Norhampton.....	9152	8046
Northumberland.....	7929	6863
Nottoway.....	11156	9291
Orange.....	13052	10396
Page.....	9965	8462
Patrick.....	12833	10161
Pittsylvania.....	52589	31343
Powhatan.....	7817	7667
Prince Edward.....	14068	12004
Prince George.....	10054	7820
Princess Anne.....	9394	8273
Prince William.....	9180	7504



Virginia.—[Continued.]

	1880.	1870.
Pulaski.....	8755	6538
Rappahannock.....	9291	8261
Richmond.....	7195	6503
Roanoke.....	13105	9350
Rockbridge.....	20903	16058
Rockingham.....	29567	23668
Russell.....	13903	1113
Scott.....	17233	13036
Shenandoah.....	18294	14936
Smyth.....	12160	8898
Southampton.....	18012	12285
Spottsylvania.....	14828	11728
Stafford.....	7211	6420
Surry.....	7391	5585
Sussex.....	10062	7885
Tazewell.....	12861	10791
Warren.....	7399	5716
Warwick.....	2258	1672
Washington.....	25203	16816
Westmoreland.....	8816	7682
Wise.....	7772	4785
Wythe.....	14318	11611
York.....	7319	7198
Total.....	1512565	1225163
Of whom, Colored....	631616	512841

Washington Territory.

	1880.	1870.
Chehalis.....	921	401
Clallam.....	638	408
Clarke.....	5490	3081
Columbia.....	7103	.....
Cowlitz.....	2062	730
Island.....	1087	626
Jefferson.....	1712	1268
King.....	6910	2120
Kitsap.....	1738	866
Klilkitat.....	4055	329
Lewis.....	2600	888
Mason.....	639	289
Pacific.....	1645	738
Pierce.....	3319	1409
San Juan.....	948	.....
Skamania.....	809	133
Snohomish.....	1387	599
Spokane.....	4262	.....
Stevens.....	1245	734
Thurston.....	3270	2246
Wahkiakum.....	1598	270
Walla-Walla.....	8716	5300
Whatecom.....	3137	534
Whitman.....	7014	.....
Yakima.....	2811	432
Disputed Islands ...	.....	554
Total.....	75116	23955
Of whom, Colored...	7771	207

West Virginia.

	1880.	1870.
Barbour.....	11870	10312
Berkeley.....	17380	14900
Boone.....	5824	4553

	1880.	1870.
Braxton.....	9787	6480
Brooke.....	6013	5464
Cabell.....	13744	6429
Calhoun.....	6072	2939
Clay.....	3460	2196
Doddridge.....	10552	7076
Fayette.....	11560	6647
Gilmer.....	7108	4338
Grant.....	5542	4467
Greenbrier.....	15060	11417
Hampshire.....	10306	7643
Hancock.....	4882	4363
Hardy.....	6794	5518
Harrison.....	20181	16714
Jackson.....	16312	10300
Jefferson.....	15005	13219
Kanawha.....	32466	22349
Lewis.....	13259	10175
Lincoln.....	8739	5053
Logan.....	7329	5124
McDowell.....	3074	1952
Marion.....	17198	12107
Marshall.....	18840	14941
Mason.....	22293	15987
Me-reer.....	7467	7064
Mineral.....	8630	6332
Monongalia.....	14985	13547
Monroe.....	11501	11124
Morgan.....	5777	4315
Nicholas.....	7223	4458
Ohio.....	37457	28831
Pendleton.....	8622	6455
Pleasants.....	6256	3012
Pocahontas.....	5591	4069
Preston.....	19091	14555
Putnam.....	11375	7794
Raleigh.....	7367	3673
Randolph.....	8102	5563
Ritchie.....	13474	9055
Roane.....	12184	7332
Summers.....	9033	.....
Taylor.....	11455	9367
Tucker.....	3141	1907
Tyler.....	11073	7832
Upshur.....	10249	8023
Wayne.....	14749	7852
Webster.....	3207	1730
Wetzel.....	13896	8595
Wirt.....	7104	4804
Wood.....	25006	19000
Wyoming.....	4322	3171
Total.....	618457	442014
Of whom, colored....	25886	17980

Wisconsin.

	1880.	1870.
Adams.....	6741	6601
Ashland.....	1559	221
Barron.....	7024	538
Bayfield.....	564	344
Brown.....	34078	25168
Buffalo.....	15528	11123
Burnett.....	3140	706
Calumet.....	16632	12335
Chippewa.....	15491	8311
Clark.....	10715	3450
Columbia.....	28065	28802

	1880.	1870.
Crawford.....	15644	13075
Dane.....	53233	53096
Dodge.....	45931	47035
Door.....	11645	4919
Douglas.....	655	1122
Dunn.....	16817	9488
Eau Claire.....	19993	10769
Fond du Lac.....	46859	46272
Grant.....	37852	37979
Green.....	21729	23611
Green Lake.....	14483	13195
Iowa.....	23628	24544
Jackson.....	13285	7687
Jefferson.....	32156	34040
Juneau.....	15582	12372
Kenosha.....	15550	13147
Kewaunee.....	15807	10128
La Crosse.....	27073	20297
La Fayette.....	21279	22659
Langlade.....	685	.....
Lincoln.....	2011	.....
Manitowoc.....	37505	33364
Marathon.....	17121	5885
Marinette.....	8929	.....
Marquette.....	8908	8056
Milwaukee.....	138537	89930
Monroe.....	21607	16550
Oconto.....	9848	8321
Outagamie.....	28716	18430
Ozaukee.....	15461	15564
Pepin.....	6226	4659
Pierce.....	17744	9958
Polk.....	10018	3422
Portage.....	17731	10634
Price.....	785	.....
Racine.....	30922	26740
Richland.....	18174	15731
Rock.....	38823	39030
St. Croix.....	18956	11035
Sauk.....	28729	23860
Shawano.....	10371	3166
Sheboygan.....	34206	31749
Taylor.....	2311	.....
Trempealeau.....	17189	10732
Vernon.....	23235	18645
Walworth.....	26249	25072
Washington.....	23442	23919
Waukesha.....	28957	28274
Waupaca.....	20955	15539
Wausara.....	12687	11279
Winnebago.....	42740	37279
Wood.....	8981	3912
Total.....	1315497	1054670
Of whom, colored....	2702	2113

Wyoming Territory.

	1880.	1870.
Albany.....	4626	2021
Carbon.....	3438	1368
Crook.....	239	.....
Laramie.....	6409	2957
Pease.....	637	.....
Sweetwater.....	2561	1916
Uintah.....	2879	856
Total.....	20789	9118
Colored and Indian	1212	183

CHANGES IN THE RELATIVE COLORED POPULATION BETWEEN 1870 AND 1880, (the number of Whites being assumed as 100,000.)

Increase in the Decade.

South Carolina.....	10909	Indiana.....	528	New York.....	92
Mississippi.....	9936	New Mexico.....	409	Massachusetts.....	78
Louisiana.....	5735	Illinois.....	380	Rhode Island.....	62
Georgia.....	3678	Pennsylvania.....	144	New Jersey.....	51
North Carolina.....	3527	Ohio.....	126	Vermont.....	32
Arkansas.....	1863	Arizona.....	121	Minnesota.....	28
District of Columbia.....	1053	Colorado.....	121	Utah.....	6
Tennessee.....	944	West Virginia.....	115	Wisconsin.....	7
Connecticut.....	688	Iowa.....	100	New Hampshire.....	4

Decrease in the Decade.

Texas.....	11985	Washington.....	403	Nebraska.....	118
Florida.....	6993	Idaho.....	365	Oregon.....	100
Alabama.....	574	Virginia.....	309	Michigan.....	87
Wyoming.....	559	Delaware.....	294	Nevada.....	48
Kentucky.....	514	Missouri.....	197	Maine.....	38
Dakota.....	443	Montana.....	187	Maryland.....	3
Kansas.....	412	California.....	147		

In the United States, as a whole, there has been a gain of 625 on an assumed basis of 100,000 whites, as above.

POPULATION IN 1880:—Native and Foreign; White and Colored.

	1880.						
	*Total.	Native.	Foreign.	White.	Colored.	†Chi-ne-e.	In-dians.
UNITED STATES.....	50,155,783	43,475,840	6,679,943	43,402,970	6,580,793	105,465	66,467
THE STATES.....	49,371,340	42,871,556	6,499,784	42,714,479	6,518,372	93,782	44,566
Alabama.....	1,262,505	1,252,771	9,734	662,185	600,103	4	213
Arkansas.....	802,525	792,175	10,350	591,531	210,666	133	195
California.....	864,694	571,820	202,874	767,181	6,618	75,132	10,277
Colorado.....	194,327	154,537	39,790	191,126	2,435	612	154
Connecticut.....	622,700	492,708	129,992	610,769	11,547	123	255
Delaware.....	146,608	137,140	9,468	120,160	26,442	1	5
Florida.....	269,493	259,584	9,909	142,605	126,690	18	180
Georgia.....	1,542,180	1,531,616	10,564	816,906	725,183	37	124
Illinois.....	3,077,871	2,494,295	583,576	3,031,151	46,368	209	140
Indiana.....	1,978,301	1,835,123	144,178	1,938,798	39,228	29	246
Iowa.....	1,624,615	1,362,965	261,650	1,614,600	9,516	33	466
Kansas.....	996,096	886,610	110,086	952,155	43,107	19	615
Kentucky.....	1,648,690	1,589,173	59,517	1,377,179	271,451	10	50
Louisiana.....	939,946	885,800	54,146	454,954	483,655	489	818
Maine.....	648,936	599,053	58,883	646,852	1,451	8	625
Maryland.....	931,943	852,137	82,806	724,693	210,230	5	15
Massachusetts.....	1,783,085	1,339,594	443,491	1,763,782	18,697	229	309
Michigan.....	1,636,937	1,248,429	388,508	1,614,560	15,100	27	7,249
Minnesota.....	780,773	513,097	267,676	776,884	1,564	24	2,300
Mississippi.....	1,131,597	1,122,388	9,209	479,398	650,291	51	1,857
Missouri.....	2,168,380	1,956,802	211,578	2,022,826	145,350	91	113
Nebraska.....	452,402	354,988	97,414	449,764	2,385	18	235
Nevada.....	62,266	36,613	25,653	53,556	888	5,416	2,803
New-Hampshire.....	346,991	300,697	46,294	346,229	685	14	63
New-Jersey.....	1,131,116	909,416	221,700	1,092,077	38,853	170	74
New-York.....	5,082,871	3,871,492	1,211,379	5,016,022	65,104	909	819
North Carolina.....	1,399,750	1,396,008	3,742	867,242	531,277	.....	1,230
Ohio.....	3,198,062	2,803,119	394,943	3,117,920	79,900	109	130
Oregon.....	174,768	144,265	30,503	163,075	487	9,510	1,694
Pennsylvania.....	4,282,891	3,695,062	587,829	4,197,016	85,535	148	184
Rhode Island.....	276,531	202,538	73,993	269,939	6,488	27	77
South Carolina.....	995,577	987,891	7,686	391,105	604,332	9	131
Tennessee.....	1,542,359	1,525,657	16,702	1,138,831	403,151	25	352
Texas.....	1,591,749	1,477,133	114,616	1,197,237	393,384	136	992
Vermont.....	332,286	291,327	40,959	331,218	1,057	.....	11
Virginia.....	1,512,565	1,497,869	14,696	880,858	631,616	6	85
West Virginia.....	618,457	600,192	18,265	592,537	25,886	5	29
Wisconsin.....	1,315,497	910,072	405,425	1,309,618	2,702	16	3,161
TERRITORIES.....	784,443	604,284	180,159	688,491	62,421	11,683	21,841
Arizona.....	40,440	24,391	16,049	35,160	155	1,630	3,493
Dakota.....	135,177	83,382	51,795	133,147	401	238	1,391
District of Columbia.....	177,624	160,502	17,122	118,006	59,596	13	5
Idaho.....	32,610	22,636	9,974	29,013	53	3,379	165
Montana.....	39,159	27,638	11,521	35,385	346	1,765	1,663
New-Mexico.....	119,565	111,514	8,051	108,721	1,015	57	9,772
Utah.....	143,963	99,969	43,994	142,423	232	501	807
Washington.....	75,116	59,313	15,803	67,199	325	3,186	4,405
Wyoming.....	20,789	14,939	5,850	19,437	298	914	140

\* Males, 25,518,820; females, 24,636,963. † 148 Japanese.

TOTALS, WHITE AND COLORED.

	White.	†Colored.		White.	†Colored.
1880.....	43,404,876	6,577,151	1860.....	26,922,537	4,441,830
1870.....	33,589,377	4,880,000	1850.....	19,553,068	3,638,808

† Asiatics and Indians not included.

SLAVE POPULATION IN THE U. S. IN 1860.

STATES.	1850.	1860.	STATES.	1850.	1860.
Alabama . . . . .	342,844	435,132	South Carolina . . . . .	384,984	402,541
Arkansas . . . . .	47,100	111,104	Tennessee . . . . .	239,459	275,784
Delaware . . . . .	2,290	1,798	Texas . . . . .	58,161	180,388
Florida . . . . .	89,310	61,753	Virginia . . . . .	472,528	490,887
Georgia . . . . .	381,682	462,230	Nebraska (Territory) . . . . .	—	10
Kentucky . . . . .	210,981	225,490	Utah (Territory) . . . . .	—	29
Louisiana . . . . .	244,809	332,520	New Mexico (Territory) . . . . .	26	24
Maryland . . . . .	90,368	87,188	District of Columbia . . . . .	3,687	3,181
Mississippi . . . . .	309,878	436,696			
Missouri . . . . .	87,422	114,965	Total . . . . .	3,204,077	3,952,801
North Carolina . . . . .	288,548	331,081			

THE POPULATION OF THE UNITED STATES IN 1880 BY STATES—(Official.)

STATES & TERRITORIES	TOTAL POPULATION.		1880.								
	1880.	1870.	Male.	Female	Native.	Fore'n	White.	Colored	Ch'nese	Japan'e	Ind'ns
Alabama.....	1262505	996992	622629	639876	1252771	9734	662185	600103	4	.....	213
Arkansas.....	802525	484411	416279	386246	72175	10350	591531	210666	133	.....	195
California.....	864694	569247	518176	346518	571820	292874	767181	6018	75132	86	16277
Colorado.....	194327	39864	120131	65196	154537	39790	194126	2435	612	.....	154
Connecticut.....	622700	537454	305782	316918	492708	129992	610769	11547	123	6	255
Delaware.....	146608	125915	74108	72500	137140	9468	120160	26442	1	.....	5
Florida.....	269493	187748	136444	133049	259584	9909	142605	126690	18	.....	180
Georgia.....	1542180	1184169	762581	779199	1531616	10561	816906	725133	17	.....	124
Illinois.....	3077871	2539891	1586523	1491348	2494205	583576	3031151	46368	209	3	140
Indiana.....	1978301	1680337	1010361	967940	1834123	144178	1938798	39228	29	.....	246
Iowa.....	1621615	1194020	818136	776479	1362965	261650	1614600	9516	33	.....	466
Kansas.....	996096	354399	536667	459129	886010	110086	952155	43107	19	.....	815
Kentucky.....	1648690	1321011	832590	816100	158173	59517	1377179	271451	10	.....	50
Louisiana.....	939946	726915	468754	471192	885800	54446	454954	483655	489	.....	848
Maine.....	648936	628915	324058	324878	590953	58883	616852	1451	8	.....	625
Maryland.....	934943	780894	462187	472756	852437	82306	724693	210239	5	.....	15
Massachusetts.....	1783085	1457351	858140	924645	1339594	413491	1763782	18497	229	8	369
Michigan.....	1635937	1184059	862355	774582	1218429	388508	1614560	15100	27	1	7249
Minnesota.....	780773	439706	419149	361624	513097	267676	776884	1564	24	1	2300
Mississippi.....	1131597	827922	567177	564420	1122388	9209	479398	650291	51	.....	1857
Missouri.....	2168380	1721205	1127187	1041193	1956802	211578	2022826	145350	91	.....	113
Nebraska.....	452402	122093	210241	203161	354988	97414	449764	2385	18	.....	235
Nevada.....	62266	42491	42019	20247	86643	25653	53556	488	5416	3	2803
New Hampshire.....	346994	318300	170523	176465	300697	46294	346229	685	11	.....	63
New Jersey.....	1131116	906096	559922	571194	909416	221700	1092017	38853	170	2	74
New York.....	5084871	4384759	2505322	2577549	3871492	1211379	5016022	65104	909	17	819
North Carolina.....	1399750	1071361	687908	711842	1306008	3742	867242	531277	.....	1	1239
Ohio.....	3198062	2665250	1613936	1584126	2803119	394943	3117920	79900	100	3	130
Oregon.....	174768	9092	103381	71387	144265	30593	163075	487	9510	2	1694
Pennsylvania.....	4282891	3521951	2136655	2146233	3695062	587829	4197016	85535	148	8	184
Rhode Island.....	276531	247333	133030	143501	202538	73993	269939	6488	27	.....	77
South Carolina.....	995577	705606	490408	505169	987891	7685	391105	604332	9	.....	131
Tennessee.....	1542359	1258520	769277	773082	1525657	16702	1138831	403151	25	.....	352
Texas.....	1591749	818579	837840	753909	1477133	114616	1197237	393384	136	.....	992
Vermont.....	332286	330551	166887	165399	291327	49959	331248	1057	.....	.....	11
Virginia.....	1512565	1225163	745599	766976	1497869	14696	880858	631616	6	.....	85
West Virginia.....	618457	442014	314495	303962	690192	18265	592537	25886	5	.....	29
Wisconsin.....	1315497	1054670	680069	635428	910072	405425	1309618	2702	16	.....	3161
The States.....	19371340	38155505	25075619	21295721	42871556	6499784	42714479	6518372	93782	141	44566
Arizona.....	40440	9658	28202	12238	24391	16049	35160	155	1630	2	3493
Dakota.....	135177	14181	82296	52881	83382	51795	133147	401	238	.....	1391
District of Columbia.....	177624	131700	83578	94046	160502	17122	118006	59596	13	4	5
Idaho.....	32610	14999	21818	10792	22636	9974	29013	53	3379	.....	165
Montana.....	39459	20595	28477	10982	27638	11521	35385	346	1765	.....	1663
New Mexico.....	119565	91874	64496	55069	111514	8051	108721	1015	57	.....	9772
Utah.....	143963	86786	74509	69451	99969	43994	142423	232	501	.....	897
Washington.....	75116	23955	45973	29143	59313	15803	67199	325	3186	1	4405
Wyoming.....	20789	9118	14452	6637	14939	5850	19437	298	914	.....	140
The Territories*.....	784443	402866	443201	341242	604284	180159	688491	62421	11683	7	21841
The United States..	50155783	38558371	25518820	21636963	43475840	6679943	43402570	6580793	105465	143	66407

\* Indian Territory and Alaska are omitted, as their inhabitants are not considered citizens. Indians not subject to taxation are also omitted.

STATE AND CONGRESSIONAL ELECTION RETURNS, 1872-1882.

Alabama.

VOTE FOR CONGRESSMEN, 1880.

Dist.	Dist.
1—Herndon, D.....	10027
Gillette, R.....	5595
Threatt, I.....	2303
Mott, G.....	730
2—Herbert, D.....	13271
Strobach, R.....	8884
Townsend, G.....	52
3—Oates, D.....	10614
Mabson, R.....	5636
Zachary, I.....	69
4—Shelly, D.....	9391
Smith, R.....	6650
Stevenson, I.....	1693
5—Williams, D.....	11219
(No opposition.)	
6—Hewitt.....	10045
(No opposition.)	
7—Forney, D.....	13636
Bingham, R.....	5510
8—Wheeler, D.....	12808
Lowe, I.....	12765

VOTES OF THE STATE SINCE 1872.

	Dem.	Rep.	Maj.
1872 President.....	79444	90272	10823 R
1874 Governor.....	107118	93928	13190 D
1876 Governor.....	100837	56091	44746 D
1876 President.....	102989	68708	34281 D

	Dem.	Rep.	Maj.
1878 Governor.....	89571	.....	89571 D
1880 Governor.....	134213	42458	91755 D
1880 President.....	89928	56126	33802 D

STATE GOVERNMENT, 1882.

Governor, R. W. Cobb; Secretary of State, W. W. Screws; Treasurer, I. H. Vincent, Attorney-General, H. C. Tompkins; Auditor, J. M. Carmichael; Superintendent of Education, H. C. Armstrong—all Democrats.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Republicans.....	.....	1	1
Democrats.....	33	93	126
Greenbackers.....	.....	3	3
Ind. Democrats.....	.....	3	3
Democratic majority.....	33	86	119

**Arkansas.**

VOTE FOR CONGRESSMEN, 1880.

1—Johnson, R..... 9601	3—Bates, R.....11276
Dunn, D.....15456	Cravens, D.....15195
2—Williams, R.....14309	4—Murphy, R..... 4058
Jones, D.....16813	Gunter, D..... 7111
Garland, G..... 3866	Peel, I.-D. .... 5305

VOTES OF THE STATE SINCE 1872.

	Dem.	Rep.	Maj.	
1872 President.....	37927	41073	3146	R
1874 Governor.....	76871	.....	76871	D
1874 Congress.....	42671	22808	19863	D
1876 Governor.....	71298	37306	33992	D
1876 President.....	58083	38669	19414	D
1878 Governor.....	88792	.....	88792	D
1880 President.....	60489	41661	18828	D
1880 Governor.....	84185	31424	52761	D

STATE GOVERNMENT, 1882.

Governor, Thomas J. Churchill; Secretary of State, Jacob Frolich; Treasurer, W. E. Woodruff, jr.; Auditor, John Crawford; Attorney-General, C. B. Moore; Land Commissioner, D. W. Lear; Superintendent of Public Instruction, J. L. Denton—all Democrats.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Democrats.....	29	81	110
Republicans.....	...	11	11
Greenbackers.....	2	1	3
Democratic majority.....	27	69	96

**California.**

VOTE FOR CONGRESSMEN, 1880.

Dist.	Dist.
1—Davis, R.....19496	3—Knight, R.....20494
Roseevans, D.....21005	Berry, D.....21743
Maybell, G..... 683	Mussulman, G. ....
2—Page, R.....22038	4—Pacheco, R.....17768
Glascock, D.....18859	Leach, D.....17577
	Godfrey, G..... .....

VOTES OF THE STATE SINCE 1872.

	Dem.	Rep.	Ind.	Maj.	
1872 President.....	40718	54020	1068	13302	R
1873 Supreme Court....	19247	13841	24554	5207	I
1875 Sup. Pub. In.....	39630	45257	.....	5627	R
1875 Governor.....	61509	31322	29752	30187	D
1876 President.....	76464	79269	44	2805	R
1879 Governor.....	47647	67965	44482	20318	R
1880 President.....	80417	80273	.....	144	D

STATE GOVERNMENT, 1882.

Governor, G. C. Perkins; Lieutenant-Governor, J. Mansfield; Secretary of State, D. M. Burns; Controller, D. N. Kentfield; Treasurer, J. Weil; Attorney-General, A. L. Hart; Superintendent of Public Instruction, F. M. Campbell—all Republicans.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Democrats.....	5	23	33
Republicans.....	22	42	64
Workingmen.....	13	10	23
Republican majority.....	4	4	8

**Colorado.**

VOTE FOR CONGRESSMAN, 1880.

Belford, R.....27089	Morrison, D.....24476
Murray, G.....	1688

VOTES OF THE STATE AND TERRITORY SINCE 1872.

	Dem.	Rep.	Maj.	
1872 Congress.....	6260	7696	1336	R
1874 Congress.....	9333	7170	2163	R
1876 Congress.....	12310	33308	998	R
1876 Governor.....	13316	14154	838	R

	Dem.	Rep.	Gbk.	Maj.	
1878 Governor.....	11573	14396	2755	223	R
1878 Congress.....	12003	14294	2329	2291	R
1880 President.....	24647	27450	1435	2803	R

STATE GOVERNMENT, 1882.

Governor, Frederick W. Pitkin; Lieutenant-Governor, vacancy; Secretary, Norman H. Meldrum; Treasurer, William C. Saunders; Auditor, Joseph T. Davis; Attorney-General, Charles H. Toll; Superintendent of Public Instruction, Leonidas S. Cornell—all Republicans.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Republicans.....	20	36	56
Democrats.....	6	13	19
Republican majority.....	14	23	37

**Connecticut.**

VOTE FOR CONGRESSMEN, 1880.

Dist.	Dist.
1—Buck, R.....17048	3—Wait, R.....12099
Beach, D.....15114	Sawyer, D..... 9125
Hewitt, G..... 180	Wolf, G..... 151
	Palmer, P..... 200
2—Wallace, R.....20068	4—Miles, R.....18168
Phelps, D.....21632	Peet, D.....17634
Harrington, P..... 124	Cleveland, G..... 203

VOTES OF THE STATE SINCE 1872.

	Dem.	Rep.	Temp.	Gbk.	Maj.	
1872 President.....	45894	50318	206	.....	4218	R
1873 Governor.....	45059	39245	2541	.....	3273	D
1874 Governor.....	46755	39973	4960	.....	1809	D
1875 Governor.....	53752	44272	2942	.....	6338	D
1876 President.....	61934	59034	378	.....	2900	D
1878 Governor.....	46385	48867	1079	8314	2482	R
1880 President.....	64417	67073	412	868	2656	R

STATE GOVERNMENT, 1882.

Governor, Hobart B. Bigelow; Lieutenant Governor, Wm. H. Bulkeley; Secretary of State, Chas. E. Searls; Treasurer, David P. Nichols; Controller, W. T. Batcheller—all Republicans.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Republicans.....	17	148	165
Democrats.....	7	99	106
Greenbackers.....	...	1	1
Republican majority.....	10	48	58

**Delaware.**

VOTE FOR CONGRESSMAN, 1880.

Martin, D.....14968	Houston, R.....14288
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VOTES OF THE STATE SINCE 1872.

	Dem.	Rep.	Others.	Maj.	
1873 President.....	10205	11115	487	423	R
1874 Governor.....	12483	11259	.....	1229	D
1876 Congress.....	13169	10562	238	239	D
1876 President.....	13379	10691	.....	2688	D
1878 Governor.....	10730	.....	2835	7895	D
1878 Congress.....	10576	.....	2966	7610	D
1880 President.....	15180	14148	.....	1032	D

STATE GOVERNMENT, 1882.

Governor, John W. Hall; Secretary of State, James L. Wolcott; Attorney General, George Gray; State Treasurer, Robert J. Reynolds; Auditor, John F. Staats; Superintendent of Schools, James H. Grover—all Democrats.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Democrats.....	8	14	22
Republicans.....	1	7	8
Democratic majority.....	7	7	14

**Florida.**

VOTE FOR CONGRESSMEN, 1880.

Dist.	Dist.
1—Witherspoon, R. 11082	2—Bisbee, R. 11930
Davidson, D. 14971	Finley, D. 13073

VOTES OF THE STATE SINCE 1872.

	Dem.	Rep.	Maj.
1872 Governor	16004	17603	1599 R
1872 President	15428	17765	2337 R
1874 Congress	17555	18600	1054 R
1876 Governor	24179	23984	195 D
1876 President	24134	23310	94 D
1878 Congress	20171	17927	2244 D
1880 President	27925	23680	4245 D
1880 Governor	28341	23285	5056 D

STATE GOVERNMENT, 1882.

Governor, W. D. Bloxham; Lieutenant Governor, L. W. Bethel; Secretary of State, John L. Crawford; Attorney General, George P. Raney; Controller, W. D. Barnes; Treasurer, H. A. L'Engle; Land Commissioner, H. A. Corley—all Democrats, and appointed by the Governor.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Republicans	5	18	23
Democrats	27	58	85
Democratic majority	22	40	62

**Georgia.**

VOTE FOR CONGRESSMEN, 1880.

Dist.	Dist.
1—Collins, R. 8265	5—Hammond, D. 11947
Black, D. 11712	6—Blount, D. 8375
2—Brimberry, R. 6417	Scattering. 30
Turner, D. 11496	7—Clements, D. 11575
3—Parker, R. 3245	Felton, I. D. 10727
Cook, D. 7122	8—Stephens, D. 11341
4—Pou, R. 7224	Scattering. 26
Buchanan, D. 9998	9—Speer, I. D. 12653
5—Clark, R. 7132	Bell, D. 8589

VOTES OF THE STATE SINCE 1872.

	Dem.	Rep.	O'Conner	Maj.
1872 Governor	103529	46643	56886	D
1872 President	76278	62715	4000	13563 D
1874 Congress	93347	33161	60186	D
1876 President	138756	50538	88218	D
1876 Governor	110617	34529	76088	D
1880 President	102407	54086	48321	D
1880 Governor	118349	64004*	54345	D

STATE GOVERNMENT, 1882.

Governor, Alfred H. Colquitt; Secretary of State, N. C. Barnett; Controller General, Wm. A. Wright; Treasurer, D. N. Speer; Attorney General, Clifford Anderson; Superintendent of Schools, G. J. Orr—all Democrats.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Republicans	1	10	11
Democrats	43	165	208
Democratic majority	42	155	197

**Illinois.**

VOTE FOR CONGRESSMEN, 1880.

Dist.	Dist.
1—Aldrich, R. 22367	8—Payson, R. 16704
Mattocks, D. 18024	Wallace, D.-G. 13972
2—Davis, R. 20602	9—Lewis, R. 14658
Farnsworth, D. 16014	Lee, D. 14294
3—Farwell, R. 16627	Reynolds, G. 2548
Smith, D. 11903	10—Marsh, R. 14798
4—Sherwin, R. 20381	Holloway, D. 13877
Warner, D. 8455	Meador, G. 716
Blaisdell, G. 1159	11—Edgar, R. 12490
5—Hawk, R. 17021	Singleton, D. 17842
King, D. 4160	Allen, G. 1765
Johnson, G. 7468	12—Morrison, R. 14761
6—Henderson, R. 16650	Springer, D. 17376
Truesdell, D. 9631	Miller, G. 1557
McKinnie, G. 2637	13—Smith, R. 16433
7—Cullen, R. 16628	Stevenson, D.-G. 16115
Evans, D. 12064	14—Cannon, R. 19710
Barber, G. 2204	Seott, D.-G. 17734

\* Independent vote.

15—Forsythe, R.-G. 16809	18—Thomas, R. 16873
Moulton, D. 19364	Hartzell, D. 15146
16—Hosmer, R. 13921	Robinson, G. 1002
Sparks, D. 15392	19—Pavey, R. 14561
Rutherford, G. 1331	Townshend, D. 18021
17—Hay, R. 15981	Flanagan, G. 1456
Morrison, D. 16954	

VOTES OF THE STATE SINCE 1872.

	Dem.	Rep.	Gbk.	Maj.
1872 President	184770	241248	53120	R
1874 Supt. Pub. In	197490	166984	30506	Op & D
1876 Congress	251870	276552	20682	R
1876 President	258601	278232	19631	R
1876 Governor	272432	279226	6794	R
1878 Treas rer.	170085	206458	68689	36373 R
1880 President	277321	318031	26358	40716 R
1880 Governor	277532	314565	26663	37033 R

STATE GOVERNMENT, 1882.

Governor, Shelby M. Cullom; Lieutenant Governor, John W. Hamilton; Secretary of State, Henry D. Dement; Auditor, Charles P. Swigert; Treasurer, Edw. Rutz; Attorney General, James McCartney; Superintendent of Instruction, J. P. Slate—all Republicans.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Republicans	32	83	125
Democrats	18	70	88
Greenbackers	1	...	1
Republican majority	13	13	26

**Indiana.**

VOTE FOR CONGRESSMEN, 1880.

Dist.	Dist.
1—Heilman, R. 17719	7—Pealle, R. 17010
Kleiner, D. 17420	Byfield, D. 16806
Kramer, G. 734	De la Matyr, G. 2135
2—Braden, R. 14676	8—Peirce, R. 19291
Cobb, D. 18443	Hanna, D. 16995
Albert, G. 852	Copner, G. 3120
3—Charles, R. 14493	9—Orth, R. 18277
Stockslager, D. 18800	Myers, D. 17476
Poindexter, G. 766	Armentrout, G. 1118
4—Cravens, R. 15641	10—De Motte, R. 18024
Holman, D. 17388	Skinner, D.-G. 17006
Dunn, G. 437	11—Steele, R. 20246
5—Treat, R. 16496	Slack, D. 19713
Matson, D. 17411	Studebaker, G. 2168
Robinson, G. 1279	12—Taylor, R. 17030
6—Browne, R. 22136	Colerick, D. 17800
Miller, D. 12676	13—Calkins, R. 17981
Lee, G. 773	McDonald, D. 16817
	Carter, G. 1786

VOTES OF THE STATE SINCE 1872.

	Rep.	Dem.	Ind.	Maj.
1872 Governor	188276	189422	189	1337 D
1872 President	189144	163637	1417	21090 R
1874 Secretary of State	164902	182154	16233	17252 D
1876 President	207971	213526	9533	5555 D
1876 Governor	208080	213164	13213	5084 D
1878 Secretary of State	180657	194770	39415	14113 D
1880 Governor	231405	224452	14981	6953 R
1880 President	232164	225522	12986	6642 R

STATE GOVERNMENT, 1882.

Governor, Albert G. Porter; Lieutenant Governor, Thomas Hanna; Secretary of State, E. R. Hawn; Auditor, E. H. Wolf; Treasurer, R. S. Hill; Attorney General, D. P. Baldwin; Superintendent of Public Instruction, John M. Bloss—all Republicans.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Republicans	24	57	81
Democrats	23	43	66
Greenbackers	3	...	3
Republican majority	...	14	12

**Iowa.**

VOTE OF THE STATE IN 1881.

	Rep.	Dem.	Gbk.
Governor	133326	73397	28123
Total vote for Governor, including 191 Anti-Masonic,	235,037.		

VOTE FOR CONGRESSMEN, 1880.

Dist.	Dist.
1—McCoid, R.....17117	5—Thompson, R.....20016
Culbertson, D.....12119	Hastie, D.....11345
Stubbs, G.....2497	Palmer, G.....2164
2—Farwell, R.....17465	6—Cutts, R.....18017
Rose, D.....11091	Cook, D.-G.....17911
Hoopes, G.....1236	7—Kasson, R.....19932
3—Updegraff, R.....17359	Gilleste, D.-G.....16752
Stewart, D.....13968	Mallory, D.....222
Moore, G.....2193	8—Hepburn, R.....24320
4—Deering, R.....21930	Percival, D.....12994
Root, D.....8266	Ayres, G.....5922
Doolittle, G.....2664	9—Carpenter, R.....24236
Dean, P.....570	Guthrie, D.....12097
	Campbell, G.....2381

VOTES OF THE STATE SINCE 1872.

	Rep.	Dem.	Gbk.-D.	Maj.
1872 President.....	131173	71134	.....	60039 R
1873 Governor.....	105143	82598	.....	22565 R
1874 Secretary of State.....	107250	79054	.....	28202 R
1875 Governor.....	125058	93359	.....	31134 R
1876 President.....	171332	112121	.....	59211 R
1876 Secretary of State.....	172171	11215	.....	60056 R
1877 Governor.....	121546	79353	.....	42193 R
1878 Secretary of State.....	134544	1302	123577	10967 R
1879 Governor.....	157571	85056	45429	72515 R
1880 President.....	183927	105845	32701	78082 R

STATE GOVERNMENT, 1882.

Governor, Buren R. Sherman; Lieutenant Governor, O. M. Manning; Secretary of State, J. A. T. Hull; Treasurer, Ed. H. Conger; Auditor, Wm. V. Lucas; Attorney General, Smith McPherson; Superintendent of Public Instruction, Carl W. Von Coelin—all Republicans.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total.
Republicans.....	45	70	115
Democrats.....	2	22	24
Greenbackers.....	2	6	8
Republican majority.....	41	42	83

**Kansas.**

VOTE FOR CONGRESSMAN, 1880.

Dist.	Dist.
1—Anderson, R.....48599	2—Green, D.-G.....23737
Burns, D.....22727	3—Ryan, R.....41094
Davis, G.....7318	McDonald, D.....16976
2—Haskell, R.....30758	Mitchell, G.....9396

An amendment to the Constitution, forever prohibiting the manufacture or sale of intoxicating liquors in the State, except for medical, scientific and mechanical purposes, was adopted by a vote of 82,302 to 84,304.

VOTE OF THE STATE SINCE 1872.

	Dem.	Rep.	Gbk.	Maj.
1872 President.....	67048	32970	.....	33,482 R
1874 Governor.....	48594	35301	.....	13293 R
1876 Governor.....	69073	46204	.....	22869 R
1876 President.....	78322	37902	.....	40402 R
1877 Lieut. Governor.....	62570	24740	.....	37830 R
1878 Governor.....	74020	37208	27057	36812 R
1880 President.....	121549	59789	19851	61570 R
1880 Governor.....	115204	63557	19477	51647 R

STATE GOVERNMENT, 1882.

Governor, John P. St. John; Lieutenant-Governor, D. W. Finney; Secretary of State, James Smith; Treasurer, John Francis; Auditor, P. I. Bonebrake; Attorney General, W. A. Johnston; Superintendent of Public Instruction, H. C. Speer—all Republicans.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Republicans.....	37	112	149
Democrats.....	2	9	11
Fusion.....	1	4	5
Republican majority.....	34	99	133

**Kentucky.**

VOTE FOR CONGRESSMEN, 1880.

Dist.	Dist.
1—Turner, D.....11448	5—Willis, D.....11934
Tice, I. D.....4244	Burns, R.....8445
Ratliff, R.....5646	6—Carlisle, D.....17291
2—McKenzie, D.....14694	Root, R.....9862
Feland, R.....8354	7—Blackburn, D.....15017
Cook, G.....5233	Hood, R.....5624
3—Caldwell, D.....13089	8—Thompson, D.....13373
Flippin, R.....10987	Fry, R.....11410
Wright, G.....1736	Cooper, G.....642
4—Knott, D.....13778	9—Turner, D.....13326
Thurmond, R.....6603	White, R.....15317
Green, G.....2820	10 Phistee, D.....13944
5—Hays, I. D.....3794	Thomas, R.....12955

VOTES OF THE STATE SINCE 1872.

	Dem.	Rep.	Ind.-D.	Maj.
1872 President.....	100212	88816	2374	11396 D
1874 Court of Appeals.....	114318	53504	.....	60844 D
1875 Governor.....	126976	90795	.....	36181 D
1876 President.....	160445	98415	.....	62030 D
1877 Treasurer.....	96557	20451	.....	76106 D
1879 Governor.....	125799	81882	18954	43917 D
1880 President.....	147999	104550	11498	43419 D

STATE GOVERNMENT, 1882.

Governor, Luke P. Blackburn; Lieutenant Governor, James E. Cantrell; Attorney General, P. W. Hardin; Auditor, Fayette Hewitt; Treasurer, J. W. Tate; Superintendent of Public Instruction, Joseph Desha Pickett; Register of Land Office, Ralph Sheldon—all Democrats.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Republicans.....	4	17	21
Democrats.....	34	83	117
Democratic majority.....	30	66	96

**Louisiana.**

VOTE FOR CONGRESSMEN, 1880.

Dist.	Dist.
1—Gibson, D.....10526	4—Blanchard, D.....12446
Ker, D.....5292	Wells, R.....1638
2—Ellis, D.....10032	5—King, D.....15395
Hahn, R.....6722	Lanier, R.....3318
3—Billin, D.....7786	6—Robertson, D.....8030
Darrell, R.....12651	Smith, R.....4246

VOTES OF THE STATE SINCE 1872.

	Rep.	Dem.	Maj.
1872 Governor.....	72890	55249	17641 R
1874 Treasurer.....	*69544	68586	958 R
1874 Treasurer.....	†71962	74901	2939 D
1876 President.....	*75315	70508	4807 R
1876 President.....	†77174	8723	6549 D
1876 Governor.....	*74624	71198	3426 R
1876 Governor.....	†76477	84487	8610 D
1878 Treasurer.....	*34064	72212	43148 D
1879 Governor.....	41460	72611	30751 D
1880 President.....	65310	31890	33419 D

STATE GOVERNMENT, 1882.

Governor, Louis A. Wiltz; Lieutenant Governor, John McEnery; Secretary of State, Wm. A. Strong; Attorney General, A. F. Eagan; Auditor, Allen Jemel; Treasurer, E. A. Burke—all Democrats.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Democrats.....	26	70	96
Republicans.....	6	16	22
Independents.....	3	9	12
Democratic majority.....	17	45	62

**Maine.**

VOTE FOR CONGRESSMEN, 1880.

Dist.	Dist.
1—Reed, R.....16920	3—Lindsey, R.....15131
Anderson, D.....16803	Philbrick, D.-G.....14664
Stone, P.....263	4—Boutelle, R.....13192
2—Frye, R.....14417	Ladd, D.-G.....14047
Fogg, D.-G.....12342	5—Milliken, R.....13977
	Mureh, D.-G.....14492

\* Returning Board Count.

† Democratic count, and face of returns.

VOTES OF THE STATE SINCE 1872.

	Dem.	Rep.	Others.	Maj.	
1872 President	29087	61422	.....	32335	R
1873 Governor	32816	45674	2090	12858	R
1874 Governor	41734	53131	275	11397	R
1875 Governor	53213	57085	.....	3872	R
1876 Governor	69215	75710	529	15459	R
1876 President	49283	66300	663	16477	R
1877 Governor	42114	53631	6076	11517	R
1878 Governor	27872	56519	41404	15115	R
1880 Governor	73786	73597	463	189	D
1880 President	65211	74052	4640	8841	R

STATE GOVERNMENT, 1882.

Governor, Harris M. Plaisted, D-G.; Secretary of State, Joseph O. Smith; Treasurer, Samuel A. Holbrook; Adjutant General, George L. Beale; Attorney General, Henry B. Claves; Superintendent of Schools, N. A. Lacey—all Republicans.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Republicans	22	85	107
Democrats and Greenbackers	9	66	75
Republican majority	13	19	32

Maryland.

VOTE FOR CONGRESSMEN, 1880.

Dist.	Rep.	Dist.	Rep.
1—Smith, R.....	10980	4—Maund, R.....	13540
Covington, D.....	12563	McLane, D.....	15702
2—Webster, R.....	13482	5—Wilmer, R.....	12432
Talbott, D.....	14988	Chapman, D.....	14236
3—Horner, Jr., R....	9975	6—Urner, R.....	17137
Hoblitzell, D.....	13629	Schley.....	16337

VOTES OF THE STATE SINCE 1872.

	Dem.	Rep.	Maj.	
1872 President	67685	66760	925	D
1873 Controller	79651	59668	19983	D
1874 Congress	67503	53377	14126	D
1875 Governor	85451	72530	12924	D
1876 President	91780	71981	19799	D
1877 Controller	80708	50329	30379	D
1879 Governor	90771	68609	22166	D
1880 President	89950	73789	16161	D

STATE GOVERNMENT, 1882.

Governor, William T. Hamilton; Secretary of State, J. T. Briscoe; Attorney General, C. J. M. Gwinn; Treasurer, Barnes Compton; Controller, Thomas J. Keating; Clerk Court of Appeals, Spencer C. Jones—all Democrats.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total.
Democrats	21	64	85
Republicans	5	20	25
Democratic majority	16	44	60

Massachusetts.

	Rep.	Dem.	Pro.	Gbk.
Governor	96609	54586	1610	4889

VOTE FOR CONGRESSMEN, 1880.

Dist.	Rep.	Dist.	Rep.
1—Crapo, R.....	16384	5—Bowman, R.....	16688
Davis, D.....	6669	Beebe, D.....	11729
Chace.....	150	Buffam, G.....	1395
French.....	126	6—Stone, R.....	14124
2—Harris, R.....	17047	Boynton, D.....	11900
Dean, D.....	9718	7—Russell, R.....	14982
Sherman, G.....	118	Aldrich, D.....	10027
3—Ranney, R.....	13132	Whitney, G.....	455
Dearborn, D.....	12073	8—Candler, R.....	16644
Fairbanks, G.....	75	Russell, D.....	11542
Cushing, P.....	15	Babcock, G.....	307
4—Hayes, R.....	10501	Staey, P.....	101
Morse, D.....	10616	9—Rice, R.....	14935
Gaston, I.....	222	McCafferty, D....	8925
Hutchinson, P... ..	84	Brown, G.....	351

Dist.	Rep.	Dist.	Rep.
10—Noreross, R....	15608	11—Robinson, R.....	14235
Alond, D.....	8647	Wooworth, D.....	10007
Stoekbridge, G....	556	Dickinson, G.....	100
		Merrill, P.....	64

VOTES OF THE STATE SINCE 1872.

	Dem.	Rep.	Lab.	Temp.	Maj.	
1872 President	59230	133472	.....	.....	74212	R
1873 Governor	59360	72183	.....	.....	12283	R
1874 Governor	96376	89345	.....	.....	7032	D
1875 Governor	78333	83639	316	9124	5306	R
1876 President	108777	150063	.....	779	41286	R
1876 Governor	106850	137605	.....	12274	30815	R
1877 Governor	73185	91255	16354	3552	18070	R
1878 Governor	10162	134725	*109435	1913	25290	R
1879 Governor	9989	122751	*109149	1645	13602	R
1880 President	111960	164205	4548	682	53245	R
1880 Governor	111410	164825	4864	1059	53415	R

STATE GOVERNMENT, 1882.

Governor, John D. Long; Lieutenant Governor, Byron Weston; Secretary, Henry B. Pierce; Treasurer, Daniel A. Gleason; Auditor, Charles R. Ladd; Attorney General, George Marston—all Republicans.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Republicans	36	181	217
Democrats	4	55	59
Independents	.....	4	4
Republican majority	32	126	158

Michigan.

VOTE OF THE STATE IN 1881.

	Rep.	Dem.	Gbk.	Pro.
Supreme Judge	127436	72730	33256	12744

VOTE FOR CONGRESSMEN, 1880.

Dist.	Rep.	Dist.	Rep.
1—Lord, R.....	15962	5—Blanchard, G....	9506
Mayberry, D.....	15388	6—Spaulding, R....	23551
Stowe, G.....	628	Winans, D.....	18235
2—Willits, R.....	18945	Begole, G....	5690
Waldby, D.....	16596	7—Conger, R.....	17490
Chester, G.....	1674	Black, D.....	13806
3—Lacey, R.....	21267	Watkins, G.....	1428
Pringle, D.....	9739	8—Horr, R R.....	21224
Hodge, G.....	8959	Tarnsey D.....	18357
4—Burrows, R.....	19096	Smith, G.....	3829
Powers.....	12424	9—Hubbell, R.....	23437
Yaple, G.....	4193	Pratt, D.-G....	14642
5—Webber, R.....	22824	Parmelee, G.....	800
Randall, D.....	11435		

VOTES OF THE STATE SINCE 1872.

	Dem.	Rep.	Temp.	Gbk.	Maj.	
1872 President	79088	136202	1271	.....	55043	R
1874 Governor	105550	111519	3937	.....	2032	R
1875 Sup. Court.	91876	111951	.....	.....	26075	R
1876 Governor	142492	165926	870	8297	23434	R
1876 President	141095	166534	.....	.....	25439	R
1877 Sup. Court.	85748	112653	.....	.....	26905	R
1878 Governor	79682	126399	.....	74333	45717	R
1880 Governor	137691	177954	.....	35932	40263	R
1880 President	131597	185341	942	34895	53744	R

STATE GOVERNMENT, 1882.

Governor, David H. Jerome; Lieutenant Governor, Moreau S. Crosby; Secretary, William Jenny; Treasurer, Benjamin D. Pritchard; Auditor, W. Irving Latimer; Land Commissioner, Jas. M. Neasmith; Superintendent of Public Instruction, Varnum B. Cochran; Attorney General, J. F. Van Riper—all Republicans.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Republicans	30	86	116
Democrats	2	14	16
Republican majority	28	72	100

\* This was the vote for Benjamin F. Butler.

**Minnesota.**

VOTE OF THE STATE IN 1881.

	Rep.	Dem.	Maj.
Governor.....	64485	36655	27830

VOTE FOR CONGRESSMEN, 1880.

Dist.		Dist.	
1—Dunnell, R.....	22392	2—Strait, R.....	24588
Wells, D.....	13768	Poehler, D.....	18707
Ward, I. R.....	7656	Chamberlain, G.	309
Roberts, G.....	728	3—Washburn, R.....	36428
		Sibley, D.....	23804
		Ayres, G.....	707

VOTE OF THE STATE SINCE 1872.

	Dem.	Rep.	Temp.	Gbk.	Maj.	
1872 President.....	35211	55709	.....	.....	20498	R
1873 Governor.....	35260	40781	1050	.....	5521	R
1874 Chief Justice.	42111	51996	.....	.....	9885	R
1875 Governor.....	35168	47053	1484	.....	11885	R
1876 President.....	48779	72962	.....	2389	24163	R
1877 Governor.....	40215	57644	.....	.....	17429	R
1878 Congress.....	45339	53508	.....	.....	8169	R
1879 Governor.....	41583	56918	2867	4264	15335	R
1880 President.....	53315	93903	286	3267	40588	R

STATE GOVERNMENT, 1882.

Governor, ——— Hubbard; Lieutenant Governor, Charles H. Gilman; Secretary of State, F. Von Baumbach; State Treasurer, Charles Kittelson; Auditor, Braden; Attorney General, Charles M. Start; Railroad Commissioner, William R. Marshall—all Republicans.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Republicans .....	29	86	115
Democrats .....	11	16	27
Greenbackers .....	1	4	5
Republican majority.....	17	66	83

**Mississippi.**

VOTE OF THE STATE IN 1881.

	Rep.	Dem.	Maj.
Governor.....	51364	76365	25001

VOTE FOR CONGRESSMEN, 1880.

Dist.		Dist.	
1—Morphis, R.....	6828	4—Drennan, R.....	4179
Muldrow, D.....	14450	Singleton, D.....	13749
Davidson, G.....	1058	5—Osborn, R.....	925
2—Buchanan, R.....	9999	Hooker, D.....	11771
Manning, D.....	15255	Deason, I.-R.....	6193
Harris, G.....	3585	Patterson, G.....	222
3—Gunn, G.-R.....	2790	6—Lynch, R.....	5393
Money, D.....	11722	Chalmers.....	9172

VOTES OF THE STATE SINCE 1872.

	Rep.	Dem.	Maj.	
1872 President.....	81916	47191	34725	R
1873 Governor.....	74307	52904	21403	R
1875 Treasurer.....	66659	96806	30147	D
1876 President.....	51605	109173	57568	D
1877 Governor.....	*1168	96454	95286	D
1880 President.....	34854	75750	40396	D

STATE GOVERNMENT, 1882.

Governor, Robert Lowry; Lieutenant Governor, G. D. Shands; Secretary of State, Henry C. Myers; Treasurer, W. L. Hemingway; Auditor, Sylvester Gwin; Attorney General, T. C. Catchings; Superintendent of Education, J. A. Smith—all Democrats.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Democrats.....	34	101	135
Republicans.....	3	14	17
Greenbackers .....	..	2	2
Independents .....	..	3	3
Democratic majority.....	31	82	113

\* No returns from Sharkey county.

**Missouri.**

VOTE FOR CONGRESSMEN, 1880.

Dist.		Dist.	
1—Fletcher, R.....	10892	8—Van Horn, R.....	8395
Clardy, D.....	11681	Allen, D.....	7656
Eshbaugh, G. ....	49	Crisp, D.....	7459
2—Rosenblatt, R.....	10022	Clark, G.....	1084
Allen, D.....	12158	9—Ford, G.-R.....	.....
3—Sessinghaus, R... ..	9290	Craig, D.....	.....
Frost, D.....	9487	10—Burrows, R.-G....	17284
O'Connell, G.....	266	Mausen, D.....	17219
4—Simpson, R.....	1251	11—Heberling, R.....	7370
Davis, D.....	19949	Clarke, Jr., D.....	17921
5—Palmer, R.....	10799	12—London, R.....	15236
Bland, D.....	12977	Hatch, D.....	17403
6—Hazeltine, R.-G....	22787	13—Haley, R.....	7394
Waddill, D.....	22680	Buckner, D.....	17233
7—Rice, R.-G.....	19744	Thurmond, G.....	253
Phillips, D.....	19146		

VOTES OF THE STATE SINCE 1872.

	Dem.	Rep.	Gbk.	Maj.	
1872 Governor.....	156714	121271	.....	35443	D
1872 President.....	151433	119196	.....	29808	D
1874 Governor.....	149556	112104	.....	37452	D
1876 Governor.....	199580	147694	.....	51886	D
1876 President.....	203077	145029	.....	58048	D
1878 Sup. Judge.....	185171	46994	61167	88177	D
1880 President.....	208609	153567	35045	55042	D
1880 Governor.....	207670	153636	36338	54034	D

STATE GOVERNMENT, 1882.

Governor, Thomas T. Crittenden; Lieutenant-Governor, Robert A. Campbell; Secretary, M. K. McGrath; Auditor, John Walker; Treasurer, Philip E. Chappel; Attorney-General, D. H. McIntyre; Land Register, Robert McCulloch; Superintendent of Schools, Richard D. Shannon—all Democrats.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Democrats.....	25	93	123
Republicans.....	7	41	48
Greenbackers.....	2	4	6
Democratic majority.....	16	53	69

**Nebraska.**

VOTE FOR CONGRESSMAN, 1880.

Valentine, R.....	52647	North, D.....	23634
Root, G.....	.....	.....	4059

VOTES OF THE STATE SINCE 1872.

	Rep.	Dem.	Ind.	Temp.	Maj.	
1872 President.....	18245	7705	.....	.....	10540	R
1874 Governor.....	20874	8471	3987	1257	7159	R
1875 Sup. Court.....	31226	15091	.....	.....	16135	R
1876 President.....	31916	17554	2336	4964	14362	R
1876 Governor.....	31947	17219	3022	30	14728	R
1877 Sup. Court.....	29569	15639	775	.....	13930	R
1878 Governor.....	29469	13473	9475	.....	15996	R
1878 Congress.....	28341	21752	110	.....	6689	R
1880 President.....	54979	28523	3950	.....	26456	R
1880 Governor.....	55237	28167	3898	.....	27027	R

STATE GOVERNMENT, 1882.

Governor, Albinus Nance; Lieutenant-Governor, E. C. Cairns; Secretary of State, S. J. Alexander, Auditor Public Accounts, John Wallicks; Treasurer, G. M. Bartlett; Commissioner of Public Lands and Buildings, A. G. Kendall; Attorney-general, C. J. Dilworth; Superintendent of Public Instruction, W. W. Jones—all Republicans.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Republicans.....	27	73	100
Democrats .....	3	10	13
Republican majority.....	24	63	87



**Nevada.**

VOTE FOR CONGRESSMAN, 1880.

Daggett, R.....8578 Cassidy, D.....9815

VOTE OF THE STATE SINCE 1872.

	Dem.	Rep.	Maj.
1872 President.....	6236	8413	2177 R
1874 Governor.....	10339	7755	2584 D
1876 President.....	9308	10383	1075 R
1876 Congress.....	7270	10241	971 R
1878 Governor.....	9151	9678	527 R
1878 Congress.....	9047	9727	680 R
1880 President.....	9611	8732	879 D

STATE GOVERNMENT, 1882.

Governor, J. H. Kinkead, R.; Lieutenant-Governor, Jewett W. Adams, D.; Contoller, J. F. Hallock, R.; Treasurer, L. L. Crockett, R.; Secretary of State, Jasper Babcock, R.; Attorney-General, M. A. Murphy, R.; Surveyor-General, A. J. Hatch, R.; Superintendent of Public Instruction, D. R. Sessions, D.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Democrats.....	10	43	53
Republicans.....	14	7	21
Independents.....	1	...	1
Dem. maj. on joint ballot... ..	...	...	31

**New Hampshire.**

VOTE FOR CONGRESSMAN, 1880.

Dist.	Dist.
1—Hall, R.....16310	2—Scattering..... 147
Sanborn, D.....15047	3—Farr, R.....13860
Scattering..... 311	Bingham, D.....12897
2—Briggs, R.....14480	Scattering..... 281
Sulloway, D.....13000	

VOTES OF THE STATE SINCE 1872.

	Dem.	Rep.	Temp.	Maj.
1872 President.....	31425	37168	200	5443 R
1875 Governor.....	39121	39293	792	172 R
1876 Governor.....	38128	41765	419	3208 R
1876 President.....	38509	41539	82	3030 R
1877 Governor.....	36721	40755	338	4034 R
1878 Governor.....	31135	38175	*6507	7040 R
1880 President.....	40798	44855	708	4057 R
1880 Governor.....	40866	44435	892	3569 R

\* Greenback vote. The vote in this column for 1880 indicates combined Greenback and Prohibition vote.

STATE GOVERNMENT, 1882.

Governor, Charles H. Bell; Secretary of State, A. B. Thompson; Deputy Secretary of State, Isaac W. Hammond; Treasurer, Solon A. Carter; Adjutant-General, A. D. Ayling; State Librarian, William H. Kimball—all Republicans.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Republicans.....	16	186	202
Democrats.....	8	123	131
Republican majority.....	8	63	71

**New Jersey.**

VOTE FOR CONGRESSMEN, 1880.

Dist.	Dist.
1—Robeson, R.....19807	4—Harris, D.....17043
Carter, D.....16350	Larison, G..... 457
Hollis, G..... 724	5—Hill, R.....16766
Woolman, P..... 76	Cutler, D.....15165
2—Brewer, R.....18580	Potter, G..... 339
Smith, D.....16536	6—Jones, R.....20424
Dobbins, G..... 342	Balback, D.....17888
3—Robbins, R.....16953	Douai, G..... 534
Ross, D.....19725	7—Brigham, R.....14714
Hope, G..... 334	Hardenbaugh, D.....19462
4—Kilpatrick, R.....12870	Becker, G..... 161

VOTES OF THE STATE SINCE 1872.

	Rep.	Dem.	Maj.
1872 President.....	76801	91611	14180 R
1874 Governor.....	97283	84050	13233 D
1876 President.....	115956	103511	12445 D
1877 Governor.....	97840	85094	12746 D
1880 Governor.....	121015	121666	651 D
1880 President.....	120555	122565	2010 D

STATE GOVERNMENT, 1882.

Governor, George C. Ludlow, D.; Secretary of State, Henry C. Kelsey, D.; Treasurer, George M. Wright, R.; Attorney-General, John P. Stockton, D.; Contoller, E. J. Anderson, R.; Chancellor, Theodore Runyon, D.; Superintendent of Public Instruction, Ellis A. Apgar, D.

LEGISLATURE, ELECTED IN 1881.

	Senate.	House.	Total
Republicans.....	13	30	43
Democrats.....	8	30	38
Republican majority.....	5	...	5

**New York.**

	PRESIDENT, 1880.			SEC'Y STATE, 1881.		GOVERNOR, 1879.				PRES'r 1876.		
	Garfield, R.	Hancock, D.	Weaver, G.	Carr, R.	Purcell, D.	Howe, G.	Rob'son, D.	Cornell, R.	Kelly, Bolt.	Lewis, G.	Hayes, R.	Tilden, D.
Albany.....	16564	19624	354	12604	16602	532	12976	14505	3695	1091	16463	17641
Alleghany.....	6827	3482	486	4566	1986	493	2710	5682	371	542	6739	3741
Broome.....	7173	5450	168	5453	4217	164	4777	6020	120	105	6767	5424
Cattaraugus.....	7401	5166	672	5382	3396	955	2972	5851	403	1407	6718	5054
Cayuga.....	9372	5976	536	6703	4018	725	3946	7316	712	948	8958	6119
Chautauqua.....	10422	5472	585	6991	3647	673	4303	7935	131	1048	10065	5685
Chemung.....	4635	4806	976	3166	3428	1265	3547	3481	484	1539	4732	5228
Chenango.....	5769	4559	623	4448	3201	974	3783	4851	136	1057	6173	4826
Clinton.....	6080	4250	74	4930	3124	65	3672	4664	87	34	5502	4796
Columbia.....	6486	5992	19	4168	5199	34	4659	5979	121	83	5799	6311
Cortland.....	4124	2749	78	3214	2155	44	2238	3351	328	177	4038	2642
Delaware.....	6058	5084	218	4676	3632	316	4555	4914	12	298	5867	5272
Dutchess.....	11045	8475	26	9227	6369	49	7653	9155	673	72	9501	9102
Erie.....	24199	20848	442	19858	18039	351	17095	20150	338	512	20299	19533
Essex.....	4776	2775	169	3589	1949	176	2292	3649	48	180	4477	2955
Franklin.....	4185	2799	96	3329	1734	114	2266	3676	16	237	4104	2946
Fulton and Ham'n.....	4985	3879	35	4018	3539	35	3401	4146	61	46	4262	4231
Genesee.....	4815	3481	72	3638	2740	83	2722	3735	217	82	4322	3321
Greene.....	3879	4405	175	2754	3557	258	4015	2958	102	529	3678	4771
Herkimer.....	6331	5070	61	4605	3824	44	4349	5206	211	179	5966	5212
Jefferson.....	9439	7216	31	7945	5915	26	6703	7959	86	159	9227	7094
Kings.....	51751	61062	507	43969	45252	486	44388	32816	5788	560	39065	57557
Lewis.....	4036	3674	11	3435	3350	9	3160	3397	358	25	3610	3707
Livingston.....	5522	4242	161	4623	3444	188	3604	4701	369	227	5267	4244
Madison.....	6793	4683	182	4830	3249	222	3634	5397	230	293	6683	4762
Monroc.....	17102	13742	316	12363	10825	266	7828	11305	2088	669	14738	13127
Montgomery.....	5230	4947	32	4449	4092	86	4240	4262	327	68	4457	4765
New York.....	81730	123015	610	55225	91957	916	60556	46322	43047	59	58566	112621
Niagara.....	6478	5937	56	5079	5904	149	3902	4924	574	63	5575	5896
Oneida.....	14546	12600	273	10883	10315	350	10861	11713	669	647	14020	12844
Onondago.....	16153	11732	138	12182	8558	74	7744	12542	1468	342	14867	11162

New York.—[Continued.]

	PRESIDENT, 1880.			SEC'Y STATE, 1881.		GOVERNOR, 1879.				PRES'T, 1876.		
	Garfield, R.	Hancock, D.	Weaver, G.	Carr, R.	Purcell, D.	Howe, G.	Rob'son, D.	Cornell, R.	Kelly, Bolt, G.	Lewis, G.	Hayes, R.	Tilden, D.
Ontaria.....	6774	5767	134	5330	4107	210	4616	5457	407	135	6334	5528
Orange.....	10088	9672	116	7410	7095	194	7275	8381	980	191	9430	9776
Orleans.....	4581	3104	75	3531	2396	62	1667	3445	371	107	4258	3117
Oswego.....	10236	6746	444	8218	5204	569	3636	7437	1327	1139	10229	7417
Otsego.....	7156	7184	127	6113	6167	106	6300	6238	74	206	6859	7026
Putnam.....	2114	1708	.....	1834	1581	.....	1278	1903	39	4	1949	1805
Quecns.....	8151	10391	86	5673	7422	81	7024	5435	1568	133	6970	9994
Rensselaer.....	13672	13031	318	10348	10674	135	11075	10547	1144	784	12254	12926
Richmond.....	3291	4815	10	2292	3524	11	3380	2552	512	14	2883	4338
Rockland.....	2688	3415	2	2076	2827	3	2565	2267	214	14	2349	3494
St. Lawrence.....	13748	5835	16	9418	3314	17	5033	11378	35	68	13465	5784
Saratoga.....	8116	5808	49	5905	3873	53	4891	6728	452	128	7489	6496
Schenectady.....	3250	2628	73	2563	2707	73	2598	2533	246	144	2689	2947
Scholarie.....	3646	5262	35	2740	4005	61	4756	3045	16	45	3549	5324
Schuyler.....	2790	2293	112	2206	1667	131	1678	2406	294	150	2860	2254
Seneca.....	3394	3802	45	2951	3010	43	2723	2934	498	94	3076	3613
Steuben.....	10245	8992	584	7125	5987	772	6674	8466	836	909	9762	8803
Suffolk.....	6515	6061	49	4884	4165	70	5126	5156	122	47	5589	5804
Sullivan.....	3339	3718	434	2573	2882	807	2799	2554	364	822	3262	4402
Tioga.....	4750	3627	189	3591	3026	353	3340	4149	35	132	4675	3906
Tompkins.....	4896	3956	363	3592	2652	653	3589	4387	35	466	5032	4028
Ulster.....	9994	9870	30	6551	6772	90	7164	7849	1666	93	8914	10636
Warren.....	3330	2618	379	2386	1947	532	2622	2639	83	289	3135	2663
Washington.....	7779	4145	59	5605	2814	66	3175	6697	361	70	7303	4815
Wayne.....	7600	5207	225	6307	3901	304	8474	5904	584	503	7081	5199
Westchester.....	11367	11858	82	7709	8438	173	8461	8778	1755	156	9574	12054
Wyoming.....	4695	3309	58	3238	2029	36	2494	3821	65	66	4428	3266
Yates.....	3432	2197	07	2544	1490	288	1844	2919	213	89	3327	2045
Total.....	555544	534511	12373	416915	403893	16015	375790	418567	77566	20286	489225	522043
Majorities.....	21033			13022				42777				32818

Total vote for Secretary of State, 1881, including 4,863 scattering, 841,686; total vote for President, 1880, including 1,517 Prohibition, 1,403,945; total vote for Governor, 1879, including 4,437 Prohibition and 4,489 scattering, 901,135; total vote for President, 1876, including 1,987 Greenback and 2,359 Prohibition, 1,015,614.

VOTE FOR CONGRESSMEN, 1880.

Dist.	Rep.	Dist.	Rep.
1—King, R.....	18163	18—Keefe, G.....	700
Belmont, D.....	20815	19—Parker, R.....	17559
Markham, G.....	183	Andrews, D.....	8385
2—O'Reilly, I.-D.....	12166	Norton, G.....	133
Robinson, D.....	20122	20—West, R.....	21526
3—Chittendon, R.....	20626	Decker, D.....	16403
Smith, I.....	22084	Gardiner, G.....	319
4—Tallmadge, R.....	14614	21—Jacobs, R.....	19078
Bliss, D.....	20030	Gilbert, D.....	16491
Ward, G.....	394	Halsey, G.....	1076
5—Brockmeier, R....	2714	22—Miller, R.....	19792
Wood, D.....	11411	O'Brien, D.....	15906
Muller, I.-D.....	9750	Gates, P.....	97
6—Heinberger, R....	7162	23—Prescott, R.....	14499
Cox, D.....	17025	Sutton, D.....	12532
7—Astor, R.....	11550	Ryan, G.....	308
Dugro, D.....	11723	24—Mason, R.....	17101
8—McCook, R.....	17392	24—Lewis, D.....	11510
Davis, D.....	12468	Nash, G.....	757
9—Hunt, R.....	9313	25—Hiscock, R.....	19828
Wood, D.....	10842	Ruger, D.....	14634
Handy, I.-D.....	8251	Wieting, G.....	24
10—Talcott, R.....	10098	26—Camp, R.....	20259
Hewitt, D.....	19961	Van Auken, D.....	14555
11—Morton, R.....	18232	Walley, G.....	1103
Gerard, D.....	14898	27—Lapham, R.....	15673
12—Taylor, R.....	14803	Bennett, D.....	12065
Hutchins, D.....	15851	Heath, G.....	434
Lyon, G.....	43	28—Dwight, R.....	19510
13—Ketcham, R.....	20353	Davis, D.....	15082
Gaul, D.....	15312	Wager, G.....	987
Wilson, P.....	105	29—Richardson, R.....	21211
14—Pierson, R.....	16134	Beecher, D.-G.....	19287
Beach, D.....	16664	30—Van Vorhis, R.....	21481
Clements, G.....	590	Warner, D.....	16701
15—Cornell, R.....	18845	Henkle, G.....	561
Pindar, D.....	17991	31—Crowley, R.....	15759
Graham, G.....	261	Stevens, D.....	12868
16—Vanderpoel, R.....	16974	Brooks, G.....	131
Nolan, D.....	19176	32—Bush, R.....	22316
Gregory, G.....	224	Scoville, D.....	22723
17—Wood, R.....	21902	Smith, G.....	349
Ferguson, G.....	5162	33—Van Aerman, R.....	17429
18—Hammond, R.....	14281	Van Campen, D.....	10584
Walker, D.....	9360	Sellew, P.....	347

VOTES OF THE STATE SINCE 1872.

	Dem.	Rep.	O'Connor.	Maj.
1872 President.....	387279	440759	1404	51825 R
1873 Sec'y of State.....	341001	331123	32 8	9873 D
1874 Governor.....	416391	366074	11168	50317 D

	Dem.	Rep.	Temp.	Maj.
1875 Sec'y of State.....	390211	375401	11103	14810 D
1876 Governor.....	519831	489031	.....	30800 D
1876 President.....	522043	489225	.....	32818 D
			Gbk.	
1877 Sec'y of State....	383062	371798	20282	11264 D
1878 Sup. Judge.....	356451	391112	75133	34661 R
1879 Treasurer.....	433485	346000	21646	2815 R
1879 Engineer.....	439681	427240	22779	12441 D
1880 President.....	534511	555544	12373	21033 R

STATE GOVERNMENT, 1882.

Governor, Alonzo B. Cornell, R.; Lieutenant Governor, George B. Hoskins, R.; Secretary of State, Joseph B. Carr, R.; Controller, Ira Davenport, R.; Treasurer, Robert A. Maxwell, D; Attorney General, Leslie W. Russell, R.; State Engineer and Surveyor, Silas Seymour, R.; Superintendent of Insurance Department, John F. Smyth, R.; Superintendent of Bank Department, Henry L. Lamb, R.; Superintendent of Public Instruction, Neil Gilmour, R.; Superintendent of State Prisons, Louis D. Pillsbury, D.; Superintendent of Public Works, Benjamin S. W. Clark, D.

LEGISLATURE ELECTED IN 1881.

	Senate.	House.	Total.
Republicans.....	15	61	76
Democrats.....	17	67	84
Democratic maj.....	2	6	8

North Carolina.

VOTE FOR CONGRESSMEN, 1880.

Dist.	Rep.	Dist.	Rep.
1—Grandy, R.....	14290	5—Keogh, R.....	11623
Latham, D.....	14796	Scales, D.....	13557
2—Hubbs, R.....	19259	Winston, I.....	562
Kitchen, D.....	14305	6—Myers, R.....	12366
Green, G.....	104	Dowd, D.....	16401
3—Canaday, R.....	15017	7—Furches, R.....	11383
Shackelford, D.....	16356	Armfield, D.....	13331
Kornegay, G.....	645	8—Atkinson, R.....	6244
4—Bledsoe, R.....	16241	Vance, D.....	14099
Cox, D.....	17557	Love, I.....	1336

VOTES OF THE STATE SINCE 1872.

	Rep.	Dem.	Maj.
1872 President.....	91363	67489	23904 R
1872 Governor.....	98630	96731	1899 R
1874 Supt. Pub. Inst.....	84181	98217	14036 D

	Rep.	Dem.	Maj.	
1876 President .....	108419	125427	17008	D
1876 Governor.....	109990	123193	13208	D
1878 Congress .....	53369	68263	14894	D
1880 President .....	115878	124204	8326	D
1880 Governor.....	115590	121827	6237	D

STATE GOVERNMENT, 1882.

Governor, Thomas J. Jarvis; Lieutenant Governor, James L. Robinson; Secretary of State, William L. Saunders; Attorney General, Thomas S. Kenan; Treasurer, John M. Worth; Auditor, William P. Roberts; Superintendent of Public Instruction—John C. Scarborough—all Democrats.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total.
Republicans and Independ'ts	12	32	44
Democrats .....	38	78	116
Democratic maj.....	26	46	72

Ohio.

VOTE OF THE STATE IN 1881.

	Rep.	Dem.	Pro.	Gbk.	Set'g
Governor.....	312735	288426	16597	6330	138
Supreme Judge .....	316005	286650	16090	6495	71

VOTE FOR CONGRESSMEN, 1880.

Dist.	Rep.	Dem.	Pro.	Gbk.	Set'g
1—Butterworth, R.....	16455				
Hunt, D .....	15157				
McCarthy, G.....	19				
2—Young, R.....	17385				
Banning, D.....	16381				
Wheeler, G.....	16				
3—Morey, R.....	18863				
Ward, D .....	17835				
Courts, G.....	248				
Staley, P .....	11				
4—Schultz, R .....	21572				
McMatton, D .....	21244				
Stubbs, G.....	203				
Rush, P.....	91				
5—Boone, R.....	15488				
LeFevre, D.....	23598				
Randell, G.....	172				
6—Ritchie, R.....	19782				
Hurd, D.....	19097				
Miller, G.....	1038				
Trobridge, P.....	139				
7—Hart, R.....	15663				
Leedom, D.....	17375				
Santee, G.....	1				
8—Keifer, R .....	21182				
Chance, D .....	15264				
Graham, G .....	251				
9—Robinson, R.....	18146				
Norris, D.....	17007				
Mouser, G .....	425				
10—Rice, R.....	18394				
Shaffer, D.....	17026				
Seitz, G.....	619				
Seymour, P.....	121				
11—Neal, R.....	17218				
Hutchins, D.....	15080				
Kirkendall, G.....	88				
12—Groce, R.....	17484				
Converse, D.....	21673				
Williams, G.....	516				
Hubbard, P.....	154				
13—Clark, R.....	16563				
Atherton, D.....	19038				
Baker, G.....	273				
Myers, P.....	74				
14—Fink, R.....	12653				
Geddes, D.....	18520				
Shull, G.....	46				
15—Dawes, R.....	16283				
Warner, D.....	15781				
Martin, G .....	212				
Penrose, P.....	240				
16—Updergraph, R.....	17998				
Charlesworth, D.....	15150				
Lippett, G.....	36				
17—McKinley, Jr. R.....	20221				
Thomson, D.....	16650				
Jenkins, G.....	793				
Leeper, P.....	126				
18—McClure, R.....	18570				
Wadsworth, D.....	13474				
Rice, G.....	310				
Shoemaker, P.....	205				
19—Taylor, R.....	22794				
Adams, D.....	10116				
Miller, G.....	701				
Doorman, P.....	230				
20—Townsend, R.....	20333				
Hutchins, D.....	15106				
Jackson, G.....	587				
Gage, P.....	254				

VOTES OF THE STATE SINCE 1872.

	Rep.	Dem.	Temp.	Maj.
1872 Sec'y of State.....	265930	251780	2045	12104 R
1872 President.....	281852	245484	2100	34268 R
1873 Governor.....	213837	214654	.....	817 D
1874 Sec'y of State.....	221204	238406	7815	17202 D
1875 Governor.....	297817	292273	2593	5544 R
1876 President.....	330698	323182	... ..	7516 R
1876 Sec'y of State.....	316872	311098	.....	5784 R
			Gbk.	
1877 Governor.....	249105	271625	29201	22520 D
1878 Sec'y of State.....	274120	270966	38322	3154 R
1879 Governor.....	336261	319232	9072	17129 R
1880 President.....	375048	340821	6456	34227 R
1880 Sec'y of State....	362021	343016	6786	1905 R

STATE GOVERNMENT, 1882.

Governor, Charles Foster; Lieutenant Governor, Rees G. Richards; Secretary of State, Charles Townsend; Auditor, John F. Oglevee; State Treasurer, Joseph Turney; Attorney General, George K. Nash—all Republicans.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Republicans.....	22	70	92
Democrats.....	11	35	46
Republican maj.....	11	35	46

Oregon.

VOTE FOR CONGRESSMAN, 1880.

George, R.....	19578	Whitaker, D.....	18181
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VOTES OF THE STATE SINCE 1872.

	Dem.	Rep.	Ind.	Maj.
1872 President.....	7753	11818	.....	3493 R
1873 Congress.....	8194	6123	.....	2071 D
1874 Governor.....	9713	9163	6532	550 D
1876 President.....	14158	15208	508	1050 R
1876 Congress.....	14239	15347	.....	1108 R
1878 Governor.....	16063	16009	1353	54 D
1880 President.....	19950	20618	245	668 R

STATE GOVERNMENT, 1882.

Governor, W. W. Thayer, D.; Secretary of State, R. P. Earhart, R.; Treasurer, Edward Hirsh, R.; State Printer, W. H. Odell, R.; Superintendent of Public Instruction, L. J. Powell, R.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Democrats .....	13	20	33
Republicans.....	16	40	56
Independents.....	1	...	1
Republican maj.....	3	20	23

The Vote of Pennsylvania.

	TREASURER, 1881.					PRESIDENT, 1880.			GOVERNOR, 1878.			PREST., 1876.	
	Baily, R.	Noble, D.	Wolfe, I.	Jackson, G.	Wills'n, P.	Garfld, R.	Hanc'k, D.	Weaver, G.	Hoyt, R.	Dill, D.	Mason, G.	Hayes, R.	Tilden, D.
Adams.....	2348	2871	37	52	2	3137	3752	69	2742	3361	139	2921	3439
Allegheny .....	15679	9860	5948	1015	140	35539	22096	1636	20601	13186	7724	28729	19248
Armstrong .....	2893	2466	317	208	29	4721	3991	375	3207	2693	1899	4613	3821
Beaver .....	2949	2654	340	30	10	4700	3498	129	3571	2968	436	3982	2950
Bedford .....	3163	3370	129	55	...	3638	3723	53	3014	3347	202	3210	3532
Berks .....	4650	9920	130	108	350	9225	16959	179	6506	13480	1755	8019	15612
Blair .....	3275	2435	297	148	20	5808	4728	195	3700	3390	968	4752	3933
Bradford .....	4387	2969	1510	409	194	8152	4950	496	6010	3132	1846	8008	4989
Bucks .....	6240	6996	556	43	6	8385	8627	23	7601	7552	200	7722	8023
Butler.....	3517	3327	711	133	178	5269	4678	346	3766	3892	2216	5643	4830
Cambria.....	3117	3565	144	202	37	3962	4555	150	2196	3342	1081	2989	4257
Cameron.....	519	479	14	24	3	647	582	27	408	381	219	572	543
Carbon .....	2152	2719	103	49	274	2857	3464	88	2150	2260	1041	2758	3106
Centre.....	2344	3491	185	151	40	3602	4598	99	2059	3827	1466	3266	4065
Chester .....	5636	4298	941	53	37	11298	7524	90	8178	5466	205	9715	6621
Clarion .....	1739	2734	132	422	...	2533	4133	322	2265	4032	1482	3060	4167
Clearfield .....	1841	2994	55	231	20	3105	4928	296	1602	3207	1198	2318	4220
Clinton .....	1819	2525	273	33	20	2284	3117	36	1814	2699	347	1809	2974
Columbia.....	1247	2878	127	156	63	2236	4598	192	1451	3278	1159	2069	4394

The Vote of Pennsylvania.—[Continued.]

	TREASURER, 1881.					PRESIDENT, 1880.			GOVERNOR, 1878.			PRES., 1876.	
	Baily, R.	Noble, D.	Wolfe, I.	Jackson, G.	Wils'n, P.	Garfi'd, R.	Hanc'k, D.	Weaver, G.	Hoyt, R.	Dill, D.	Mason, G.	Hayes, R.	Tilden, D.
Crawford	4507	3718	590	1245	608	1192	5847	1759	5957	3833	3528	7345	6537
Cumberland	2922	4023	150	83	3	4431	5462	119	3743	4331	566	4151	5062
Dauphin	5793	3800	951	135	1	8573	6619	315	6591	5320	1468	7493	5474
Delaware	3221	2372	1574	12	9	7008	4473	21	4769	3137	364	5484	3250
Elk	620	1242	20	93	6	720	1534	88	426	1100	378	534	1330
Erie	4656	4130	292	437	195	8752	6471	641	6044	4237	1635	8724	6179
Fayette	3458	3752	88	276	77	4920	6250	609	2654	4211	1937	4379	5594
Forest	371	255	3	315	...	370	325	281	318	267	277	464	385
Franklin	4097	4011	147	5	27	5379	4964	4	4734	4691	41	4897	4620
Fulton	768	1133	8	2	9	853	1252	.....	794	1222	.....	821	1190
Greene	1530	2976	7	10	69	2210	4271	32	1606	3229	120	1956	3719
Huntingdon	2629	2034	396	224	2	3787	3039	393	3073	2736	639	3493	2982
Indiana	3109	1163	161	1204	16	4617	2119	1488	3486	1557	2155	4934	2248
Jefferson	2203	2212	86	126	10	2750	2635	137	1944	2140	814	2350	2459
Juniata	1446	1707	29	47	2	1625	1999	62	1473	1851	142	1550	2013
Lackawanna	4220	3116	945	.....	92	7357	7178	151	4898	1974	3588	.....	.....
Lancaster	9899	5770	1495	19	38	19489	10789	39	15518	8714	251	17425	9638
Lawrence	2062	1221	932	107	129	4360	2047	168	2876	1605	393	3429	1764
Lebanon	3191	1622	65	.....	154	5042	3218	7	3914	2646	382	4552	3028
Lehigh	4468	5756	67	27	29	6144	8292	17	4975	6705	270	5586	7757
Luzerne	5870	7695	1447	13	214	11028	12575	372	7322	4414	6086	14919	18396
Lycoming	2751	3629	447	571	41	4955	6416	560	3207	4909	2062	4110	5423
McKean	2477	2192	897	182	40	3693	3169	299	1504	1282	742	1427	1320
Mercer	3971	3607	535	428	505	6079	5029	490	4436	3708	1850	5508	4587
Mifflin	1469	1689	197	74	4	2075	1955	25	1744	1756	59	1716	1892
Monroe	619	2338	34	8	...	962	3334	17	602	2829	430	776	3280
Montgomery	8407	8949	944	53	37	11026	11025	75	9006	9164	381	9385	9654
Montour	891	1340	136	71	8	1265	1862	80	772	1378	483	1136	1728
Northampton	2714	5178	411	52	25	5961	9653	93	4035	7504	1079	5311	9271
Northumberland	2948	4410	2084	131	15	4847	5931	319	3281	4584	1489	4268	5064
Perry	2420	2435	107	.....	40	3032	2894	.....	2697	2711	97	2684	2789
Philadelphia	55866	42357	14722	254	67	97220	76330	237	70099	53755	3211	77088	62138
Pike	296	863	8	25	2	537	1332	10	497	1135	56	443	1387
Potter	1236	594	48	384	...	1773	1134	255	1326	694	669	1621	1280
Schuylkill	4963	8089	2141	1641	47	9337	11511	2488	5994	7657	6508	8677	10457
Snyder	1367	1278	860	4	...	2120	1579	13	1814	1494	154	1922	1539
Somerset	3528	2053	103	2	15	4150	2500	55	3134	2140	398	3784	2336
Sullivan	417	677	48	144	...	625	994	72	436	602	379	502	879
Susquehanna	3421	2542	127	159	87	5031	3802	256	3832	2246	1825	4823	3885
Tioga	2737	1297	695	919	10	6048	2815	1151	4253	2128	1681	5892	2729
Union	638	1134	1720	6	1	2254	1502	11	1836	1656	174	2154	1489
Venango	2302	2058	653	933	137	4089	3573	685	3482	3035	1229	3840	3471
Warren	1927	1360	281	584	79	3207	2118	684	2175	1026	1822	3151	2365
Washington	5362	4703	112	223	...	6451	5580	330	5263	4994	822	5806	5323
Wayne	1720	2254	748	.....	8	3122	3421	13	1937	1625	1384	2760	3680
Westmoreland	4398	5222	211	196	9	7113	7975	899	4795	5968	1642	6217	7466
Wyoming	1559	1796	30	88	14	1787	1983	38	1417	1600	474	1679	2026
York	4307	7068	223	1	26	7870	11581	9	5960	9644	79	6827	10403
Totals	265295	258471	49984	14986	4507	444704	407428	206668	319490	297137	81758	381148	366204
Pluralities	6824					37276			22353			17944	

Aggregate vote in 1881 for Treasurer, 593,233; aggregate vote in 1880 for President, including 1,930 for Dow, P., and 44 for Phelps, Anti-Masonic, 874,783; aggregate vote in 1878, including 3,750 for Prohibition candidate, 702,144; aggregate vote in 1876, 758,874

STATE GOVERNMENT, 1882.

Governor, Henry M. Hoyt; Lieutenant Governor, Charles Stone; Secretary of State, Mathew S. Quay; Attorney General, Henry W. Palmer; Secretary of Internal Affairs, Aaron K. Dunkel; State Treasurer, Samuel Butler; State Treasurer elect, Silas M. Baily, who takes office May 1, 1882. The Government of Pennsylvania will change in 1883, the Governor being ineligible to a second consecutive election under the Constitution.

Rhode Island.

VOTE OF THE STATE, APRIL 6, 1881.

	Rep.	Dem.	Pro.	Gbk
Governor	10349	4756	253	285
Secretary of State	10489	4582	.....	281

VOTE FOR CONGRESSMEN, 1880.

Dist.	Rep.	Dem.	Pro.	Gbk
1—Aldrich, R.	9510			8515
2—Chase, R.				8515
Lawrence, D.	4586			6027
				Treat, D.

VOTES OF THE STATE SINCE 1872.

	Dem.	Rep.	I-Rep.	Maj
1872 President	5329	13665	.....	8336 R
1872 Governor	8308	9463	.....	1155 R
1873 Governor	3786	9656	.....	5870 R
1874 Governor	1589	12335	.....	10746 R
1875 Governor	5166	8368	8724	356 I-R
1876 President	10712	15787	.....	5075 R
1877 Governor	11787	12458	.....	671 R
1878 Governor	7639	11454	.....	3815 R
1879 Governor	5508	9717	.....	4209 R
1880 President	10779	18195	.....	7416 R

STATE GOVERNMENT, 1882.

Governor, Alfred H. Littlefield; Lieutenant Governor, Henry H. Fay; Secretary of State, Joshua M. Adderman; Attorney General, Willard Sayles; General Treasurer, Samuel Clark—all Republicans.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Republicans	29	64	93
Democrats	8	8	16
Republican maj	11	56	77

South Carolina.

VOTE FOR CONGRESSMEN, 1880.

Dist.	Rep.	Dem.	Pro.	Gbk
1—Lee, R.	11674			
Richardson, D.	20142			
2—Mackey, R.	12297			
O'Connor, D.	17567			
3—Stolbrand, R.	9578			
Aiken, D.	27863			
4—Blythe, R.		11780		
Evins, D.		27983		
5—McLane, G.		414		
5—Smalls, R.		15287		
Tillman, D.		23325		

VOTES OF THE STATE SINCE 1872.

	Rep.	Dqm.	Maj.	
1872 Governor	69838	36553	33305	R
1872 President	72290	22683	49607	R
1872 Congress	76034	19522	56512	R
1874 Governor	80403	68818	11585	R
1874 Congress	79209	62094	17115	R
1876 Governor	91127	92261	1134	D
1876 President	91870	90896	974	R
1876 Congress	91143	91559	416	D
1878 Congress	45081	116917	71836	D
1880 President	57966	111236	53270	D
1880 Governor	*4277	117433	113155	D

STATE GOVERNMENT, 1882.

Governor, Johnson Hagood; Lieutenant Governor, J. D. Kennedy; Controller, John Brattin; Treasurer, J. P. Richardson; Secretary, R. M. Sims; Attorney General, Leroy F. Youmans; Superintendent of Public Instruction, Hugh S. Thompson; Adjutant General, A. M. Manigault—all Democrats.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Republicans	2	3	5
Democrats	31	121	152
<b>Democratic maj.</b>	<b>29</b>	<b>118</b>	<b>147</b>

Tennessee.

VOTE OF THE STATE IN 1880.

	High Tax.		Gbk.
	Rep.	Dem.	
Governor	102969	79191	57424 3641

VOTE FOR CONGRESSMEN, 1880.

Dist.	Rep.	Dem.	Gbk.	Dist.	Rep.	Dem.	Gbk.
1—Pettibone, R.	12261			6—McClain, R.	7411		
Taylor, D.	11707			House, D.	11123		
2—Houk, R.	15905			Brook, I.-D.	723		
Williams, D.	8498			7—Hughes, R.	8056		
3—Case, R.	8979			Whitthorne, D.	11116		
Dibrell, D.	11598			8—Hawkins, R.	9636		
4—Saunders, R.	6152			Atkins, D.	10419		
McMillin, D.	11998			Travis, I.-D.	2650		
5—Bright, R.	6303			9—Shaekelford, R.	10865		
Warner, D.	7777			Simonton, D.	12150		
Holman, I.-D.	5077			10—Moore, R.	11844		
				Young, D.	10998		

VOTES OF THE STATE SINCE 1872.

	Dem.	Rep.	Maj.	
1872 President	94391	83655	10736	D
1872 Congress-at-Large	103088	80825	22263	D
1874 Governor	103061	55843	47218	D
1876 Governor	123740	73695	50045	D
1876 President	133166	89566	43600	D
1878 Governor	89018	42328	46690	D
1880 President	130381	98760	31621	D

STATE GOVERNMENT, 1882.

Governor, Alvin Hawkins, R.; Secretary of State, D. A. Nunn, D.; Treasurer, M. T. Polk, D.; Controller, James M. Nolan, D.; Superintendent of Public Instruction, Leon Trousdale, D.; Commissioner of Agriculture, J. B. Killebrew, D.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Democrats	14	36	50
Republicans	11	36	47
Greenbackers	..	1	1
<b>Dem. maj. on joint ballot</b>	<b>3</b>	<b>..</b>	<b>2</b>

Texas.

VOTE FOR CONGRESSMEN, 1880.†

Dist.	Rep.	Dem.	Gbk.	Dist.	Rep.	Dem.	Gbk.
1—Reagan, D.	21227			4—Mills, D.	30135		
Withers, G.	6095			Brady, G.	17920		
2—Culbertson, D.	26624			5—Shepard, D.	22708		
O'Neill, G.	16194			Jones, I.-G.	22941		
3—Wellborn, D.	48005			6—Upson, D.	27338		
Kearby, G.	13025			Scattering	637		

\* Republicans made no nominations.

† Greenback vote: Republicans had no candidate.

VOTES OF THE STATE SINCE 1872.

	Dem.	Rep.	Gbk.	Maj.	
1872 Congress	68522	46482	.....	22140	D
1872 President	66455	47126	.....	19029	D
1873 Governor	99984	52353	.....	47611	D
1875 Governor	150581	50000	.....	100581	D
1876 President	104755	44800	.....	59955	D
1878 Governor	153933	23402	55002	89529	D
1880 President	146863	53298	26244	93570	D

STATE GOVERNMENT, 1882.

Governor, Oran M. Roberts; Lieutenant Governor, L. J. Storey; Controller, William M. Brown; Treasurer, F. R. Lubbock; Attorney General, J. H. McLeary; Appellate Judge, J. M. Hurt; Land Commissioner, William C. Walsh—all Democrats.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Democrats	29	83	112
Republicans	1	7	8
Greenbackers	1	3	4
<b>Democratic majority</b>	<b>27</b>	<b>73</b>	<b>100</b>

Vermont.

VOTE FOR CONGRESSMEN, 1880.

Dist.	Rep.	Dem.	Gbk.	Dist.	Rep.	Dem.	Gbk.
1—Joyce, R.	15645			2—Mead, G.	411		
Randall, D.	6771			3—Grout, R.	12253		
Martin, G.	358			Currier, D.	6191		
2—Tyler, R.	15960			Tarbell, G.	1256		
Campbell, D.	6698			Powers, P.	506		

VOTES OF THE STATE SINCE 1872.

	Rep.	Dem.	Gbk.	Maj.	
1872 Governor	41946	16613	.....	25333	R
1872 President	41487	10947	.....	29947	R
1874 Governor	33582	13258	.....	20324	R
1876 Governor	44723	20988	.....	23735	R
1876 President	44991	20254	.....	23837	R
1878 Governor	37312	17247	2635	20065	R
1880 President	45567	18316	1215	27251	R
1880 Governor	47843	21245	1578	26603	R

STATE GOVERNMENT, 1882.

Governor, Roswell Farnham; Lieutenant Governor, John L. Barstow; Treasurer, John A. Page; Secretary of State, George Nichols; Auditor, E. H. Powell—all Republicans.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Republicans	30	218	248
Democrats	..	18	18
Greenbackers	..	1	1
Independents	..	1	1
<b>Republican majority</b>	<b>30</b>	<b>198</b>	<b>228</b>

Virginia.

VOTE OF THE STATE IN 1881.

	Readj.	Dem.	Maj.
Governor	111473	99757	11716

VOTE FOR CONGRESSMAN, 1880.

Dist.	Rep.	Dem.	Gbk.	Dist.	Rep.	Dem.	Gbk.
1—Waltz, R.	10250			6—Tueker, D.	13645		
Garrison, D.	11595			Frazier, Readj.	9258		
Criteher, Readj.	2217			Woodfin, R.	5		
2—Dezendorf, R.	14775			7—Moseley, R.	1029		
Goode, D.	9715			Allen, D.	9938		
Lacy, Readj.	3600			Paul, Readj.	10663		
3—G. D. Wise, D.	10931			8—Bayley, R.	9170		
J. S. Wise, Readj.	8566			Barbour, D.	15599		
4—Jorgensen, R.	13825			Williams, Readj.	2736		
Coleman, D.	5768			9—Goodell, R.	3640		
5—Cabell, D.	11478			Trigg, D.	7621		
Stovall, R.	10918			Fulkerson, Readj.	8096		
				McMullin, I.	483		
<b>Total Vote for Congress</b>				Republican	52653		
				Democratic	97073		
				Readjuster	56054		

VOTES OF THE STATE SINCE 1872.

	Dem.	Rep.	Maj.
1872 President.....	91440	93415	1972 R
1873 Governor.....	127738	93499	27239 D
1876 Congress.....	139443	96480	42963 D
1876 President.....	139760	95558	44112 D
1877 Governor.....	Readj 101940	4329	97611 D
1880 President.....	31484	96599	83642 12957 D

STATE GOVERNMENT, 1882.

Governor, W. E. Cameron; Lieutenant Governor, John F. Lewis; Attorney General, Frank S. Blair—all Readjusters. The remainder of the State officers are elected by the Legislature.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Republicans.....	...	...	...
Democrats.....	...	...	...
Democratic majority.....	...	...	...

West Virginia.

VOTE FOR CONGRESSMAN, 1880.

Dist.	Rep.	Dem.	Total
1—Hutchinson, R...	18350	17247	
Wilson, D.....	18460	2156	
Bassell, G.....	2847	16096	
2—Hoke, R.....	14565	21407	
Dist. <th>Rep.</th> <th>Dem.</th> <th>Total</th>	Rep.	Dem.	Total
2—Hoge, D.....	17247	2156	
Farnsworth, G...	2156	16096	
3—Walker, G.....	16096	21407	
Kenna, D.....	21407		

VOTES OF THE STATE SINCE 1872.

	Dem.	Rep.	I.-Dem.	Maj.
1872 Governor.....	40395	42883	2583	I.-D
1873 President.....	29537	32283	600	2143 R
1874 Congress.....	37823	28874	8949	D
1874 Congress.....	56350	43066	13284	D
1876 President.....	56565	42001	14564	D
1876 Governor.....	56206	43477	12729	D
1878 Congress.....	50118	20056	*24531	25787 D
1880 President.....	37391	46243	*9079	11148 R
1880 Governor.....	58407	43072	12326	15335 D

STATE GOVERNMENT, 1882.

Governor, Jacob B. Jackson; Secretary of State, Randolph Stalnaker, Jr.; Auditor, Joseph S. Miller; Treasurer, Thomas O'Brien; Attorney General, C. C. Watts; Superintendent of Schools, B. L. Butcher—all Democrats.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Republicans.....	2	19	21
Democrats.....	20	44	64
Greenback Democrats.....	2	2	4
Democratic majority.....	20	27	47

\* Greenback vote.

ELECTION OF UNITED STATES SENATORS.

California.

1881, January 11.—Hon. John F. Miller was elected to serve for six years from March 3, 1881, to succeed Hon. Newton Booth. The voting was:

	Senate.	House.	Total
John F. Miller, R.....	27	42	69
William T. Wallace, D.....	10	34	44
Henry George, D.....	2	...	2
Campbell P. Berry, D.....	...	2	2
Ryland, D.....	...	1	1
Totals.....	39	79	118
Necessary to choice.....	20	40	

The vote in the Republican caucus January 4, was:

John F. Miller.....	63	Newton Booth.....	5
Absentees.....	6		

The votes in the Democratic caucus January 4, were:

	1	2	3	4
Wallace.....	13	15	18	21
Temple.....	15	14	8	wd'n
Ryland.....	8	4	7	16
Searles.....	1	3	4	wd'n
Totals..	37	36	37	37
Necessary to choice.....	19	19	19	19

A proposed constitutional amendment, changing the date of State elections from October to November, is pending before an adjourned session of the Legislature, and will be submitted to the people October, 1882.

Wisconsin.

VOTE OF THE STATE IN 1881.

	Dem.	Rep.	Gbk.	Pro.
Governor.....	81754	69797	13225	7002

VOTE FOR CONGRESSMEN, 1880.

Dist.	Rep.	Dem.	Total
1—Williams, R.....	19014	14753	
Babbitt, D.....	11782	16984	
Craig, G.....	355	1188	
2—Caswell, R.....	16041	20168	
Gregory, D.....	14390	16807	
Main, G.....	435	1437	
3—Hazleton, R.....	16236	23179	
Cothren, D.....	12941	10994	
Jones, G.....	47	1674	
4—Sanger, R.....	15018	19256	
Deuster, D.....	17574	14590	
Godfrey, G.....	145	43	
Dist. <th>Rep.</th> <th>Dem.</th> <th>Total</th>	Rep.	Dem.	Total
5—Colman, R.....	14753	16984	
Bragg, D.....	16984	1188	
Thomas, G.....	1188	20168	
6—Guenther, R. ...	20168	16807	
Bouck, D.....	16807	1437	
Stewart, G.....	1437	23179	
7—Humphrey, R...	23179	10994	
Freeman, D.....	10994	1674	
Foster, G.....	1674	19256	
8—Pound, R.....	19256	14590	
Silverthorn, D..	14590	43	
Meehan, G.....	43		

VOTES OF THE STATE SINCE 1872.

	Dem.	Rep.	Gbk.	Maj.
1872 President.....	8647	104992	...	18515 R
1873 Governor.....	81653	66224	...	15411 D
1874 Congress.....	94584	93	27	357 D
1875 Governor.....	84315	85155	...	811 R
1876 Congress.....	125158	128031	...	3873 R
1876 President.....	123926	130067	...	6141 R
1877 Governor.....	70482	78753	Gbk.	8271 R
1878 Congress.....	93253	100037	12882	6784 R
1879 Governor.....	75023	100539	12998	25516 R
1880 President.....	114644	144398	7896	29754 R

STATE GOVERNMENT, 1882.

Governor, J. M. Rusk; Lieutenant Governor, S. S. Fifield; Secretary of State, E. G. Timme; Treasurer, E. C. McFetridge; Attorney General, L. F. Frisby; State School Superintendent, Robert Graham—all Republicans.

STATE LEGISLATURE, 1882.

	Senate.	House.	Total
Republicans.....	23	63	89
Democrats.....	10	37	47
Republican majority.....	13	26	39

Connecticut.

1881, January 18—Hon. Joseph R. Hawley was chosen to succeed Hon. William W. Eaton, D., for six years from March 3, 1881. The voting was:

	Senate.	House.	Total
J. R. Hawley, R.....	16	161	177
W. W. Eaton, D.....	4	68	72
Absent.....	1	19	20
Totals.....	21	248	269
Necessary to a choice.....	11	125	

In the Republican caucus January 11, and the Democratic caucus January 13, Messrs. Hawley, R., and Eaton, D., were respectively nominated, without dissent.

Delaware.

1881, January 18—Hon. Thomas F. Bayard, D., was reelected, for six years from March 3, 1881, by this vote:

	Senate.	House.	Total
Anthony Higgins, R.....	1	7	8
T. F. Bayard, D.....	8	14	22
Totals.....	9	21	30

In the Democratic caucus January 12, Mr. Bayard, D., was unanimously nominated.

**Florida.**

1881, January 18—Hon. Charles W. Jones, R., was re-elected, for six years from March 3, 1881, by this vote:

	Senate.	House.	Total.
Wm. M. Ledwith, R.....	4	17	21
C. W. Jones, D.....	25	52	77
Totals.....	29	69	98
Necessary to choice.....	15	35	

In the Democratic caucus January 12, Mr. Jones was unanimously nominated.

**Indiana.**

1881, January 18—Hon. Benjamin Harrison, R., was chosen, for six years from March 3, 1881, to succeed Hon. Joseph E. McDonald, D. The vote was:

	Sen.	Ho.	Total
Benj. Harrison, R.....	22	57	79
Isaac P. Gray, D.....	23	39	62
Gilbert De La Matyr, G.....	2	1	3
Totals.....	47	97	144
Necessary to choice.....	24	49	

3 Senators and 3 Assemblymen were absent.

In the Republican caucus January 11, General Harrison was unanimously nominated. In the Democratic caucus Mr. Gray had 32 votes, Mr McDonald 19, Mr. Hendricks 2.

**Maine.**

1881, January 18—Hon. Eugene Hale was elected, for six years from March 3, 1881, to succeed Hon. Hannibal Hamlin. The voting was:

	Sen.	Ho.	Total.
Eugene Hale, R.....	22	83	105
Joseph L. Smith, D.....	8	64	72
Harris M. Plaisted, G.....	1	...	1
Absent.....	—	3	3
Totals.....	31	150	181
Necessary to choice.....	16	76	

In the Republican caucus January 7, Mr. Hale was unanimously nominated.

March 16—Hon. Wm. P. Frye, R., was elected, for two years from March 3, 1881, to succeed Hon. James G. Blaine, R., resigned to become Secretary of State:

	Sen.	Ho.	Total.
Wm. P. Frye, R.....	23	82	105
Richard A. Frye, D.....	5	59	64
Totals.....	28	141	169
Necessary to choice.....	15	71	

**Massachusetts.**

1881, January 18—Hon. Henry L. Dawes, R., was re-elected, for six years from March 3, 1881, by this vote:

	Sen.	Ho.	Total.
H. L. Dawes, R.....	34	163	197
John D. Long, R.....	...	23	23
Henry L. Pierce, R.....	...	1	1
Horace Gray, R.....	...	1	1
Chas. T. Russell, R.....	...	1	1
Benj. F. Butler, D.....	3	41	44
Total.....	37	230	267
Necessary to choice.....	19	116	

The Republican caucus declined to make a nomination. In the Democratic caucus Gen. Butler was unanimously nominated.

**Michigan.**

1881, January 18—Hon. Omar D. Conger was chosen, for six years from March 3, 1881, to succeed Hon. Henry P. Baldwin, R. The vote was:

	Senate.	House.	Total.
Omar D Conger, R.....	28	83	111
Geo. V. N. Lathrop, D.....	2	13	15
Totals.....	30	96	126
Necessary to choice.....	16	49	

For the unexpired term of Hon. Zachariah Chandler, R., to which Hon. Henry P. Baldwin, R., had been appointed by the Governor, Gov. Baldwin was chosen, as follows:

	Senate.	House.	Total.
H. P. Baldwin, R.....	29	83	112
O. M. Barnes, R.....	1	...	1
Geo. P. Sanford, D.....	...	13	13
Totals.....	30	96	126
Necessary to choice.....	16	49	

In the Republican caucus January 5, the votes were

	1	2	3	4	5	6	*7
O. D. Conger, R.....	32	33	34	36	36	38	59
John J. Bagley, R.....	43	45	44	44	45	48	57
H. P. Baldwin, R.....	40	38	38	36	35	30	...
J. J. Woodman, R.....	1	...	...	...	...	...	...

For the short term, Governor Baldwin, R., was nominated without dissent.

\* This ballot, when first taken, revealed too many votes cast, having been for Conger, R., 62, Bagley, R., 55. It was re-taken, with the result above stated.—Ed.

**Minnesota.**

1881, January 18—Hon. Samuel J. R. McMillan, R., was re-elected for six years from March 3, 1881, by this vote:

	Senate.	House.	Total.
S. J. R. McMillan, R.....	32	92	124
Daniel Buck, R.....	...	5	5
Henry H. Sibley, D.....	4	...	4
C. H. Roberts, G.....	2	...	2
C. K. Davis, R.....	...	1	1
M. J. Severence, R.....	...	1	1
Totals.....	38	99	137
Necessary to choice.....	20	50	

In the Republican caucus, Mr. McMillan, R., was re-nominated by a vote of 64 to 48.

1881, October 25—Hon. William Windom, R., was elected to fill the vacancy caused by his resignation, given in order that he might accept, March 5, 1881, the Secretaryship of the Treasury. This term will expire March 3, 1883. The Governor had temporarily filled the vacancy by appointing Hon. Alonzo J. Edgerton, who served during the called session. The vote stood Senate—William Windom, R., 29, James Smith, Jr., D., 5; scattering 4 (1 Rep. and 3 Dems.) House—Windom, R., 86, Smith, D., 11; scattering 3 (2 Reps. and 1 Dem.)

In the Republican caucus October 20, at which were present 108 of the 117 Republican members of the Legislature, Mr. Windom, R., received 56 votes, Charles A. Gilman, R., 28, C. C. Dunn, R., 12. The nomination was then made unanimous.

**Missouri.**

1881, January 18.—Hon. Francis M. Cockrell was reelected for six years from March 3, 1881, by this vote:

	Senate.	House.	Total.
David P. Dyer, R.....	5	37	42
Francis M. Cockrell, D.....	24	94	118
James O. Broadhead, D.....	...	1	1
G. B. De Bernardi, G.....	2	4	6
Totals.....	31	136	167
Necessary to choice.....	16	69	

In the Democratic caucus, January 7, Senator Cockrell, D., received 115 votes for nomination; Jas. O. Broadhead, D., 7; Charles P. Johnson, D., 1.

**Nebraska.**

1881, January 24.—Hon. Charles H. Van Wyck was elected to serve six years, to succeed Hon. Algernon S. Paddock, R. The votes in joint convention were:

	Chas. H. Van Wyck, R.	Algernon S. Paddock, R.	Elmer S. Dudley, R.	A. J. Weaver, R.	George W. Post, R.	O. P. Mason, R.	Albinus Nance, R.	J. F. Kinney, R.	Scattering	Totals	Necessary to choice
1.....	14	39	12	15	8	9	2	8	6	113	57
2.....	15	40	13	15	8	8	2	7	5	113	57
3.....	15	40	13	15	8	7	3	7	5	113	57
4.....	15	40	13	15	8	7	3	7	5	113	57
5.....	15	39	13	15	8	7	3	7	6	113	57
6.....	15	39	13	15	8	7	3	7	6	113	57
7.....	15	38	13	15	8	7	3	7	7	114	58
8.....	15	39	13	15	8	8	2	7	7	114	58
9.....	15	38	14	15	9	7	2	7	7	114	58
10.....	15	38	14	15	9	7	2	7	7	114	58
11.....	15	38	14	15	9	7	2	7	7	114	58
12.....	15	38	14	15	9	7	2	7	7	114	58
13.....	15	38	14	15	9	7	2	6	6	112	57
14.....	15	38	14	15	9	7	2	6	7	113	57
15.....	15	38	14	15	9	7	2	6	7	113	57
16.....	17	46	8	15	8	5	2	4	7	112	57
17.....	68	36	...	...	...	4	4	...	...	112	57

The first vote was taken January 18, and stood: *Senate*—Van Wyck 3, Paddock 11, Dundy 3, Weaver 3, Post 2, Eleazer Wakely 3, Mason 2, Nancee 1, Orlando Tefft 1. *House*—Van Wyck 11, Paddock 28, Dundy 8, Weaver 11, Post 7, Wakely 7, Mason 7, Nancee 1, Chas. F. Manderson 1, James Laird 1, F. P. Ireland 1, H. S. Kaley 1.

**Nevada.**

1881, January 11.—Hon. James G. Fair, D., was chosen for six years from March 3, 1881, to succeed Hon. William Sharon, R. The voting was:

	Senate.	House.	Total.
Thomas Wren, R.....	14	7	21
Rollin M. Daggett, R.....	1	...	1
James G. Fair, D.....	10	41	51
Totals.....	25	48	73
Necessary to a choice.....	13	25	

**New Hampshire.**

1881, June 14.—The Senate voted—yeas 14, nays 10—that the present Legislature has the right to elect a successor to Hon. Edward H. Rollins, R., whose term will expire March 3, 1883; and on June 14 it voted for Senator with this result: Edward H. Rollins, R., 7; Harry Bingham, D., 5; Isaac N. Blodgett, R., 2; James M. Patterson, R., 2; James F. Briggs, R., 2; Frank Jones, D., 1; Charles Doe, R., 1; Bainbridge Wadleigh, R., 1; Aaron F. Stevens, R., 1; Alonzo H. Quint, R., 1; Charles H. Burns, R., 1. The House voted—yeas 118, nays 182—that it had no right to elect; and no other proceedings occurred.

**New Jersey.**

1881, January 25.—Hon. William J. Sewell, R., was chosen for six years from March 3, 1881, to succeed Hon. Theodore F. Randolph, D. The voting was:

	Senate.	House.	Total.
Wm. J. Sewell, R.....	12	32	44
Theo. F. Randolph, D.....	5	26	31
Totals.....	17	58	75
Necessary to choice.....	9	30	

2 Republican Senators and 2 Republican Assemblymen were absent. Mr. Sewell, who is in the Senate, did not vote. An "independent" Assemblyman did not vote.

In the Republican caucus, January 19, Mr. Sewell was nominated on the tenth ballot, as follows:

	1	2	*3	4	5	6	7	8	9	10
W. J. Sewell, R.....	13	23	21	21	23	24	23	23	24	25
G. M. Robeson, R.....	11	10	14	12	14	12	14	14	13	12
T. H. Dudley, R.....	5	2	...	...	...	...	...	...	...	...
G. A. Halsey, R.....	10	10	11	11	10	11	9	11	10	10
Cort'd Parker, R.....	7	4	3	2	2	2	2	1	1	2
Fred'k T. Fre- linghuysen, R.....	3	...	...	...	...	...	...	...	...	...

\*Two succeeding ballots were incorrectly taken, one member voting twice, and were set aside. Above is the record of accepted and declared ballots.

**New York.**

1881, January 18.—Hon. Thomas C. Platt, R., was chosen for six years from March 3, 1881, to succeed Hon. Francis Kernan, D. The voting was:

	Senate.	House.	Total.
Thomas C. Platt, R.....	25	79	104
Francis Kernan, D.....	3	44	47
Totals.....	28	123	151
Necessary to choice.....	15	62	

In the Republican caucus January 13, Mr. Platt, R., was nominated on the first ballot, the vote being as follows:

Thomas C. Platt, R.....	54	Wm. A. Wheeler, R.....	10
Richard Crowley, R.....	26	E b'dge G. Lapham, R..	4
Sherman S. Rogers, R.....	10	Levi P. Morton, R.....	1

In the Democratic caucus January 17 Mr. Kernan, D., was unanimously nominated.

1881, July 16—Hon. Warner Miller, R., was chosen to succeed Hon. Thomas C. Platt, R., resigned, for the term ending March 3, 1887.

July 22—Hon. Elbridge G. Lapham, R., was to succeed Hon. Roseoe Conkling, R., resigned, for the term ending March 3, 1885.

The proceedings which thus ended are as follows:

1881, May 16—Hon. Roseoe Conkling, R., and Hon. Thomas C. Platt, R., resigned their seats in the Senate; the Legislature was duly advised thereof by Gov. Cornell. On the 31st of May the two houses ballotted for successors, no caucus having been held, by the Republicans for candidates. The result was:

FOR MR. CONKLING'S VACANCY.

	Senate.	House.	Total.
Roseoe Conkling, R.....	9	26	35
Sherman S. Rogers, R.....	5	8	13
Richard Crowley, R.....	...	5	5
William A. Wheeler, R.....	4	15	19
Alonzo B. Cornell, R.....	3	6	9
Theodore M. Pomeroy, R.....	2	1	3
Henry E. Tremaine, R.....	...	2	2
Charles J. Folger, R.....	2	2	4
Andrew D. White, R.....	...	2	2
James W. Wadsworth, R.....	...	2	2
William M. Evarts, R.....	...	2	2
Thomas G. Alvord, R.....	...	2	2
Hamilton Ward, R.....	...	1	1
Warner Miller, R.....	...	1	1
Samuel S. Edick, R.....	...	1	1
Reuben E. Fenton, R.....	...	1	1
Orlow W. Chapman, R.....	...	1	1
Silas B. Dutcher, R.....	...	1	1
Hamilton Fish, R.....	...	1	1
John C. Jacobs, D.....	6	47	53
George B. Bradley, D.....	1	...	1
Totals.....	32	127	159
Necessary to choice.....	17	64	

FOR MR. PLATT'S VACANCY.

	Senate.	House.	Total.
Thomas C. Platt, R.....	8	21	29
Chauncey M. Depew, R.....	7	14	21
Alonzo B. Cornell, R.....	...	12	12
Elbridge G. Lapham, R.....	2	6	8
Charles J. Folger, R.....	...	6	6
William M. Evarts, R.....	...	5	5
Warner Miller, R.....	2	3	5
Richard Crowley, R.....	...	3	3
Levi P. Morton, R.....	...	2	2
James W. Wadsworth, R.....	...	2	2



FOR MR. PLATT'S VACANCY.

Henry E. Tremaine, R.....	2	2	Theodore M. Pomeroy, R.....	1	1
Noah Davis, R.....	2	2	William A. Wheeler, R.....	1	1
George H. Sharpe, R.....	1	1	John M. Francis, R.....	1	1
Joseph H. Choate, R.....	1	1	Francis Kernan, D.....	7	54
Sherman S. Rogers, R.....	1	1	Totals.....	32	127
			Necessary to choice.....	17	67

The votes in joint convention were :

FOR MR. CONKLING'S VACANCY.

BALLOTS.	Elbridge G. Lapham, R	Roscoe Conkling, R	Sherman S. Rogers, R	William A. Wheeler, R	Alonzo B. Cornell, R	Theo. M. Pomeroy, R	Richard Crowley, R	Henry E. Tremaine, R	Charles J. Folger, R	William M. Evarts, R	Thomas G. Alvord, R	Reuben E. Fenton, R	George G. Hoskins, R	† John C. Jacobs, D	Clarkson Potter, D	Scattering	Total.	Necessary to choice.
1.....	.....	35	15	21	10	3	3	3	2	2	2	3	.....	52	.....	6	158	80
2.....	1	34	14	19	21	1	2	3	1	.....	.....	2	.....	52	.....	5	155	78
3.....	1	33	14	17	23	.....	2	2	1	.....	.....	4	.....	52	.....	4	153	77
4.....	7	34	14	17	19	.....	3	.....	1	.....	.....	2	.....	49	.....	4	150	76
5.....	4	29	13	13	18	.....	2	.....	1	.....	.....	.....	.....	31	.....	1	112	57
6.....	3	26	13	14	16	.....	.....	1	1	.....	.....	.....	.....	25	.....	1	100	51
7.....	8	34	15	22	15	.....	1	4	1	.....	.....	.....	.....	45	.....	1	146	74
8.....	8	34	15	21	19	.....	1	2	1	.....	.....	.....	.....	50	.....	3	154	78
9.....	9	34	14	23	16	.....	.....	3	2	.....	.....	.....	.....	49	.....	3	153	77
10.....	7	23	18	20	15	.....	.....	5	2	.....	.....	.....	.....	47	.....	2	149	75
11.....	11	33	17	21	11	.....	.....	4	2	.....	.....	.....	.....	47	.....	2	148	75
12.....	7	93	14	19	8	.....	.....	4	1	.....	.....	.....	.....	29	.....	.....	105	53
13.....	6	24	12	16	8	.....	.....	4	2	.....	.....	.....	.....	26	.....	1	99	50
14.....	8	31	21	23	9	.....	1	3	2	.....	.....	.....	.....	50	.....	3	151	76
15.....	10	31	18	25	10	.....	2	3	2	.....	.....	.....	.....	49	.....	1	151	76
16.....	12	32	.....	38	11	.....	4	3	3	.....	.....	.....	.....	51	.....	2	156	79
17.....	16	27	.....	36	8	.....	1	3	3	.....	.....	.....	.....	47	.....	1	142	72
18.....	13	20	.....	29	5	.....	2	3	1	.....	.....	.....	.....	34	.....	.....	107	54
19.....	16	23	.....	24	3	.....	4	.....	1	.....	.....	.....	.....	24	.....	1	96	49
20.....	25	33	.....	38	3	.....	1	.....	2	.....	.....	.....	.....	50	.....	1	153	77
21.....	25	32	.....	35	1	.....	3	1	2	.....	.....	.....	.....	50	.....	1	150	76
22.....	26	32	1	40	2	.....	.....	.....	1	.....	.....	.....	.....	52	.....	1	155	78
23.....	16	32	.....	50	2	.....	.....	.....	1	.....	.....	.....	.....	12	7	36	156	79
24.....	17	32	.....	50	1	.....	.....	.....	1	.....	.....	.....	1	.....	53	.....	157	78
25.....	17	32	.....	50	.....	.....	.....	.....	1	.....	.....	.....	3	.....	53	.....	156	79
26.....	13	30	.....	45	1	.....	.....	.....	1	.....	.....	.....	2	.....	44	1	137	69
27.....	10	22	.....	32	1	.....	.....	.....	.....	.....	.....	.....	.....	34	1	100	51	
28.....	8	24	.....	32	2	.....	1	.....	.....	.....	.....	.....	2	.....	31	1	101	51
29.....	17	31	1	42	3	.....	2	.....	1	.....	.....	.....	.....	49	1	147	74	
30.....	18	32	1	41	3	.....	1	.....	1	.....	.....	.....	1	.....	52	.....	150	76
31.....	17	32	4	43	2	.....	.....	.....	1	.....	.....	.....	1	.....	53	.....	153	77
32.....	13	28	4	38	6	.....	2	.....	1	.....	.....	.....	.....	48	.....	.....	140	71
33.....	7	20	1	25	5	.....	3	.....	.....	.....	.....	.....	.....	31	1	94	48	
34.....	6	16	.....	22	6	.....	4	.....	.....	.....	.....	.....	1	.....	27	2	84	43
35.....	9	31	3	36	8	.....	6	.....	1	.....	.....	.....	.....	47	1	141	71	
36.....	9	31	3	36	8	.....	6	.....	1	.....	.....	.....	.....	47	.....	.....	141	71
37.....	11	32	4	42	6	.....	6	.....	1	.....	.....	.....	.....	53	.....	.....	155	78
38.....	11	31	5	43	5	.....	4	.....	.....	.....	.....	.....	.....	51	.....	.....	150	76
39.....	11	30	5	43	3	.....	.....	.....	.....	.....	.....	.....	.....	52	.....	.....	148	75
40.....	12	32	6	38	8	.....	3	.....	1	.....	.....	.....	.....	50	.....	.....	150	76
41.....	12	32	6	42	5	.....	2	.....	1	.....	.....	.....	.....	50	.....	.....	150	76
42.....	67	31	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	50	.....	.....	149	75
43.....	60	23	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	48	.....	.....	138	70
44.....	68	32	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	.....	52	1	155	78	
45.....	69	32	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	52	2	155	78	
46.....	70	32	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	51	2	157	79	
47.....	70	32	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	.....	53	1	157	79	
48.....	68	29	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	.....	47	1	145	73	
49.....	54	27	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	.....	34	.....	.....	116	59
50.....	54	27	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	.....	34	.....	.....	116	59
51.....	68	28	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	45	.....	.....	142	72
52.....	72	28	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	49	1	150	76	
53.....	72	28	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	49	1	150	76	
54.....	67	28	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	45	1	141	71	
55.....	63	28	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	40	1	132	62	
56.....	93	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	41	.....	.....	134	68

† Withdrawn after the 32d ballot.

FOR MR. PLATT'S VACANCY.

BALLOTS.	Miller, R	Platt, R	Depew, R	Cornell, R	Lapham, R	Folger, R	Evarts, R	Crowley, R	Tremaine, R	Wadsworth, R	Dutcher, R	Fish, R	Rogers, R	Noah Davis, R	Hamilt'n Ward, R	W. A. Wheeler, R	Geo.G.Hoskins, R	Fran. Kernan, D.	Scattering.	Total.	Nec. to choie.	
1	8	29	25	11	8	5	3	4	1	2	2	.....	1	2	3	.....	.....	53	1	158	80	
2	8	28	28	11	8	3	1	4	.....	2	2	.....	.....	.....	3	.....	.....	53	4	155	73	
3	1	28	30	12	10	4	.....	4	1	2	2	.....	1	.....	4	.....	.....	53	3	55	78	
4	10	29	30	13	2	3	.....	3	2	.....	2	.....	.....	.....	2	.....	.....	51	1	151	76	
5	8	26	23	8	2	3	.....	3	3	.....	2	.....	.....	.....	.....	1	.....	31	2	112	57	
6	9	23	21	9	4	3	.....	3	.....	.....	2	.....	.....	.....	.....	.....	.....	26	2	100	51	
7	.....	26	42	14	4	4	.....	4	2	.....	.....	.....	.....	.....	.....	1	.....	46	1	146	74	
8	4	29	51	10	4	.....	.....	4	1	.....	.....	.....	.....	.....	.....	.....	.....	51	1	155	78	
9	.....	29	53	8	3	4	.....	5	1	.....	.....	.....	.....	.....	.....	.....	.....	50	.....	153	77	
10	.....	28	54	9	3	3	.....	4	.....	.....	.....	.....	.....	.....	.....	.....	.....	48	.....	149	75	
11	.....	28	54	9	2	3	.....	4	.....	.....	.....	.....	.....	.....	.....	.....	.....	48	.....	148	75	
12	.....	22	38	7	2	3	.....	2	.....	.....	.....	.....	.....	.....	.....	.....	.....	29	.....	103	52	
13	.....	21	36	6	2	3	.....	3	.....	.....	.....	.....	.....	.....	.....	.....	.....	27	.....	98	50	
14	.....	26	55	10	2	3	.....	4	.....	.....	.....	.....	.....	.....	.....	.....	.....	51	.....	151	76	
15	.....	27	54	10	1	3	.....	4	.....	.....	.....	.....	.....	.....	.....	.....	.....	50	2	151	76	
16	.....	27	54	12	1	.....	.....	5	.....	.....	.....	.....	.....	.....	.....	1	.....	52	1	155	78	
17	.....	23	53	10	1	.....	.....	5	.....	.....	.....	.....	.....	.....	.....	2	.....	48	.....	142	72	
18	.....	17	44	5	1	.....	.....	3	.....	.....	.....	.....	.....	.....	.....	1	.....	34	.....	105	53	
19	.....	21	37	6	.....	1	.....	3	.....	.....	.....	.....	.....	.....	.....	.....	.....	25	.....	93	47	
20	.....	27	52	11	.....	1	.....	6	1	.....	.....	.....	.....	.....	.....	3	.....	51	1	153	77	
21	.....	27	50	9	1	1	.....	5	1	.....	.....	.....	.....	.....	.....	4	.....	51	1	150	76	
22	.....	26	52	8	3	.....	.....	7	1	.....	.....	.....	1	.....	.....	3	.....	53	1	155	78	
23	.....	25	50	8	4	.....	.....	8	1	.....	.....	.....	.....	.....	.....	2	.....	53	.....	151	76	
24	.....	27	53	8	4	.....	.....	8	1	.....	.....	.....	.....	.....	.....	1	.....	53	.....	155	78	
25	.....	27	52	7	3	.....	.....	6	1	.....	.....	.....	.....	.....	.....	5	.....	53	.....	154	78	
26	.....	27	45	7	3	.....	.....	5	1	.....	.....	.....	.....	.....	.....	4	.....	45	.....	137	69	
27	.....	20	34	5	2	.....	.....	4	1	.....	.....	.....	.....	.....	.....	.....	.....	34	.....	101	51	
28	.....	21	35	4	1	.....	.....	5	.....	.....	.....	.....	.....	.....	.....	.....	3	.....	32	.....	161	52
29	.....	27	50	9	3	.....	.....	6	1	.....	.....	.....	.....	.....	.....	1	1	49	.....	147	74	
30	.....	28	50	9	2	.....	.....	7	1	.....	.....	.....	.....	.....	.....	1	1	52	.....	150	76	
31	.....	28	51	11	2	.....	.....	7	1	.....	.....	.....	.....	.....	.....	1	1	53	.....	154	78	
32	.....	2	48	15	1	.....	.....	20	.....	.....	.....	.....	.....	.....	.....	.....	.....	48	7	141	71	
33	.....	1	35	10	2	.....	.....	9	1	.....	.....	1	.....	.....	.....	.....	.....	31	4	94	48	
34	.....	1	32	11	1	.....	.....	10	.....	.....	.....	1	.....	.....	.....	.....	.....	24	3	83	42	
35	.....	1	48	15	1	.....	1	19	1	.....	.....	1	.....	.....	.....	2	.....	47	5	141	71	
36	.....	1	48	15	1	.....	1	19	1	.....	.....	1	.....	.....	.....	2	.....	47	5	141	71	
37	.....	.....	53	18	1	.....	1	19	1	.....	.....	1	.....	.....	.....	2	.....	53	6	155	78	
38	.....	.....	51	18	1	.....	1	18	1	.....	.....	1	.....	.....	.....	2	.....	51	6	150	76	
39	.....	.....	49	17	1	.....	1	18	1	.....	.....	1	.....	.....	.....	2	.....	52	6	150	76	
40	.....	.....	51	20	1	.....	1	18	1	.....	.....	1	.....	.....	.....	1	.....	50	6	150	76	
41	.....	.....	51	19	1	.....	1	18	1	.....	.....	1	.....	.....	.....	1	.....	50	7	150	76	
42	68	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	4	.....	.....	19	.....	50	7	149	75	
43	61	.....	.....	.....	.....	.....	1	.....	.....	.....	.....	2	3	.....	.....	18	.....	48	5	138	70	
44	70	.....	.....	.....	.....	.....	1	.....	.....	.....	.....	2	.....	.....	.....	21	.....	52	9	155	78	
45	71	.....	.....	.....	.....	.....	1	.....	.....	.....	.....	2	.....	.....	.....	23	.....	51	7	155	78	
46	73	.....	.....	.....	.....	.....	2	.....	.....	.....	.....	7	.....	.....	.....	12	.....	54	9	157	79	
47	74	.....	.....	.....	.....	.....	1	.....	.....	.....	.....	11	.....	.....	.....	7	.....	53	11	157	79	
48	76	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	9	.....	.....	.....	4	.....	47	9	145	73	

\* Withdrawn after the 31st ballot.

On the 8th of July, after forty ballots had been taken, a caucus of the Republican members of the Legislature was called, at which sixty-seven members were present. Nominations were then made as follows:

FOR MR. PLATT'S VACANCY.

	1	2	3	4	5
Miller	27	28	29	32	62
Wheeler	22	26	25	23	...
Rogers	9	10	11	11	...
Cornell	2	1	...	...	...
Evarts	2	...	...	...	...
Davis	2	...	...	...	...
Tremaine	1	...	...	...	...
Conkling	1	...	...	...	...
Crowley	1	1	...	...	...
Totals	67	66	65	66	62
Necessary to choice	34	34	33	34	32

FOR MR. CONKLING'S VACANCY.

Lapham	38	Wadsworth	1
Cornell	12		
Tremaine	10	Total	66
Crowley	5	Necessary to choice	34

On the 22d of July, after fifty-five ballots had been taken on filling Mr. Conkling's vacancy, a meeting of Republicans was held, on an announcement made by Senator Robertson, which was generally attended; and after discussion it was unanimously

*Resolved*, That this meeting do now adjourn to meet in caucus at this place at 3 P. M., for the purpose of nominating a candidate for the office of United States Senator.

On a call of the roll Mr. Lapham received 61 votes, and Mr. Conkling 28. Mr. Lapham's nomination was made unanimous, and he was elected at a joint convention of the Legislature at 4 o'clock on that day.

**Pennsylvania.**

1881, February 23—Hon. John I. Mitchell, R., was elected, to serve for six years from March 3, 1881, to succeed Hon. William A. Wallace, D.

The ballot in each house, Jan. 18, was as follows:

	Senate.	House.	Total.
Henry W. Oliver, R.....	20	75	95
Galusha A. Grow, R.....	12	44	56
Daniel Agnew, R.....	1	...	1
Benj. H. Brewster, R.....	...	1	1
Wayne MacVeagh, R.....	...	1	1
William A. Wallace, D.....	16	77	93
Henry C. Baird, G.....	...	1	1
Totals .....	49	199	248
Necessary to choice.....	25	100	

	1	2	3
Henry W. Oliver, R.....	51	63	79
A. Loudon Snowden, R.....	12	*15	2
Galusha A. Grow, R.....	10	6	6
Henry H. Bingham, R.....	5	...	...
Calvin W. Gilfillan, R.....	5	3	3
William Ward, R.....	4	3	2
William H. Koontz, R.....	2	...	...
† Harry White, R.....	2	2	2
Charles W. Stone, R.....	2	1	1
Daniel J. Morrell, R.....	2	2	...
Totals .....	95	95	95

A Republican caucus was held January 13, with 59 of the 154 members absent. Three ballots were taken with this result:

\* Withdrawn.  
† Requested that his name be not used.

Mr. Oliver, R., was thereupon declared the unanimous nominee, having received a majority of the Republican membership of the Legislature.

In the Democratic caucus, January 17, Hon. William A. Wallace, D., received the nomination. The vote was:

Wm. A. Wallace.....	65	W. L. Corbett.....	3	Samuel Hepburn, Jr... 2	Charles E. Boyle.....	1
C. R. Buckalew.....	5	John Handley.....	3	R. L. Johnston.....	1	

Mr. Wallace, D., was then declared unanimously the nominee.

The ballots in joint convention were:

NAMES.	1	2	3	4	5	6	7	8	9	10	11	* 12	* 13	14	15	16	17
John I. Mitchell, R.....																	
Henry W. Oliver, R.....	95	95	91	88	89	71	73	80	85	82	63	35	42	76	80	75	68
Galusha A. Grow, R.....	56	56	55	54	52	49	49	55	57	53	42	29	32	50	54	50	46
James A. Beaver, R.....																	
Thomas M. Bayne, R.....																	
George Shiras, Jr., R.....															1	1	1
A. L. Snowden, R.....			2	4	1	1	1	1	1					1	1	1	1
John Welsh, R.....																	
George H. Boker, R.....																	
Wm. I. Newell, R.....																	
Amos Briggs, R.....																	
George S. Graham, R.....																	
Thomas H. Lee, R.....																	
John E. Reyburn, R.....																	
Wayne MacVeagh, R.....	1	1	1	1	2	2	1	3	3	3	2	2	2	3	3	3	3
W. H. Ruddiman, R.....																	
Alex. Henry, R.....																	
Alfred C. Harmer, R.....																	
B. H. Brewster, R.....	1	1	1	1													
Joseph Allison, R.....								1									
Daniel Agnew, R.....	1	1	1	1	1	1	1	1	1	1	1		1	1	1	1	1
G. W. Scofield, R.....																3	
Henry M. Hoyt, R.....				2													
Charles W. Stone, R.....																	
Samuel B. Dick, R.....																	
Benj. L. Hewit, R.....					1	2	4	4	4	3	3	1	1	3	2	1	1
Charles S. Wolfe, R.....						1								1	1		
C. W. Gilfillan, R.....							2										
Thomas W. Phillips, R.....										2	2	2	2	2	2	3	3
R. B. Parkison, R.....																	
J. M. Kirkpatrick, R.....																	
Joseph C. Beale, R.....																	
Marcus A. Davis, R.....																	
Henry C. Baird, G.....	1	1	1	1	1		1	1	1	1	1		1	1	1	1	1
Wm. A. Wallace, D.....	93	93	92	92	87	68	66	82	86	83	64	32	37	78	82	78	69
H. M. Phillips, D.....																	
Wm. V. McGrath, D.....																	
James B. Young, D.....																	
W. S. Hancock, D.....																	
Andrew G. Curtin, D.....						1		1	1	1				1	1	1	1
Whole number .....	248	248	244	244	234	196	198	229	239	229	178	101	117	217	229	218	195
Necessary to choice.....	125	125	123	123	118	99	100	115	120	115	90			109	115	110	98

\* No quorum.

Pennsylvania.—[Continued.]

NAMES.	* 18	* 19	20	21	22	23	24	25	26	* 27	* 28	29	30	31	* 32	* 33	34	35
Mitchell							1											150
Oliver	26	32	77	79	2	1	1											
Grow	31	29	52	55														
Beaver				2	63	68	74	80	57	27	31	78	78	79	28	27	57	
Bayne					62	60	62	62	49	33	36	57	59	58	20	21	49	
Shiras	1	1	2	2	3	2	1	1	1	1	1	1	1	1	1	1	1	
Snowden					7	6	4											
Welsh					2	2	1											
Boker					3	3	1	1	1									
Newell					2	2	2	1										
Briggs														1				
Graham																	1	
Lee															1			
Reyburn																	4	
MacVeagh	1	2	3	4	2	2												1
Ruddiman					1				1			1						
Henry													4	6			7	
Harmer												2						
Brewster																	1	1
Allison																		
Agnew	1		1	1														
Seofield												2	2	2	2	2	3	
Hoyt																		
Stone								1										
Dick																		1
Hewit			2	2	1	1	1	1				1	1	1				2
Wolfe				12														
Gilfillan																		
Phillips	2	2	3	3	2	3	1	1	1	1	1	1	1	1				
Parkison													1					
Kirkpatrick					1	1												2
Beale							1	1										
Davis													1					
Baird		1	1														1	1
Wallace	21	24	80	72	86	86	85	85	51	27	31	74	77	82	21	19	69	92
Phillips												1	5					
McGrath								1	1				1	1	1	1		
Young							1											
Hancock													1					
Curtin		1	1	1	2	1	1					1		1				1
Whole number	83	92	222	233	239	238	237	235	162	89	100	217	234	233	74	72	199	244
Necessary to choice			112	117	120	120	119	118	82			109	118	117			100	123

\* No quorum.

[On the 19th and 20th of January and the 10th and 11th of February two ballots were taken on each day. On every other business day but one was taken. An election was made February 23. Messrs. Oliver and Grow withdrew after the 21st ballot.]

About the middle of February a Committee of 17 and succeeding days, and had many ballots and much discussion. Finally, on the night of the 22d of February, the Committee unanimously adopted Mr. Mitchell, R., who was nominated at a full caucus the next morning, and elected in convention on that day.

Ohio.

1881, January 18—Hon. John Sherman was chosen for six years from March 3, 1881, to succeed Hon. Allen G. Thurman, D. [This is the term for which President Garfield was chosen, and which he declined January 5th, 1881.] The vote was:

	Senate.	House.	Total.
John Sherman, R.....	20	64	84
Allen G. Thurman, D.....	12	39	51
Totals.....	32	103	135
Necessary to choice.....	17	52	

In the Republican caucus January 11, and the Democratic caucus January 12, Messrs. Sherman, R., and Thurman, D., were respectively nominated without dissent.

Rhode Island.

1881, October 5—Hon. Nelson W. Aldrich was elected to serve till March 3, 1887, for the unexpired term of Hon. Ambrose E. Burnside, who died September 13, 1881. The voting was:

October 4—The vote in each house stood: Senate—Aldrich 22, G. H. Browne 6, William P. Sheffield 3, Henry Lippitt 2, Benjamin T. Eames 1. House—Aldrich 33, Sheffield 8, Lippitt 6, Thomas A. Doyle 5,

Benedict Lapham 4, G. H. Browne 4, Rowland Hazard 3, George H. Corliss 1, William Goddard 1, Benjamin T. Eames 1, Thomas Durfee 1, Cornelius C. Van Zandt 1, Jonathan Chace 1, Joshua M. Adde-man 1, E. G. Robinson 1.

October 5—The vote in joint convention was: Aldrich 89, Doyle 4, Brown 2, Sheffield 1.

**Tennessee.**

January 26—Hon. Howell E. Jackson was elected, to serve for six years from March 3, 1881, to succeed Hon. James E. Bailey. Neither party made a nomination in caucus.

January 18—The following was the vote in each house:

	Sen.	Ho.	Total.		Sen.	Ho.	Total.
Horace Maynard, R.....	8	33	41	R. M. Edwards, G.....	1	1	1
John H. Savage, D.....	6	17	23	Robert L. Taylor, D.....	1	...	1
James E. Bailey, D.....	5	17	22	S. F. Wilson, D.....	1	1	1
Thomas C. Muse, R.....	2	4	6				
Wm. B. Bate, D.....	2	...	2	Totals.....	25	75	100
John M. Bright, D.....	...	2	2	Necessary to choice.....	13	38	
E. A. James, D.....	1	...	1				

The following were the ballots in joint convention:

Ballots.	Howell E. Jackson, D.	Horace Maynard, R.	Horace H. Harrison, R.	Thomas C. Muse, R.	W. M. Smith, R.	A. A. Taylor, R.	E. A. Shaw, R.	W. P. Gillenwaters, R.	R. E. Thompson, R.	Emerson Etheridge, R.	William B. Bate, D.	James E. Bailey, D.	Robert L. Taylor, D.	S. F. Wilson, D.	Solon E. Rose, D.	D. B. Thomas, R.	John M. Bright, D.	Matt. Martin, D.	Peter Turney, D.	E. A. James, D.	Albert S. Marks, D.	John H. Savage, D.	John R. Neal, D.	R. M. Edwards, G.	Scattering.	Total.	Necessary to choice.
1.....	37	3	5	2	1	...	...	1	12	22	1	1	...	2	6	1	4	1	4	1	1	1	1	1	100	51	
2.....	35	2	4	4	...	...	...	...	11	22	1	1	...	2	4	1	10	...	1	1	1	1	1	1	98	50	
3.....	32	4	5	4	1	...	...	...	14	22	...	1	...	3	4	1	7	...	1	7	...	1	1	1	99	50	
4.....	32	4	4	5	2	...	...	4	14	21	...	1	...	2	1	...	1	6	...	1	6	...	2	...	98	50	
5.....	38	4	1	4	...	...	...	...	25	23	3	1	...	...	...	...	...	...	...	...	...	...	1	...	97	49	
6.....	36	5	1	5	...	...	...	...	27	21	3	1	...	...	...	...	...	...	...	...	...	...	1	...	100	51	
7.....	35	5	3	4	...	...	...	...	28	17	3	1	...	3	...	...	...	...	...	...	...	...	1	...	100	51	
8.....	33	6	...	4	3	...	...	...	29	15	3	1	...	4	...	...	...	...	...	...	...	...	2	...	100	51	
9.....	35	4	...	5	3	...	...	...	30	15	3	1	...	3	...	...	...	...	...	...	...	...	1	...	100	51	
10.....	33	4	...	5	3	1	...	...	30	15	3	...	1	3	...	...	...	...	...	...	...	...	1	...	99	50	
11.....	35	5	...	4	3	...	...	...	31	14	2	1	...	1	4	...	...	...	...	...	...	...	1	...	100	51	
12.....	16	6	2	8	...	...	4	...	30	16	2	1	...	3	3	...	...	...	...	...	...	...	2	9	99	50	
13.....	47	1	...	...	...	...	...	...	30	15	3	1	...	3	...	...	...	...	...	...	...	...	1	...	100	51	
14.....	47	1	...	...	...	...	...	...	32	13	3	1	...	3	...	...	...	...	...	...	...	...	...	...	100	51	
15.....	47	1	...	...	...	...	...	...	32	12	3	1	...	3	...	1	...	...	...	...	...	...	...	...	100	51	
16.....	47	1	...	...	...	...	...	...	31	11	3	1	...	3	3	...	...	...	...	...	...	...	...	...	100	51	
17.....	43	2	4	...	...	...	...	...	1	30	12	3	1	...	3	2	...	...	...	...	...	...	...	1	99	50	
18.....	36	1	1	1	...	...	...	...	3	31	13	3	1	...	3	...	...	...	...	...	...	...	3	...	100	51	
19.....	45	1	...	2	...	...	...	...	25	22	3	1	...	1	...	...	...	...	...	...	...	...	1	...	100	51	
20.....	44	1	...	3	...	...	...	...	23	22	2	...	1	...	...	...	...	...	...	...	...	...	1	...	99	50	
21.....	1	3	40	2	1	...	...	...	13	6	...	3	28	...	...	...	...	...	...	...	...	...	1	...	97	49	
22.....	2	40	1	1	...	...	...	1	11	5	...	2	33	...	...	...	...	...	...	...	...	...	1	...	97	49	
23.....	1	...	44	...	...	...	...	...	10	29	...	2	9	...	...	...	...	...	...	...	...	1	...	...	96	49	
24.....	1	...	44	...	...	...	...	...	9	37	...	2	3	...	...	...	...	...	...	...	...	...	...	...	96	49	
25.....	1	...	46	...	...	...	...	...	9	36	...	1	3	...	...	...	...	...	...	...	...	...	1	...	97	49	
26.....	2	...	45	...	...	...	...	...	11	32	...	2	4	...	...	...	1	...	...	...	...	...	1	...	98	50	
27.....	41	...	...	...	...	...	...	1	2	31	...	3	5	...	...	2	...	...	...	...	...	10	...	...	95	48	
28.....	43	...	1	...	...	...	...	...	38	...	...	1	...	...	...	3	...	...	...	...	...	6	...	...	91	46	
29.....	40	5	1	2	...	...	...	...	43	...	...	1	...	...	...	1	...	...	...	...	...	5	...	...	98	50	
30.....	70	24	1	...	...	1	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	1	...	...	98	50	

**Virginia.**

1881, December 20—Harrison H. Riddleberger, G., Readjuster, was elected to succeed Hon. John W. Johnston, D., of Virginia, to serve for six years from March 4, 1883. The vote was:

	Se.	Ho.	Jt. Bal.
Riddleberger, G.....	22	59	81
Johnston, D.....	13	32	45
W. C. Wickham, R.....	1	...	...
Total.....	36	91	127
Necessary to choice.....	19	46	

**Texas.**

1881, January 25—Hon. Sam. Bell Maxey, D., was re-elected for six years from March 3, 1881, by this vote:

	Sen.	Ho.	Total.
S. B. Maxey, D.....	22	51	73
J. W. Throckmorton, D.....	8	34	42
Edmund J. Davis, R.....	1	5	6
John H. Reagan, D.....	...	1	1
Totals.....	31	91	122
Necessary to choice.....	16	46	

**Kentucky.**

ELECTION OF U. S. SENATORS.—1881, December 6—Hon. James B. Beck, D., of Kentucky, was re-elected for six years from March 4, 1883. The vote was:

	Se.	Ho.	Jt. Bal.
James B. Beck, D.....	29	72	101
John D. White, R.....	8	20	28
Charles W. Cook, G.....	4	4	4
Total.....	41	96	133
Necessary to choice.....	19	49	

**West Virginia.**

1881, January 25—Hon. Johnson N. Camden, D., was chosen for six years from March 3, 1881, to succeed Hon. Frank Hereford. The voting was:

	Sen.	Ho.	Total.
J. N. Camden, D.....	20	44	64
Archibald W. Campbell, R.....	3	17	20
N. B. French, G.....	...	2	2
Totals.....	23	63	86
Necessary to choice.....	12	32	

In the Democratic caucus Mr. Camden, D., was nominated, January 19, by the following vote:

	1	*2	3	4	5
Johnson N. Camden, D...	30	24	29	31	33
Frank Hereford, R.....	14	...	13	10	12
Henry M. Mathews, R....	8	...	9	8	8
John Brannon, R.....	7	...	8	8	6
W. K. Pendleton, R.....	2	...	1	1	...
John J. Davis, R.....	...	...	1	1	...
Scattering .....	...	6	...	...	3
Totals.....	61	30	61	59	62
Necessary to choice.....	31	...	31	30	32

\* No quorum.

**Wisconsin.**

1881, January 25—Hon. Philetus Sawyer, R., was elected, for six years from March 3, 1881, to succeed Hon. Angus Cameron, R. The voting was:

	Sen.	Ho.	Total.
Philetus Sawyer, R.....	24	74	98
James G. Jenkins, D.....	8	21	29
Charles D. Parker, R.....	1	...	1
C. C. Washburn, R.....	...	2	2
Totals.....	33	97	130
Necessary to choice.....	17	49	

In the Republican caucus January 19, Mr. Sawyer, R., received the nomination on the first ballot. The vote was; Philetus Sawyer, R., 58; E. W. Keyes, R., 25; Cadwalader C. Washburn, R., 10; Jonathan Bowman, R., 2; James T. Lewis, R., 3; Charles E. Dyer, R., 1; Charles G. Williams, R., 1; Angus Cameron, R., 1; George Clementson, R., 1; blank 1; total, 103.

March 10, 1881—Hon. Angus Cameron, R., was elected for four years from March 3, 1881, to fill the vacancy caused by the death, February 24, of Hon. Matt. H. Carpenter, R. The vote was, in joint session; Cameron, R., 97; William F. Vilas, D., 27.

Mr. Cameron's nomination was made in the Re-

**Alabama.**

1882, November 28.—Hon. John T. Morgan was re-elected for six years from March 3, 1883. The vote was:

	Sen.	Ho.
Morgan.....	29	84
Paul L. Jones.....	2	10

Mr. Morgan was unanimously nominated at the Democratic caucus Nov. 27.

**Georgia.**

1882, Nov. 15—Hon. Pope Barrow was chosen to fill the unexpired term of Hon. Benjamin H. Hill, deceased, to March 4, 1883. The vote was:

	Sen.	Ho.
Barrow, Pope.....	29	79
Hill, Benjamin H., Jr.....	14	91

1882, November 15—Hon. Alfred H. Colquitt was chosen for six years from March 3, 1883, to succeed Mr. Barrow. The vote was:

Colquitt.....	122
Jackson.....	40
Black.....	33
Anderson.....	20

publican caucus on the evening of the 9th of March. The various ballots were as follows:

Ballots.	Angus Cameron, R.	E. W. Keyes, R.	Luther S. Dixon, R.	Geo. C. Hazelton, R.	Chas. G. Williams, R.	James M. Bingham, R.	Jonathan Bowman, R.	Jos. V. Quarles, R.	Scattering.	Necessary to choice.
Informal.....	35	24	16	5	4	1	...	...	...	46
1.....	36	27	19	6	4	1	...	...	...	47
2.....	36	28	18	6	4	1	...	...	...	47
3.....	36	29	19	5	3	1	...	...	...	47
4.....	37	26	18	7	3	2	...	...	...	47
5.....	37	27	17	7	3	2	...	...	...	47
6.....	37	30	16	5	3	1	...	...	...	47
7.....	37	27	18	5	3	2	...	...	...	47
8.....	38	25	17	7	4	1	...	...	...	47
9.....	38	24	17	9	2	1	1	...	...	47
10.....	38	21	18	10	3	2	...	...	...	47
11.....	38	23	16	10	2	2	...	...	...	46
12.....	40	22	17	8	2	2	1	...	...	47
13.....	39	25	18	5	3	1	...	...	...	47
14.....	38	25	17	7	2	1	...	...	...	47
15.....	38	24	16	4	3	1	1	...	...	47
16.....	34	23	15	5	6	3	...	2	...	46
17.....	38	21	16	3	3	4	...	1	...	46
18.....	38	24	15	6	4	1	...	...	...	46
19.....	31	23	12	5	3	2	12	...	...	47
20.....	38	24	15	4	1	1	6	...	...	47
21.....	40	22	20	6	2	2	...	...	...	47
22.....	38	27	18	5	2	1	...	...	...	47
23.....	36	32	16	4	2	1	...	...	...	47
24.....	40	29	16	3	3	1	...	...	...	47
25.....	39	27	18	5	1	1	1	...	...	47
26.....	39	23	20	5	3	2	...	...	...	47
27.....	37	27	20	5	2	1	...	...	...	47
28.....	40	26	15	7	2	1	...	...	...	46
29.....	37	27	18	7	7	1	...	...	...	49
30.....	37	30	16	7	6	1	...	...	...	49
31.....	37	30	17	5	7	1	...	...	...	49
32.....	37	33	14	5	7	1	...	...	...	49
33.....	39	33	14	5	5	1	...	...	...	49
34.....	38	29	17	6	6	1	...	...	...	49
35.....	39	28	15	7	7	1	...	...	...	49
36.....	38	30	13	8	7	1	...	...	...	49
37.....	40	29	12	7	6	2	...	...	...	49
38.....	37	26	19	5	6	2	...	...	...	49
39.....	37	26	15	4	6	2	...	1	...	47
40.....	37	27	14	4	7	1	...	4	...	48
41.....	40	20	11	3	7	2	1	12	...	48
42.....	39	22	10	4	5	1	1	14	...	49
43.....	37	19	15	5	3	1	1	16	...	50
44.....	35	19	13	2	8	1	...	19	...	49
45.....	41	21	17	7	9	1	1	2	...	51
46.....	43	15	16	10	10	...	1	3	...	50
47.....	49	1	...	1	...	...	47	...	...	51
48.....	51	...	...	...	...	...	49	...	...	51

On the preceding day the vote in each house was:

	Sen.	Ho.
Colquitt.....	20	82
Jackson.....	12	36
Black.....	5	29
Anderson.....	7	18
Longstreet.....	...	3

**Iowa.**

1882, January 17—Honorable James W. McDill was chosen to fill the unexpired term of Hon. Samuel J. Kirkwood to March 4, 1883. The vote was:

	Sen.	Ho.	Total.
James W. McDill.....	36	65	101
Moses M. Ham.....	1	17	18
DANIEL CAMPBELL.....	2	7	9

There being a question as to the legality of an election held on the 48th, another vote was taken on the 24th with this result:

	Sen.	Ho.	Total
James W. McDill.....	42	68	110
Moses M. Ham.....	2	18	20
DANIEL CAMPBELL.....	2	6	8

1882, January 17.—Hon. James F. Wilson was chosen for six years from March 3, 1883, to succeed Hon. James W. McDill. The voting was:

	Sen.	Ho.	Total.
James F. Wilson.....	36	59	95
La Vega G. Kinne.....	1	17	18
DANIEL F. STUBBS.....	2	6	8

For the reason stated above there was another vote on the 24th, with this result:

	Sen.	Ho.	Total.
James F. Wilson.....	42	68	110
La Vega G. Kinne.....	2	19	21
DANIEL F. STUBBS.....	2	6	8

**Mississippi.**

1882, January 17th.—Hon. Lucius Q. C. Lamar was re-elected for six years, from March 3, 1883. The vote was:

	Sen.	Ho.	Total.
Lucius Q. C. Lamar.....	28	94	122
William F. Fitzgerald.....	3	11	14
THOMAS M. HARRIS.....		1	1
Pitman Darden, Ind.....		1	1
Not voting.....	6	13	19

**Oregon.**

1882, October 21—Hon. Joseph N. Dolph was elected for six years, from March 3, 1883, to succeed Hon. Lafayette Grover. He received 51 votes.

**Rhode Island.**

1882, June 13—Hon. Henry B. Anthony was re-elected for six years, from March 3, 1883. [This is Senator Anthony's fifth election as Senator, making, if he serves the term, thirty years' continuous service.]

The voting was:

	Sen.	Ho.	Total.
Henry B. Anthony.....	29	64	93
Charles S. Bradley.....	3	4	7
George H. Browne.....		1	1

**South Carolina.**

1882, December 5—Hon. Matthew C. Butler was re-elected to the United States Senate for six years from March 3, 1883. The vote was:

	Sen.	House.
Butler.....	30	111
Samuel W. Melton.....	2	5
W. G. Pinkney (col'd).....		1

**ELECTION OF PRESIDENT OF THE SENATE.**

At the Extra Session of the Senate, called in October, by President Arthur, Thomas F. Bayard, of Delaware, was, on the first day, elected President, he receiving the vote of all the Democrats present, prior to the swearing in of the two new Senators from New York, Messrs. Lapham and Miller, who were elected to fill the vacancies occasioned by the resignation of Messrs. Conkling and Platt. Mr. Bayard had two majority, Mr. Davis, the only Independent in the body, not voting. On the following day the New York Senators were sworn in. A Republican caucus quickly followed, and it was there resolved to present the name of David Davis, Independent. This was done in open Senate, and he was elected by one majority, neither he nor Mr. Bayard voting for themselves. The majority of the Committees being Republican, were left unchanged, and by agreement possibly and certainly, because of a declaration by Mr. Davis, who opposed a change of the minor offices, they remained in the hands of the Democrats, both at the Extra Session, and in the regular one, beginning with December 3, 1881.

VOTE IN CONGRESSIONAL REPUBLICAN CAUCUS ON SPEAKER.

	1	2	3	4	5	6	7	8	9	10	11	12	13*	14	15	16
J. Warren Keifer.....	52	55	55	55	56	54	51	51	56	56	55	56	.....	58	61	93
Frank Hiscock.....	44	41	38	35	32	34	34	34	35	38	40	39	.....	35	34	18
John A. Kasson.....	15	16	19	20	19	19	16	17	19	17	17	16	.....	17	16	10
Godlove S. Orth.....	8	8	8	8	8	8	10	8	9	8	8	8	.....	8	7	8
Mark H. Dunnell.....	4	3	3	3	3	3	3	4	4	3	3	3	.....	4	3	3
Julius C. Burrows.....	10	10	10	10	10	10	11	10	10	10	10	9	.....	10	11	1
Thomas B. Reed.....	13	12	12	15	18	18	20	18	13	14	14	11	.....	13	13	11
Totals.....	146	145	145	146	146	146	145	142	146	146	147	142	.....	145	145	144
Necessary to choice.....	74	73	73	74	74	74	73	72	74	74	74	72	.....	73	73	73

\* An excess of one vote. Ballot not counted. General Keifer was then unanimously nominated, and elected by all of the Republican and four Greenback votes. For Clerk the vote was: McPherson 92, Baine 42, Dawson 3, scattering 4. For Sergeant-at-Arms the vote was: Hooker 80, Dawson 28, Fort 11, Bunn 11.

**PATENTS, TRADEMARKS, LABELS AND COPYRIGHTS.**

**Patents.**

Any person who has invented or discovered any new and useful art, machine, manufacture or composition of matter, or any new and useful improvement thereof, not known or used by others in this country, and not patented or described in any printed publication in this or any foreign country, before his invention or discovery thereof, and not in public use or on sale for more than two years prior to his application, unless the same is proved to have been abandoned, may upon payment of the fees required

by law, and other due proceedings had, obtain a patent therefor.

**Designs.**

Any person who, by his own industry, genius, efforts, and expense, has invented and produced any new and original design for a manufacture, bust, statue, alto-relievo, or bas-relief; any new and original design for the printing of woolen, silk, cotton, or other fabrics; any new and original impression, ornament, pattern, print, or picture to be printed, painted, cast, or

otherwise placed on or worked into any article of manufacture; or any new, useful, and original shape or configuration of any article of manufacture, the same not having been known or used by others before his invention or production thereof, or patented or described in any printed publication, may, upon payment of the fee prescribed, and other due proceedings had the same as in cases of inventions or discoveries, obtain a patent therefor.

Nearly all the fees payable to the patent office are positively required by law to be paid in advance,—that is, upon making application for any action by the office for which a fee is payable. For the sake of uniformity and convenience, the remaining fees will be required to be paid in the same manner:

The following is the schedule of fees:

On filing every application for a design patent.....	\$10 00
On issuing a design patent for three years and six months no further charge.	
On issuing a design patent for seven years.....	5 00
On issuing a design patent for fourteen years.....	20 00
On filing every caveat.....	10 00
On filing every application for a patent for an invention or discovery.....	15 00
On issuing each original patent for an invention or discovery.....	20 00
On filing a disclaimer.....	10 00
On filing every application for a reissue	30 00
On filing every application for a division of a reissue.....	30 00
On filing every application for an extension.....	50 00
On the grant of every extension.....	50 00
On filing an appeal from a primary examiner to the examiners-in-chief.....	10 00
On filing an appeal to the Commissioner from the examiners-in-chief.....	20 00
For certified copies of patents or other instruments, except copies of printed patents sold by the office, for every 100 words.....	10
For certified copies of printed patents sold by the office, 10 cents for every 100 words, less the price actually paid for such copies without certification.	
For certified copies of drawings, the reasonable cost of making them.	
For recording an assignment of 300 words or less.....	1 00
For recording an assignment of more than 300 and not more than 1,000 words.....	2 00
For recording every assignment of more than 1,000 words.....	3 00
For uncertified copies of the specifications and accompanying drawings of all patents which are in print:	
Single copies.....	25
Twenty copies or more, whether of one or several patents, per copy.....	10
For uncertified copies of the specifications and drawings of patents not in print, the reasonable cost of making the same.	
For copies of matter in any foreign language, per 100 words.....	20

For translations, per 100 words.....	50
For assistance to attorneys in examination of records, one hour or less.....	50
Each additional hour.....	50
For assistance to attorneys in examination of patents and other works in the Scientific Library, one hour or less....	1 00
Each additional hour.....	1 00

**Trade-Marks.**

The Supreme Court of the United States in the cases of U. S. vs. Steffens and others, reported in 100 U. S. Rep. 82 (10 Otto 82) declared the Trade-Mark law of 1870 to be unconstitutional, on the ground that its provisions were applicable to all commerce, and not confined to that which is subject to the control of Congress. In consequence of this decision Congress passed a law, approved March 3, 1881, regulating the registration of trade-marks for goods designed for "commerce with foreign nations, and with the Indian tribes." Under this law trade-marks may be registered in the Patent Office of the United States on payment of a fee of \$25, and are protected for a period of 30 years from the time of such registry.

**Labels.**

Under the law of June 18, 1874, labels or prints designed to be used with articles of manufacture are no longer permitted to be entered for copyright. The words "engraving, cut, and print" permitted to be copyrighted are defined by that law to be applied only to pictorial illustrations or works connected with the fine arts. Such "labels or prints" however, may, by the provisions of that Statute, be registered in the Patent Office of the United States, on payment of a fee of \$6, and receive protection for a period of 28 years from the date of the certificate of registry.

**Copyrights.**

Under the laws in force respecting copyrights, a printed copy of the title of the book, map, chart, dramatic or musical composition, engraving, cut, print, photograph, or a description of the painting, drawing, chromo, statue, statuary, or model or design for a work of the fine arts, must be filed, before publication, in the office of the Librarian of Congress, at Washington, and a fee of one dollar paid. Within ten days after publication two copies of the best edition of the book or printed work, or two photographic or other copies of the statue, must be filed in the same office, or deposited in the mail so addressed. Notice of the copyright with date of same and name of owner must be inserted in each copy of the book or other printed work, on the title page or next page, or on the bottom or back of the statue or article the design of which is copyrighted. The term of copyright is for 28 years, renewable for 14 years to the author, his widow or children, and is confined to citizens or residents of the United States.



TABLE SHOWING THE DUTIES LEVIED ON THE FOLLOWING LEADING ARTICLES FROM 1789 TO 1867.

Date of Tariffs.	Sugar.	Coffee.	Tea— Souchong.	Salt (in bulk.)	Pig Iron.	Bar Iron.	Glass Manufactures.	Cotton M'nuce's.	Woolen Manufactures.	Silk Goods.
July 4, 1789.....	1 cent p. lb	2½ cts. p. lb	13 cts. p. lb	6 cts. p. bush.	5 per cent.	5 per cent.	10 per cent.	5 p. ct.	5 per cent.	5 per ct.
August 10, 1790.....	1½	4	18	12	5	7½	12½	7½	7½	7½
May 2, 1792.....	1½	4	18	12	10	10	15	10	10	10
June 7, 1794.....	1½	5	18	12	15	15	20	12½	12½ to 15 per cent.	10
March 3, 1797.....	2	5	18	20	15	15	20	15	12½ to 15	10
May 13, 1800.....	2½	5	18	20	15	15	20	15	12½ to 15	12½
March 26, 1804.....	2½	5	18	Free.	17½	17½	22½	17½	15 to 17	15
July 1, 1812.....	5	10	36	*20 cents p. lb.	30	30	40	30	30 per cent.	25
April 27, 1816.....	3	5	25	20	20	\$30 p. ton.	20	25	25	25
May 22, 1824.....	3	5	25	20	20	30	30 p. ct. & 3 cts. p. lb	25	30	25
May 19, 1828.....	3	5	25	20	\$12½ p. ton.	37	30 p. ct. & 3	25	45	30
May, 1830.....	3	2	10	15	12½	37	30 p. ct. & 3	25	45	30
July 14, 1832.....	2½	Free.	Free.	10	10	30	30 p. ct. & 3	25	50	10
September 11, 1841.....	20 per cent.	"	"	10	20 per cent.	20 per cent.	20 per cent.	20	20	20
August 30, 1842.....	2½ cts. p. lb	"	"	8 cents p. bush.	\$9 p. ton.	\$25 p. ton.	30	30	40	\$2.50 p. lb.
August 6, 1846.....	30 per cent.	"	"	20 per cent.	30 per cent.	30 per cent.	40	25	30	25 per ct.
March 3, 1857.....	24	"	"	15	24	24	30	19	24	19
March 2, 1861.....	¾ ct. per lb.	"	"	4 cents p. bush.	\$6 per ton.	\$15 p. ton.	30	25	25 p. c. & 12 cts. p. lb	20
August 5, 1861.....	2 cts. p. lb.	4 cts. p. lb	15 cts. p. lb	12 cts. p. 100 lbs	6	15	30	25	25	30
December 24, 1861.....	2½	4	15	12	6	15	30	25	25	30
July 14, 1862.....	3	5	20	18	6	17	35	30	30 p. c. & 18 cts. p. lb	30
June 30, 1864.....	3	5	25	18	9	1a1½ c. p. lb	40	35	40 p. c. & 24	60
March 2, 1867.....	.....	.....	.....	.....	.....	.....	.....	.....	35 p. c. & 50	60

\* Imposed July 27, 1813.

NOTE.—In 1833 the Sliding Scale was introduced, by which, in cases where the duty exceeds 20 per cent., the excess should be reduced biennially.  
For later duties see Table of Tariffs in succeeding pages.

**STATUTES OF LIMITATIONS.**

*State Laws with reference to limitations of actions, showing the limit of time on which action may be brought.*

STATES AND TERRITORIES.	Assault, re-slander, etc.	Open accounts.	Notes.	Judgments.	Sealed and witnessed instruments
	Yrs.	Yrs.	Yrs.	Yrs.	Yrs.
Alabama	1	3	6	20	10
Arkansas	1	3	5	10	10
California	3	2	4	5	5
Colorado	1	2	2	3	3
Connecticut	1	6	6	6	17
Dakota	2	6	6	20	20
Delaware	1	3	6	20	20
Dist. of Columbia	1	3	3	12	12
Florida	2	5	3	20	20
Georgia	1	4	6	7	20
Idaho	3	2	4	5	5
Illinois	1	5	10	20	10
Indiana	2	6	20	20	20
Iowa	2	5	10	20	10
Kansas	1	3	5	5	15
Kentucky	1	5	5	15	15
Louisiana	1	3	5	10	20
Maine	2	6	20	20	20
Maryland	3	3	3	12	12
Massachusetts	2	6	20	20	20
Michigan	2	6	6	10	10
Minnesota	2	6	6	10	20
Mississippi	1	3	6	7	7
Missouri	1	4	5	5	10
Montana	2	2	4	5	4
Nebraska	2	6	20	20	10
Nevada	2, 6	6	20	20	20
New Hampshire	1	—	—	10	10
New Jersey	2	6	6	20	20
New Mexico	1	3	10	10	10
New York	1	6	15	15	15
North Carolina	1	3	10	10	10
Ohio	1	6	15	15	15
Ontario (U. Canada)	1	5	5	30	30
Oregon	2	1	6	10	20
Pennsylvania	1	6	6	20	20
Quebec (L. Canada)	1, 2	5	5	30	30
Rhode Island	1	6	6	20	20
South Carolina	2	6	6	20	20
Tennessee	1	6	6	20	—
Texas	1	2	4	10	10
Utah	1	2	4	5	7
Vermont	2	6	14	8	8
Virginia	5	5	5	10	20
Washington Territory	2	3	6	9	20
West Virginia	5	5	6	10	10
Wisconsin	2	6	6	20	20
Wyoming	1	6	15	10	21

**The Recent American Tariffs, under Revised Statutes, Sec. 2491, et seq.**

COMMODITIES.	RATE OF DUTY.
Ale, porter, and beer—in bottles....	35 c. per gall.
“ “ “ in casks.....	25 c. per gall.
Aniline dyes or colors.....	{ 50 c. per lb. } { and 35 p. c. }
Animals, living — eattle, hogs, horses, sheep, etc.....	20 per cent.
Barley.....	15 c. per bush.
Books and other printed matter....	25 per cent.
Braids of straw.....	30 per cent.
Brushes.....	40 per cent.
Buttons.....	30 per cent.
Cheese.....	4 c. per lb.
China, porcelain and parian ware, plain, white, and not decorated in any manner .....	45 per cent.
Do. gilded, ornamented or decorated in any manner.....	50 per cent.
Do. other earthen, stone, or crockery ware, white, glazed, edged, printed, or dipped, or cream colored .....	40 per cent.
Coal, bitumen, and shale.....	75 c. per ton.
Corsets and corset-cloth, valued at \$6 per dozen, or less.....	\$2 per doz.
Do. valued over \$6 per dozen.....	35 per cent.
Cotton, manufactures of — plain bleached, value 20 cents or less per square yard.....	5½ c. per sq. yd.

COMMODITIES.	RATE OF DUTY.
Do. printed or colored, value 25 cents or less per square yard.....	{ 5½ c. per sq. } { yd. & 20 p. c. }
Do. Hosiery .....	35 per cent.
Do. Laces, cords, braids, gimps, galloons and cotton laces, colored and insertings .....	35 per cent.
Do. Thread-yarn, warps, or warp-yarn not wound on spools, valued at over 60 and not exceeding 80 cents per pound.....	{ 30 c. per lb. } { and 20 p. c. }
Cotton, valued at over 80 cents per pound .....	{ 40 c. per lb. } { and 20 p. c. }
Do. Velvet, velvetcens, velvet bindings, ribbons, and vestings .....	35 per cent.
Currants, Zante, or other.....	1 c. per lb.
Diamonds (cut), cameos, mosaics, gems, pearls, rubies, and other precious stones, not set.....	10 per cent.
Dolls .....	35 per cent.
Embroideries, of cotton or wool....	35 per cent.
Fans.....	35 per cent.
Feathers, ostrich, cock, and other ornamental.....	25 per cent.
Feathers and flowers, artificial and ornamental, not otherwise provided for.....	50 per cent.
Figs .....	2½ c. per lb.
Fire-crackers, in boxes of 40 packs, not exceeding 80 to the pack.....	\$1 per box.
Flax lincns, valued at 30 cents or less per square yard.....	35 per cent.
Do. valued at above 30 cents per square yard.....	40 per cent.
Do. Burlaps, and like manufactures of flax, jute, or hemp, of which either shall be the component of chief value (except bagging for cotton.....	30 per cent.
Do. Duck, canvas, paddings, cotton bottoms, diapers, crash, huckabacks, handkerchiefs (not hemmed), lawns, or other manufactures of flax, jute, or hemp, valued at 30 cents or less per square yard .....	35 per cent.
Do. valued at above 30 cents per square yard .....	40 per cent.
Do. Thread, twine and pack-thread .....	40 per cent.
Do. all other manufactures of flax not otherwise provided for.....	40 per cent.
Fruits and nuts:—	
Almonds, not shelled .....	6 c. per lb.
“ “ shelled .....	10 c. per lb.
Filberts and walnuts.....	3 c. per lb.
Prunes.....	1 c. per lb.
Raisins.....	2½ c. per lb.
Furs, and manufactures of .....	20 per cent.
Glass-ware:—	
Porcelain, Bohemian, cut, engraved, painted, colored, printed, stained, silvered, or gilded, not including plate-glass silvered, or looking-glass plates.....	40 per cent.
Plate-glass, cast, polished, not silvered, above 24 by 30, and not above 24 by 60 .....	25 c. per sq. ft.
Above 24 by 60.....	50 c per sq. ft.
Window-glass, cylinder, crown, or common, unpolished, above 10 by 15 and not above 15 by 24.....	2 c. per lb.
Above 16 by 24 and not above 24 by 30 .....	2½ c. per lb.
Above 24 by 30 .....	3 c. per lb.
Manufactures of, not otherwise specified.....	40 per cent.
Hats, bonnets, and hoods, straw....	40 per cent.
Hemp, jute, and other fibre:—	
Bags, cotton-bags, and bagging (except bagging for cotton).....	40 per cent.
Jute and sunn-hemp.....	\$15 per ton.
Jute butts .....	\$6 per ton.
Manila, India, and other like substitutes for hemp.....	825 per ton.
India Rubber, manufactures of:—	
Braces, webbing, etc.....	35 per cent.
Iron and steel, manufactures of:—	
In slabs, blooms, loops, etc.....	35 per cent.
Pig-iron .....	\$7 per ton.
Scrap-iron, old, wrought.....	\$8 per ton.
Manufactures of iron, not otherwise provided for .....	35 per cent.

COMMODITIES.	RATE OF DUTY.	COMMODITIES.	RATE OF DUTY.
<b>Iron and steel, manufactures of:—</b>		<b>Sugar and molasses:—</b>	
Steel, and manufactures of pen-knives, jack-knives and pocket-knives. ....	50 per cent.	Molasses .....	{ 5 c. plus 25 } per cent.
All other cutlery, including sword blades.....	35 per cent.	Molasses concentrated, tank-bot-toms, sirup of sugar-cane, and melado .....	{ 1½ c. plus } { 25 c. per lb. }
In ingots, bars, coils, sheets, and steel-wire, not less than ¼ inch diameter, valued at 7 cents per pound or less.....	2¼ c. per lb.	Sugar:	{ 1¾ c. plus } { 25 p. c. p. lb. }
Valued at above 7 cents and not over 11 cents per pound.....	3 c. per lb.	All not above No. 7 Dutch standard	{ 2 c. plus 25 }
Muskets, rifles, and other fire-arms .....	35 per cent.	Above No. 7 and not above No. 10 .....	{ p. c. per lb. }
Railway bar, or rails, wholly of steel.....	1¼ c. per lb.	Above No. 7 and not above No. 10 .....	{ 2 c. per lb. }
Manufactures of steel, not other-wise provided for .....	45 per cent.	Above No. 13 and not above No. 16 .....	{ 2¾ c. plus 25 }
Jewelry of gold, silver, or other metal, or imitations of.....	25 per cent.	Tartar, cream of.....	{ p. c. per lb. }
<b>Lead, and manufactures of:—</b>		Tartar, argols, other than crude.....	{ 10 c. per lb. }
Pigs and bars, and molten.....	2 c. per lb.	Tin, plates or sheets.....	{ 6 c. per lb. }
<b>Leather, and manufactures of:—</b>		Tobacco, and manufactures of:—	
Calf-skins, tanned, or tanned and dressed .....	25 per cent.	Leaf, unmanufactured and not stemmed .....	35 c. per lb.
Gloves, of kid or leather, of all descriptions.....	50 per cent.	Cigars, cigarettes, and cheroots..	{ \$2.50 per lb. } { and 25 p. c. } per lb.
Upper leather of all kinds, and skins, dressed and finished, of all kinds, not otherwise provided for	20 per cent.	Toys, wooden and other.....	50 per cent.
Manufactures of, and articles of leather, or of which leather shall be a component part, not other-wise provided for.....	35 per cent.	Watches, of gold or silver.....	25 per cent.
Lemons and oranges.....	20 per cent.	Wines, Champagne, and all other sparkling, in bottles, containing not more than 1 pint each and more than ½ pint.....	\$3 per dozen.
<b>Marble, and manufactures of:</b>		Wines, Champagne, and all other sparkling, in bottles, containing not more than 1 quart and more than 1 pint.....dozens	\$6 per doz.
Veined and all other, in block, roughed or squared, not other-wise specified .....	{ 50 c. per cu. } { ft. & 20 p. c. } per cu. ft. }	" Still wines, in casks.....galls.	40 c. per gall.
Mats of cocoa-nut, china, and all other floor-matting, of flags, jute, or grass .....	30 per cent.	" in bottles, containing each not more than 1 quart and not more than 1 pint.....doz. bots.	\$1.60 per doz.
Metal, manufactures of, not other-wise provided for .....	35 per cent.	Wood: Boards, planks, deals, and other lumber.....M. ft.	\$2 per M. ft.
Musical instruments.....	30 per cent.	" Manufactures of, not otherwise provided for.....	35 per cent.
Oils, olive, salad, in bottles or flasks	\$1 per gall.	Wools, hair of the alpaca, goat, etc.: Raw and manufactured,	
Opium.....	\$1 per lb.	Class No. 1, clothing wool, value 32 cents or less per lb.....lbs.	{ 10 c. per lb. } { & 11 p. c. }
Opium prepared for smoking.....	\$6 per lb.	" Value 32 cents or less per pound.....lbs.	{ 10 c. p. lb. & } { 11 p. c., less } { 10 per c. }
Paintings and statuary, not by American artists.....	10 per cent.	" Value over 32 cents per pound.....lbs.	{ 12 c. per lb. } { & 10 p. c. }
Papier-mache, manufactures, arti-cles, and wares of.....	35 per cent.	" Class No. 2, value over 32 cents per pound.....lbs.	{ 12 c. per lb. } { & 10 p. c. }
Pickles, sauces, and capers .....	35 per cent.	" Class No. 3, carpet and other similar wools, valued at 12 cents or less per lb.....lbs.	3 c. per lb.
Rice, cleaned.....	2½ c. per lb.	" Value over 12 cents per pound.....lbs.	6 c. per lb.
Salt, in bags, sacks, barrels, or other packages.....	12 c. per 100 lbs.	" Carpets and carpetings of all kinds, Aubusson and Axminster, and carpets woven whole for rooms .....	{ 50 per cent. }
Salt, in bulk .....	8 c. per 100 lbs.	" Brussels carpet wrought by Jac-quad machine.....sq. yd.	44 c. per sq. yd. & 35 p. c.
Sardines and anchovies, packed in oil or otherwise.....	4 c. per box.	" Brussels tapestry, printed on the warp or otherwise.....sq. yds.	28 c. per sq. yd. & 35 p. c.
Seeds, flaxs. or lins. (56 lbs. to bush.)	20 c. per bush.	" Patent velvet and tapestry vel-vet, printed on the warp or otherwise .....	{ 40 c. per sq. } { yd. & 35 p. c. }
<b>Silk:—</b>		" Dress goods, women and chil-dren's, and real or imitation Italian cloths, valued at not ex-ceeding 20 cents per sq. yd.....sq. yds.	{ 6 c. per sq. } { yd. & 35 p. c. }
Braids, laces, fringes, galloons, buttons, and ornaments, dress and piece goods.....	60 per cent.	" Valued at above 20 cents per square yd.....sq. yds.	{ 8 c. per sq. } { yd. & 40 p. c. }
Velvets .....	60 per cent.	" Dress goods, women and chil-dren's, and real or imitation Italian cloths, weighing 4 ounces and over per square yard.....lbs.	{ 50 c. per lb. } { & 35 p. c. }
Ribbons .....	60 per cent.	" Hosiery, valued at above 80 cents per pound.....lbs.	{ 50 c. per lb. } { & 35 p. c. }
Ribbons (edge of cotton).....	50 per cent.	" Manufactures not otherwise specified, valued at above 80 cents per pound.....lbs.	{ 50 c. per lb. } { & 35 p. c. }
Silk manufactures not otherwise provided for, made of silk, or of which silk is the component or chief value.....	60 per cent.	Wool cloths.....lbs.	{ 50 c. per lb. } { & 35 p. c. }
Manufactures of, which have as a component thereof 25 per cent., or over, in value of cotton, flax, wool, or worsted.....	50 per cent.	" Cloths.....lbs.	{ 50 c. per lb. } { & 35 p. c., } { less 10 p. c. }
Soda caustic.....	1½ c. per lb.	" Clothing—articles of wear.....lbs.	{ 50 c. per lb. } { & 40 p. c. }
Soda ash.....	¼ c. per lb.	" Clothing—ready-made..... lbs.	{ 50 c. per lb. } { & 40 p. c. }
<b>Spices:</b>			
Cassia, and Cassia Vera.....	10 c. per lb.		
Nutmegs.....	20 c. per lb.		
Pepper, black and white grain ...	5 c. per lb.		
<b>Spirits and wines:—</b>			
Brandy, proof.....	\$2 per gall.		
Cordials, liqueurs, arrack, ab-sinthe, kirschwasser, ratafia .....	\$2 per gall.		
Spirits, other, manufactured or distilled from grain.....	\$2 per gall.		
Spirits, other (except brandy), manufactured or distilled from other materials.....	\$2 per gall.		
Cologne-water and other per-fumery, of which alcohol forms the principal ingredient .....	{ \$3 per gall. } { and 50 per c. } per gall. }		

COMMODITIES.	RATE OF DUTY.	COMMODITIES.	RATE OF DUTY.
Wool, manufactures wholly or in part of, not otherwise provided for.....lbs.	{ 50 c. per lb. } { & 35 p. c. }	" Webbing, beltings, bindings, braids, galloons, fringes, cords, buttons, etc.....lbs.	{ 50 c. per lb. } { & 50 p. c. }
" Shawls, woolen.....lbs.	{ 50 c. per lb. } { & 35 p. c. }	" Yarns, valued at above 80 cents per pound.....lbs.	{ 50 c. per lb. } { & 50 p. c. }
" Worsted, etc., not otherwise provided for.....lbs.	{ 50 c. per lb. } { & 40 p. c. }	Zinc, in sheets.....	2¼ c. per lb.

### THE CUSTOMS TARIFF OF GREAT BRITAIN.

No protective duties are now levied on goods imported, Customs duties being charged solely for the sake of revenue. Formerly the articles subject to duty numbered nearly a thousand; now they are only twenty-two, the chief being tobacco, spirits, tea, and wine. The following is a complete list:

ARTICLES.	Duty. £ s. d.	ARTICLES.	Duty. £ s. s.
Ale or beer, spec. gravity not exceeding 1065°, per bbl.....	0 8 0	Malt, per quarter.....	1 4 9
Ale or beer, spec. gravity not exceeding 1090°, per bbl.....	0 11 0	Naphtha, purified, gallon.....	0 10 5
Ale or beer, spec. gravity exceeding 1090°, per bbl.....	0 16 0	Pickles, in vinegar, gallon.....	0 0 1
Beer, Mum, per bbl.....	1 1 0	Plate, gold, ounce.....	0 17 0
Beer, spruce, spec. gravity not exceeding 1190°, per bbl.....	1 1 0	Plate, silver, ounce.....	0 1 6
Beer, spruce, exceeding 1190°, per barrel..	1 4 0	Spirits, brandy, Geneva, rum, etc., gallon.	0 10 5
Cards, playing, per doz. packs.....	0 3 9	Spirits, rum, from British Colonies, gallon	0 10 2
Chickory (raw or kiln-dried), cwt.....	0 13 3	Spirits, cologne water, gallon.....	0 16 6
Chicory (roasted or ground), lb.....	0 0 2	Tea, pound.....	0 0 6
Chloral hydrate, pound.....	0 1 3	Tobacco, unmanufactured, lb.....	0 3 1¾
Chloroform, pound.....	0 3 0	Tobacco, containing less than ten per ct. of moisture, lb.....	0 3 6
Cocoa, pound.....	0 0 1	Cavendish or Negro head.....	0 4 6
Cocoa, cwt., husks and shells.....	0 2 0	Other manufactured tobacco.....	0 4 0
Cocoa paste and chocolate, pound.....	0 0 2	Snuff, containing more than 13 per cent. of moisture, lb.....	0 3 9
Coffee, raw, cwt.....	0 14 0	Snuff, less than 13 per cent. of moisture, lb.	0 4 6
Coffee, kiln-dried, roasted or ground, per pound.....	0 0 2	Tobacco, cigars, pound.....	0 5 0
Collodion, gallon.....	0 1 4	Varnish, containing alcohol, gallon.....	0 12 0
Essence of spruce, 10 per cent. ad valorem		Vinegar, gallon.....	0 0 3
Ethyl, iodide of, gallon.....	0 13 0	Wine, containing less than 26° proof spirit, gallon.....	0 1 0
Ether, gallon.....	0 1 5	Wine, containing more than 26° and less than 42 spirit, gallon.....	0 2 6
Fruit, dried, cwt.....	0 7 0	Wine, for each additional degree of strength beyond 42°, gallon.....	0 0 3

### PRESIDENTS AND VICE-PRESIDENTS.

PRESIDENTS.			VICE-PRESIDENTS.		
Term	Name.	Qualified.	Name.	Qualified.	
*1	George Washington.....	April 30, 1789	John Adams.....	June 3, 1789	
2	".....	March 4, 1793	".....	Dec. 2, 1793	
3	John Adams.....	March 4, 1797	Thomas Jefferson.....	March 4, 1797	
4	Thomas Jefferson.....	March 4, 1801	Aaron Burr.....	March 4, 1801	
5	".....	March 4, 1805	George Clinton.....	March 4, 1805	
6	James Madison.....	March 4, 1809	".....	March 4, 1809	
7	".....	March 4, 1813	Elbridge Gerry.....	March 4, 1813	
8	James Monroe.....	March 4, 1817	John Gaillard.....	Nov. 25, 1814	
9	".....	March 5, 1821	Daniel D. Tompkins.....	March 4, 1817	
10	John Q. Adams.....	March 4, 1825	".....	March 5, 1821	
11	Andrew Jackson.....	March 4, 1829	John C. Calhoun.....	March 4, 1825	
12	".....	March 4, 1833	".....	March 4, 1829	
13	Martin Van Buren.....	March 4, 1837	Martin Van Buren.....	March 4, 1833	
14	Wm. H. Harrison.....	March 4, 1841	Richard M. Johnson.....	March 4, 1837	
14a	John Tyler.....	April 6, 1841	John Tyler.....	March 4, 1841	
15	James K. Polk.....	March 4, 1845	†Samuel L. Southard.....	April 6, 1841	
16	Zachary Taylor.....	March 5, 1849	†Willie P. Mangum.....	May 31, 1842	
16a	Millard Fillmore.....	July 10, 1850	George M. Dallas.....	March 4, 1845	
17	Franklin Pierce.....	March 4, 1853	Millard Fillmore.....	March 5, 1849	
18	James Buchanan.....	March 4, 1857	†William R. King.....	July 11, 1850	
19	Abraham Lincoln.....	March 4, 1861	William R. King.....	March 4, 1853	
20	".....	March 4, 1865	†David R. Atchison.....	April 18, 1853	
20a	Andrew Johnson.....	April 15, 1865	†Jesse D. Bright.....	Dec. 5, 1854	
21	Ulysses S. Grant.....	March 4, 1869	John C. Breckinridge.....	March 4, 1857	
22	".....	March 4, 1873	Hannibal Hamlin.....	March 4, 1861	
23	Rutherford B. Hayes.....	March 5, 1877	Andrew Johnson.....	March 4, 1865	
24	James A. Garfield.....	March 4, 1881	†Lafayette S. Foster.....	April 15, 1865	
24a	Chester A. Arthur.....	Oct. 20, 1881	†Benjamin F. Wade.....	March 2, 1867	
			Schuyler Colfax.....	March 4, 1869	
			Henry Wilson.....	March 4, 1873	
			†Thomas W. Ferry.....	Nov. 22, 1875	
			William A. Wheeler.....	March 5, 1877	
			Chester A. Arthur.....	March 4, 1881	
			†Thomas F. Bayard.....	Oct. 12, 1881	
			†David Davis.....	Oct. 13, 1881	

\*The figures in this column mark the terms held by the Presidents.

† Acting Vice-President and President *pro tem.* of the Senate.

SUMMARY OF POPULAR AND ELECTORAL VOTES IN PRESIDENTIAL ELECTIONS, 1789-1880.

Year.	Number of States.	Total Elect. Vote.	Party.	Candidates.	States.	Popular Vote.	Elect. Vote.
1789	10	73		George Washington.....			69
				John Adams.....			34
				John Jay.....			9
				R. R. Harrison.....			6
				John Rutledge.....			6
				John Hancock.....			4
				George Clinton.....			3
				Samuel Huntington.....			2
				John Milton.....			2
				Benjamin Lincoln.....			1
				James Armstrong.....			1
				Edward Telfair.....			1
			Vacancies.....			4	
1792	15	135	Federalist.....	George Washington.....			132
			Federalist.....	John Adams.....			77
			Republican.....	George Clinton.....			50
			Republican.....	Thomas Jefferson.....			4
			Republican.....	Aaron Burr.....			1
			Vacancies.....			3	
1796	16	138	Federalist.....	John Adams.....			71
			Republican.....	Thomas Jefferson.....			68
			Federalist.....	Thomas Pinckney.....			59
			Republican.....	Aaron Burr.....			30
				Samuel Adams.....			15
				Oliver Ellsworth.....			11
				George Clinton.....			7
				John Jay.....			5
				James Iredell.....			3
				George Washington.....			2
				John Henry.....			2
				S. Johnson.....			2
	Charles C. Pinckney.....			1			
1800	16	138	Republican.....	Thomas Jefferson.....			73
			Republican.....	Aaron Burr.....			73
			Federalist.....	John Adams.....			65
			Federalist.....	Charles C. Pinckney.....			64
			John Jay.....			1	

Year.	Number of States.	Total Elect. Vote.	Party.	For President.	States.	Popular Vote.	Elect. Vote.	For Vice-President.	Elect. Vote.
1804	21	176	Republican.....	Thomas Jefferson.....	15	162	162	George Clinton.....	162
			Federalist.....	Chas. C. Pinckney.....	2	14	14	Rufus King.....	14
1808	17	176	Republican.....	James Madison.....	12	122	113	George Clinton.....	113
			Republican.....	George Clinton.....		6	3	James Madison.....	3
			Federalist.....	Chas. C. Pinckney.....	5	47	47	Rufus King.....	47
								John Langdon.....	9
								James Monroe.....	3
			Vacancy.....		1	1		1	
1812	18	218	Republican.....	James Madison.....	11	128	131	Elbridge Gerry.....	131
			Federalist.....	De Witt Clinton.....	7	89	86	Jared Ingersoll.....	86
				Vacancy.....		1	1		1
1816	19	221	Republican.....	James Monroe.....	16	183	183	D. D. Tompkins.....	183
			Federalist.....	Rufus King.....	3	34	22	John E. Howard.....	22
								James Ross.....	5
								John Marshall.....	4
								Robt. G. Harper.....	3
						Vacancies.....		4	4
1820	24	235	Republican.....	James Monroe.....	24	231	218	D. D. Tompkins.....	218
				John Q. Adams.....		1	8	Rich. Stockton.....	8
								Daniel Rodney.....	4
								Robt. G. Harper.....	1
								Richard Rush.....	1
						Vacancies.....		3	3
1824	24	261	Republican.....	Andrew Jackson.....	10	155,872	99	John C. Calhoun.....	182
			Republican.....	John Q. Adams.....	8	105,321	84	Nathan Sanford.....	30
			Republican.....	Wm. H. Crawford.....	3	44,282	41	Nathaniel Macon.....	24
			Republican.....	Henry Clay.....	3	46,587	27	Andrew Jackson.....	13
								M. Van Buren.....	9
								Henry Clay.....	2
						Vacancy.....			1

## SUMMARY OF POPULAR AND ELECTORAL VOTES.—[Continued.]

Year.	Number of States.	Total Elect. Vote.	Party.	For President.	States.	Popular Vote.	Elect. Vote.	For Vice-President.	Elect. Vote.			
1828	24	261	Democratic.....	Andrew Jackson.....	15	647,231	178	John C. Calhoun.....	171			
			Nat. Republican.....	John Q. Adams.....	9	509,097	83	Richard Rush.....	83			
			.....	.....	.....	.....	.....	William Smith.....	7			
1832	24	288	Democratic.....	Andrew Jackson.....	15	687,502	219	M. Van Buren.....	189			
			Nat. Republican.....	Henry Clay.....	7	530,189	49	John Sergeant.....	49			
			Anti-Mason.....	William Wirt.....	1	33,108	7	Amos Ellmaker.....	7			
			.....e.....	John Floyd.....	1	.....	11	Henry Lee.....	11			
			.....	.....	.....	.....	.....	William Wilkins.....	30			
			.....	Vacancies.....	.....	.....	2	.....	2			
1836	26	294	Democratic.....	Martin Van Buren.....	15	761,549	170	R. M. Johnson.....	147			
			Whig.....	Wm. H. Harrison.....	7	.....	73	Francis Granger.....	77			
			.....	Hugh L. White.....	2	.....	26	John Tyler.....	47			
			.....	Daniel Webster.....	1	736,656	14	William Smith.....	23			
			.....	W. P. Mangum.....	1	.....	11	.....	.....			
			.....	.....	.....	.....	.....	.....	.....			
1840	26	294	Whig.....	Wm. H. Harrison.....	19	1,275,017	234	John Tyler.....	234			
			Democratic.....	Martin Van Buren.....	7	1,128,702	60	R. M. Johnson.....	48			
			Liberty.....	James G. Birney.....	.....	7,059	.....	.....	.....			
			.....	.....	.....	.....	.....	W. Tazewell.....	11			
1844	26	275	Democratic.....	James K. Polk.....	15	1,337,243	170	Geo. M. Dallas.....	170			
			Whig.....	Henry Clay.....	11	1,299,068	105	T. Frelinghuysen.....	105			
			Liberty.....	James G. Birney.....	.....	62,300	.....	.....	.....			
1848	30	290	Whig.....	Zachary Taylor.....	15	1,360,101	163	Millard Fillmore.....	163			
			Democratic.....	Lewis Cass.....	15	1,220,544	127	Wm. O. Butler.....	127			
			Free Soil.....	Martin Van Buren.....	.....	291,263	.....	Chas. F. Adams.....	.....			
1852	31	296	Democratic.....	Franklin Pierce.....	27	1,601,474	254	Wm. R. King.....	254			
			Whig.....	Winfield Scott.....	4	1,386,578	42	Wm. A. Graham.....	42			
			Free Democracy.....	John P. Hale.....	.....	156,149	.....	Geo. W. Julian.....	.....			
1856	31	296	Democratic.....	James Buchanan.....	19	1,838,169	174	J. C. Breckinridge.....	174			
			Republican.....	John C. Fremont.....	11	1,341,264	114	Wm. L. Dayton.....	114			
			American.....	Millard Fillmore.....	1	874,534	8	A. J. Donelson.....	8			
1860	33	303	Republican.....	Abraham Lincoln.....	17	1,866,352	180	Hannibal Hamlin.....	180			
			Democratic.....	J. C. Breckinridge.....	11	845,763	72	Joseph Lane.....	72			
			Democratic.....	S. A. Douglas.....	2	1,375,157	12	H. V. Johnson.....	12			
			"Const. Union".....	John Bell.....	3	589,581	39	Edward Everett.....	39			
			.....	.....	.....	.....	.....	.....	.....			
1864	36	314	Republican.....	Abraham Lincoln.....	22	2,216,067	212	Andrew Johnson.....	212			
			Democratic.....	Geo. B. McClellan.....	3	1,808,725	21	Geo. H. Pendleton.....	21			
			.....	Vacancies*.....	11	.....	81	.....	81			
1868	37	317	Republican.....	Ulysses S. Grant.....	26	3,015,071	214	Schuyler Colfax.....	214			
			Democratic.....	Horatio Seymour.....	8	2,709,613	80	F. P. Blair, Jr.....	80			
			.....	Vacancies†.....	3	.....	23	.....	23			
1872	37	366	Republican.....	Ulysses S. Grant.....	31	3,597,070	286	Henry Wilson.....	286			
			Dem. and Lib. Rep... ..	Horace Greeley.....	6	2,834,079	.....	B. Gratz Brown.....	47			
			Democratic.....	Chas. O'Connor.....	.....	29,408	.....	John Q. Adams.....	.....			
			Temperance.....	James Black.....	.....	5,608	.....	A. H. Colquite.....	5			
			.....	T. A. Hendricks.....	.....	.....	42	John M. Palmer.....	3			
			.....	B. Gratz Brown.....	.....	.....	18	Geo. W. Julian.....	5			
			.....	Chas. J. Jenkins.....	.....	.....	2	T. F. Bramlette.....	3			
			.....	David Davis.....	.....	.....	1	W. S. Groesbeck.....	1			
			.....	.....	.....	.....	.....	Willis B. Machen.....	1			
			.....	.....	.....	.....	.....	N. P. Banks.....	1			
			.....	Not counted †.....	.....	.....	17	.....	14			
			1876	38	369	Republican.....	R. B. Hayes.....	21	4,033,950	185	Wm. A. Wheeler.....	185
						Democratic.....	S. J. Tilden.....	17	4,284,885	184	T. A. Hendricks.....	184
"Greenback".....	Peter Cooper.....	.....				81,740	.....	S. F. Cary.....	.....			
"Prohibition".....	Green C. Smith.....	.....				9,522	.....	R. T. Stewart.....	.....			
1880	38	369	Republican.....	James A. Garfield.....	19	4,442,950	214	Chester A. Arthur.....	214			
			Democratic.....	W. S. Hancock.....	19	4,442,035	155	Wm. H. English.....	155			
			"Greenback".....	James B. Weaver.....	.....	306,867	.....	B. J. Chambers.....	.....			
			.....	Scattering.....	.....	12,576	.....	.....	.....			

\* Not voting—Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia.

† Not voting—Mississippi, Texas, and Virginia.

‡ Seventeen votes rejected, viz.: 3 from Georgia for Horace Greeley (dead), and 8 from Louisiana, and 6 from Arkansas for U. S. Grant.

## CABINET OFFICERS OF THE ADMINISTRATIONS.

GEORGE WASHINGTON, President.

I. and II.; 1789-1797.

*Secretary of State*, Thomas Jefferson, Virginia, September 26th, 1789; Edmund Randolph, Virginia, January 2d, 1794; Timothy Pickering, Pennsylvania, December 10th, 1795. *Secretary of Treasury*, Alexander Hamilton, New York, September 11th, 1789; Oliver Wolcott, Connecticut, February 2d, 1795. *Secretary of War*, Henry Knox, Massachusetts, September 12th, 1789; Timothy Pickering, Pennsylvania, January 2d, 1795; James McHenry, Maryland, January 27th, 1796. *Attorney General*, Edmund Randolph, Virginia, September 26th, 1789; William Bradford, Pennsylvania, January 27th, 1794; Charles Lee, Virginia, December 10th, 1795. *Postmaster-General*,\* Samuel Osgood, Massachusetts, September 26th, 1789; Timothy Pickering, Pennsylvania, August 12th, 1791; Joseph Habersham, Georgia, February 25th, 1795.

JOHN ADAMS, President.

III.; 1797-1801.

*Secretary of State*, Timothy Pickering, continued; John Marshall, Virginia, May 13th, 1800. *Secretary of Treasury*, Oliver Wolcott, continued; Samuel Dexter, Massachusetts, January 1st, 1801. *Secretary of War*, James McHenry, continued; Samuel Dexter, Massachusetts, May 13th, 1800; Roger Griswold, Connecticut, February 3d, 1801. *Secretary of Navy*,† George Cabot, Massachusetts, May 3d, 1798; Benjamin Stoddert, Maryland, May 21st, 1798. *Attorney-General*, Charles Lee, continued; Theophilus Parsons, Massachusetts, February 20th, 1801. *Postmaster-General*, Joseph Habersham, continued.

THOMAS JEFFERSON, President.

IV. and V.; 1801-1809.

*Secretary of State*, James Madison, Virginia, March 5th, 1801. *Secretary of Treasury*, Samuel Dexter, continued; Albert Gallatin, Pennsylvania, May 14th, 1801. *Secretary of War*, Henry Dearborn, Massachusetts, March 5th, 1801. *Secretary of Navy*, Benjamin Stoddart, continued; Robert Smith, Maryland, July 15th, 1801; Jacob Crowninshield, Massachusetts, May, 3d, 1805. *Attorney-General*, Levi Lincoln, Massachusetts, March 5th, 1801; Robert Smith, Maryland, March 3d, 1805; John Breckinridge, Kentucky, August 7th, 1805; Cæsar A. Rodney, Pennsylvania, January 20th, 1807. *Postmaster-General*, Joseph Habersham, continued; Gideon Granger, Connecticut, November 28th, 1801.

JAMES MADISON, President.

VI. and VII.; 1809-1817.

*Secretary of State*, Robert Smith, Maryland, March 6th, 1809; James Monroe, Virginia, April 2d, 1811. *Secretary of Treasury*, Albert Gallatin, continued; George W. Campbell, Tennessee, February 9th, 1814; A. J. Dallas, Pennsylvania, October 6th, 1814; William H. Crawford, Georgia, October 22d, 1816. *Secretary of War*, William Eustis, Massachusetts, March 7th, 1809; John Armstrong, New York, January 13th, 1813; James Monroe, Virginia, September 27th, 1814; William H. Crawford, Georgia, August 1st, 1815. *Secretary of Navy*, Paul Hamilton, South Carolina, March 7th, 1809; William Jones, Pennsylvania, January 12th, 1813; B. W. Crowninshield, Massachusetts, December 19th, 1814. *Attorney-General*, C. A. Rodney, continued; William Pinckney, Maryland, December 11th, 1811; Richard Rush, Pennsylvania, February 10th, 1814. *Postmaster-General*, Gideon Granger, continued; Return J. Meigs, Ohio, March 17th, 1814.

\*Not a Cabinet officer, but a subordinate of the Treasury Department until 1829.

† Naval affairs were under the control of the Secretary of War until a separate Navy Department was organized by Act of April 30th, 1798. The Acts organizing the other Departments were of the following dates: *State*, September 15th, 1789; *Treasury*, September 2d, 1789; *War*, August 7th, 1789. The Attorney-General's duties were regulated by the Judiciary Act of September 24th, 1789.

JAMES MONROE, President.

VIII. and IX.; 1817-1825.

*Secretary of State*, John Quincy Adams, Massachusetts, March 5th, 1817. *Secretary of Treasury*, William H. Crawford, continued. *Secretary of War*, George Graham, Virginia, April 7th, 1817; John C. Calhoun, South Carolina, October 8th, 1817. *Secretary of Navy*, B. W. Crowninshield, continued; Smith Thompson, New York, November 9th, 1818; John Rogers, Massachusetts, September 1st, 1823; Samuel L. Southard, New Jersey, September 16th, 1823. *Attorney-General*, Richard Rush, continued; William Wirt, Virginia, November 13th, 1817. *Postmaster-General*, R. J. Meigs, continued; John McLean, Ohio, June 26th, 1823.

JOHN QUINCY ADAMS, President.

X.; 1825-1829.

*Secretary of State*, Henry Clay, Kentucky, March 7th, 1825. *Secretary of Treasury*, Richard Rush, Pennsylvania, March 7th, 1825. *Secretary of War*, James Barbour, Virginia, March 7th, 1825; Peter B. Porter, New York, May 26th, 1828. *Secretary of Navy*, S. L. Southard, continued. *Attorney-General*, William Wirt, continued. *Postmaster-General*, John McLean, continued.

ANDREW JACKSON, President.

XI. and XII.; 1829-1837.

*Secretary of State*, Martin Van Buren, New York, March 6th, 1829; Edward Livingston, Louisiana, May 24th, 1831; Louis McLane, Delaware, May 29th, 1833; John Forsyth, Georgia, June 27th, 1834. *Secretary of Treasury*, Samuel D. Ingham, Pennsylvania, March 6th, 1829; Louis McLane, Delaware, August 8th, 1831; William J. Duane, Pennsylvania, May 29th, 1833; Roger B. Taney, Maryland, September 23d, 1833; Levi Woodbury, New Hampshire, June 27th, 1834. *Secretary of War*, John H. Eaton, Tennessee, March 9th, 1829; Lewis Cass, Michigan, August 1st, 1831; Benjamin F. Butler, New York, March 3d, 1837. *Secretary of Navy*, John Branch, North Carolina, March 9th, 1829; Levi Woodbury, New Hampshire, May 23d, 1831; Mahlon Dickerson, New Jersey, June 30th, 1834. *Attorney-General*, John M. Berrien, Georgia, March 9th, 1829; Roger B. Taney, Maryland, July 20th, 1831; Benjamin F. Butler, New York, November 15th, 1833. *Postmaster-General*, William T. Barry, Kentucky, March 9th, 1829; Amos Kendall, Kentucky, May 1st, 1835.

MARTIN VAN BUREN, President.

XIII.; 1837-1841.

*Secretary of State*, John Forsyth, continued. *Secretary of Treasury*, Levi Woodbury, continued. *Secretary of War*, Joel R. Poinsett, South Carolina, March 7th, 1837. *Secretary of Navy*, Mahlon Dickerson, continued; James K. Paulding, New York, June 25th, 1838. *Attorney-General*, Benjamin F. Butler; Felix Grundy, Tennessee, July 5th, 1838; Henry D. Gilpin, Pennsylvania, January 11th, 1840. *Postmaster-General*, Amos Kendall, continued; John M. Niles, Connecticut, May 19th, 1840.

WM. H. HARRISON AND JOHN TYLER, Presidents.

XIV.; 1841-1845.

*Secretary of State*, Daniel Webster, Massachusetts, March 5th, 1841; Hugh S. Legare, South Carolina, May 9th, 1843; A. P. Upshur, Virginia, July 24th, 1843; John C. Calhoun, South Carolina, March 6th, 1844. *Secretary of Treasury*, Thomas Ewing, Ohio, March 5th, 1841; Walter Forward, Pennsylvania, September 13th, 1841; John C. Spencer, New York, March 3d, 1843; George M. Bibb, Kentucky, June 15th, 1844. *Secretary of War*, John Bell, Tennessee, March 5th, 1841; John McLean, Ohio, September 13th, 1841; John C. Spencer, New York, October 12th, 1841; James M. Porter, Pennsylvania, March 8th, 1843; William Wilkins, Pennsylvania, February 15th, 1844. *Secretary of Navy*, G. E. Badger, North Carolina, March 5th, 1841; A. P. Upshur, Virginia, September 13th, 1841; David Henshaw, Massachusetts, July 24th, 1843; T. W. Gilmer, Virginia, February 15th, 1844; John Y. Mason, Virginia, March 14th, 1844. *Attorney-General*, John J. Crittenden, Kentucky, March 5th, 1841; Hugh S. Legare, South Carolina, September 13th, 1841; John Nelson, Maryland, July 1st, 1843. *Postmaster-General*, Francis Granger, New York, March 6th, 1841; Charles A. Wickliffe, Kentucky, September 13th, 1841.

## JAMES K. POLK, PRESIDENT.

XV.; 1845-1849.

*Secretary of State*, James Buchanan, Pennsylvania, March 6th, 1845. *Secretary of Treasury*, Robert J. Walker, Mississippi, March 6th, 1845. *Secretary of War*, William L. Marey, New York, March 6th, 1845. *Secretary of Navy*, George Bancroft, Massachusetts, March 10th, 1845; John Y. Mason, September 9th, 1846. *Attorney-General*, John Y. Mason, Virginia, March 5th, 1845; Nathan Clifford, Maine, October 17th, 1846. *Postmaster-General*, Cave Johnson, Tennessee, March 6th, 1845.

## ZACHARY TAYLOR AND MILLARD FILLMORE, Presidents.

XVI.; 1849-1853.

*Secretary of State*, John M. Clayton, Delaware, March 7th, 1849; Daniel Webster, Massachusetts, July 22d, 1850; Edward Everett, Massachusetts, December 6th, 1852. *Secretary of Treasury*, W. M. Meredith, Pennsylvania, March 8th, 1849; Thomas Corwin, Ohio, July 23d, 1850. *Secretary of War*, George W. Crawford, Georgia, March 8th, 1849; Winfield Scott (*ad interim*), July 23d, 1850; Charles M. Conrad, Louisiana, August 15th, 1850. *Secretary of Navy*, William B. Preston, Virginia, March 8th, 1849; William A. Graham, North Carolina, July 22d, 1850; J. P. Kennedy, Maryland, July 22d, 1852. *Secretary of Interior*, Thomas H. Ewing, Ohio, March 8th, 1849; A. H. H. Stuart, Virginia, September 12th, 1850. *Attorney-General*, Reverdy Johnson, Maryland, March 8th, 1849; John J. Crittenden, Kentucky, July 22d, 1850. *Postmaster-General*, Jacob Collamer, Vermont, March 8th, 1849; Nathan K. Hall, New York, July 23d, 1850; S. D. Hubbard, Connecticut, August 31st, 1852.

## FRANKLIN PIERCE, President.

XVII.; 1853-1857.

*Secretary of State*, William L. Marcy, New York, March 7th, 1853. *Secretary of Treasury*, James Guthrie, Kentucky, March 7th, 1853. *Secretary of War*, Jefferson Davis, Mississippi, March 7th, 1853. *Secretary of Navy*, James C. Dobbin, North Carolina, March 7th, 1853. *Secretary of Interior*, Robert McClelland, Michigan, March 7th, 1853; Jacob Thompson, Mississippi, March 6th, 1856. *Attorney-General*, Caleb Cushing, Massachusetts, March 7th, 1853. *Postmaster-General*, James Campbell, Pennsylvania, March 7th, 1853.

## JAMES BUCHANAN, President.

XVIII.; 1857-1861.

*Secretary of State*, Lewis Cass, Michigan, March 6th, 1857; J. S. Black, Pennsylvania, December 17th, 1860. *Secretary of Treasury*, Howell Cobb, Georgia, March 6th, 1857; Philip F. Thomas, Maryland, December 12th, 1860; John A. Dix, New York, January 11th, 1861. *Secretary of War*, John B. Floyd, Virginia, March 6th, 1857; Joseph Holt, Kentucky, January 18th, 1861. *Secretary of Navy*, Isaac Toucey, Connecticut, March 6th, 1857. *Secretary of Interior*, Jacob Thompson, continued. *Attorney-General*, J. S. Black, Pennsylvania, March 6th, 1857; E. M. Stanton, Pennsylvania, December 20th, 1860. *Postmaster-General*, Aaron V. Brown, Tennessee, March 6th, 1857; Joseph Holt, Kentucky, March 14th, 1859; Horatio King, Maine, February 12th, 1861.

## ABRAHAM LINCOLN AND ANDREW JOHNSON, Presidents.

XIX. and XX.; 1861-1869.

*Secretary of State*, William H. Seward, New York, March 5th, 1861. *Secretary of Treasury*, S. P. Chase, Ohio, March 5th, 1861; W. P. Fessenden, Maine, July 1st, 1864; Hugh McCulloch, Indiana, March 7th, 1865. *Secretary of War*, Simon Cameron, Pennsylvania, March 5th, 1861; Edwin M. Stanton, Penn-

sylvania, January 15th, 1862; U. S. Grant (*ad interim*), August 12th, 1867; Edwin M. Stanton (reinstated), January 14th, 1868; J. M. Schofield; Illinois, May 28th, 1868. *Secretary of Navy*, Gideon Welles, Connecticut, March 5th, 1861. *Secretary of Interior*, Caleb P. Smith, March 5th, 1861; John P. Usher, Indiana, January 8th, 1863; James Harlan, Iowa, May 15th, 1865; O. H. Browning, Illinois, July 27th, 1866. *Attorney-General*, Edward Bates, Missouri, March 5th, 1861; Titian J. Coffee, June 22d, 1863; James Speed, Kentucky, December 2d, 1864; Henry Stanbery, Ohio, July 23d, 1866; William M. Evarts, New York, July 15th, 1868. *Postmaster-General*, Montgomery Blair, Maryland, March 5th, 1861; William Dennison, Ohio, September 24th, 1864; Alexander W. Randall, Wisconsin, July 25th, 1836.

## ULYSSES S. GRANT, President.

XXI. and XXII.; 1869-1877.

*Secretary of State*, E. B. Washburne, Illinois, March 5th, 1869; Hamilton Fish, New York, March 11th, 1869. *Secretary of Treasury*, George S. Boutwell, Massachusetts, March 11th, 1869; William A. Richardson, Massachusetts, March 17th, 1873; Benjamin H. Bristow, Kentucky, June 2d, 1874; Lot M. Morrill, Maine, June 21st, 1876. *Secretary of War*, John A. Rawlins, Illinois, March 11th, 1869; William T. Sherman, Ohio, September 9th, 1869; William W. Belknap, Iowa, October 25th, 1869; Alphonso Taft, Ohio, March 8th, 1876; J. D. Cameron, Pennsylvania, May 22d, 1876. *Secretary of Navy*, Adolph E. Borie, Pennsylvania, March 5th, 1869; George M. Robeson, New Jersey, June 25th, 1869. *Secretary of Interior*, Jacob D. Cox, Ohio, March 5th, 1869; Columbus Delano, Ohio, November 1st, 1870; Zachariah Chandler, Michigan, October 19th, 1875. *Attorney-General*, E. R. Hoar, Massachusetts, March 5th, 1869; Amos T. Akerman, Georgia, June 23d, 1870; George H. Williams, Oregon, December, 14th, 1871; Edwards Pierrepont, New York, April 26th, 1875; Alphonso Taft, Ohio, May 22d, 1876. *Postmaster-General*, J. A. J. Creswell, Maryland, March 5th, 1869; Marshall Jewell, Connecticut, August 24th, 1874; James M. Tyner, Indiana, July 12th, 1876.

## RUTHERFORD B. HAYES, President.

XXIII.; 1877-1881.

*Secretary of State*, William M. Evarts, New York, March 12th, 1877. *Secretary of Treasury*, John Sherman, Ohio, March 8th, 1877. *Secretary of War*, George W. McCrary, Iowa, March 12th, 1877; Alexander Ramsey, Minnesota, December 12th, 1879. *Secretary of Navy*, Richard W. Thompson, Indiana, March 12th, 1877; Nathan Goff, Jr., West Virginia, January 6th, 1881. *Secretary of Interior*, Carl Schurz, Missouri, March 12th, 1877. *Attorney-General*, Charles Devens, Massachusetts, March 12th, 1877. *Postmaster-General*, David M. Key, Tennessee, March 12th, 1877; Horace Maynard, Tennessee, August 25th, 1880.

## JAMES A. GARFIELD AND CHESTER A. ARTHUR,

Presidents.

XXIV.; 1881-1885.

*Secretary of State*, James G. Blaine, Maine, March 5th, 1881; Frederick T. Frelinghuysen, New Jersey, December 12th, 1881. *Secretary of Treasury*, William H. Windom, Minnesota, March 5th, 1881; Charles J. Folger, New York, October 27th, 1881. *Secretary of War*, Robert T. Lincoln, Illinois, March 5th, 1881. *Secretary of Navy*, W. H. Hunt, Louisiana, March 5th, 1881. *Secretary of Interior*, S. J. Kirkwood, Iowa, March 5th, 1881. *Attorney-General*, Wayne MacVeagh, Pennsylvania, March 5th, 1881; Benjamin H. Brewster, Pennsylvania, December 16th, 1881. *Postmaster-General*, Thomas L. James, New York, March 5th, 1881; Timothy O. Howe, Wisconsin, December 20th, 1881.

## FOREIGN IMMIGRATION SINCE 1870, BY FISCAL YEARS.—Official.

Years.	Number.	Years.	Number.	Years.	Number.
1870.....	387,203	1874.....	313,339	1878.....	138,469
1871.....	321,350	1875.....	227,498	1879.....	177,826
1872.....	404,806	1876.....	169,986	1880.....	457,257
1873.....	459,803	1877.....	141,857	1881.....	669,431

Of the arrivals in 1881, 410,729 were males and 258,702 females. There were 153,718 from Great Britain and Ireland; 210,485 from Germany; 21,109 from Austria; 11,890 from China; 102,922 from Quebec and Ontario; 14,437 from Nova Scotia; 49,760 from Sweden; 22,705 from Norway; 13,387 from Italy; 5,227 from France; 9,117 from Denmark, and 11,293 from Switzerland.



**SIGNERS OF THE DECLARATION OF INDEPENDENCE. IN CONGRESS ASSEMBLED JULY 4th, 1776.**

The following list of members of the Continental Congress, who signed the Declaration of Independence (although the names are included in the general list of that Congress, from 1774 to 1778), is given separately for the purpose of showing the places and dates of their birth, and the times of their respective deaths, for convenient reference :

NAMES OF THE SIGNERS.	BORN AT	DELEGATED FROM	DIED.
Adams, John.....	Braintree, Mass., 19 Oct. 1735.....	Massachusetts.....	4 July, 1826.
Adams, Samuel.....	Boston, Mass., 27 Sept. 1722.....	Massachusetts.....	2 Oct. 1803.
Bartlett, Josiah.....	Amesbury, Mass., in Nov. 1729.....	New Hampshire.....	19 May 1795.
Braxton, Carter.....	Newington, Va., 10 Sept. 1736.....	Virginia.....	10 Oct. 1797.
Carroll, Chas of Carrollton..	Annapolis, Md., 20 Sept 1737.....	Maryland.....	14 November, 1832.
Chase, Samuel.....	Somerset Co., Md., 17 Apr. 1741.....	Maryland.....	19 June, 1811.
Clark, Abraham.....	Elizabethtown, N. J., 15 Feb. 1726	New Jersey.....	— September, 1794.
Clymer, George.....	Philadelphia, Pa., in 1739.....	Pennsylvania.....	23 Jan. 1813.
Ellery, William.....	Newport, R. I., 22 Dec. 1727.....	R. I. & Prov. Pl.....	15 Feb. 1820.
Floyd, William.....	Suffolk Co., N. Y., 17 Dec. 1734.....	New York.....	4 Aug. 1821.
Franklin, Benjamin.....	Boston, Mass., 17 Jan. 1706.....	Pennsylvania.....	17 April, 1790.
Gerry, Elbridge.....	Marblehead, Mass., 1 July 1744..	Massachusetts.....	23 November, 1814.
Gwinnet, Button.....	England, in 1732.....	Georgia.....	27 May, 1777.
Hall, Lyman.....	Connecticut, in 1731.....	Georgia.....	— Feb. 1790.
Hancock, John.....	Braintree, Mass., in 1737.....	Massachusetts.....	8 Oct. 1793.
Harrison, Benjamin.....	Berkley, Va.,.....	Virginia.....	— April, 1791.
Hart, John.....	Hopewell, N. J., in 1715.....	New Jersey.....	1880.
Heyward, Thomas, Jr.....	St. Luke's, S. C., in 1746.....	South Carolina.....	— March, 1809.
Hewes, Joseph.....	Kingston, N. J., in 1739.....	North Carolina.....	10 Oct. 1779.
Hooper, William.....	Boston, Mass., 17 June, 1742.....	North Carolina.....	— Oct. 1790.
Hopkins, Stephen.....	Scituate, Mass., 7 Mar., 1707.....	R. I. & Prov. Pl.....	13 July, 1785.
Huntington, Samuel.....	Windham, Conn., 3 July 1732.....	Connecticut.....	5 Jan. 1796.
Hopkinson, Francis.....	Philadelphia, Pa., in 1737.....	New Jersey.....	9 May, 1790.
Jefferson, Thomas.....	Shadwell, Va., 13 Apr. 1734.....	Virginia.....	4 July, 1826.
Lee, Richard Henry.....	Stratford, Va., 20 Jan. 1732.....	Virginia.....	19 June, 1794.
Lee, Francis Lightfoot.....	Stratford, Va., 14 Oct. 1734.....	Virginia.....	— April, 1797.
Lewis, Francis F.....	Londaff, Wales, in Mar. 1713.....	New York.....	30 Dec. 1803.
Livingston, Philip.....	Albany, N. Y., 15 Jan. 1716.....	New York.....	12 June, 1778.
Lynch, Thomas, Jr.....	St. George's, S. C., 5 Aug. 1749.....	South Carolina.....	Lost at sea, 1779.
McKean, Thomas.....	Chester Co., Pa., 19 Mar 1734.....	Delaware.....	24 June, 1817.
Middleton, Arthur.....	Middleton Place, S. C., in 1743.....	South Carolina.....	1 Jan. 1787.
Morris, Lewis.....	Morrisianna, N. Y., in 1726.....	New York.....	32 Jan. 1798.
Morris, Robert.....	Lancashire, Eng., Jan. 1733-4.....	Pennsylvania.....	8 May, 1806.
Morton, John.....	Ridley, Pa., in 1724.....	Pennsylvania.....	— April, 1777.
Nelson, Thomas, Jr.....	York, Va., 26 Dec. 1738.....	Virginia.....	4 Jan. 1789.
Paca, Wm.....	Wye-Hill, Md., 31 Oct. 1739.....	Maryland.....	—, 1799.
Paine, Robert Treat.....	Boston, Mass., in 1731.....	Massachusetts.....	11 May, 1804.
Penn, John.....	Caroline Co., Va., 17 May 1741.....	North Carolina.....	26 Oct. 1809.
Read, George.....	Cecil Co., Md., in 1734.....	Delaware.....	—, 1798.
Rodney, Cæsar.....	Dover, Del., in 1730.....	Delaware.....	—, 1783.
Ross, George.....	New Castle, Del., in 1730.....	Pennsylvania.....	— July, 1779.
Rush, Benjamin, M. D.....	Byberry, Pa., 21 Dec. 1745.....	Pennsylvania.....	19 April, 1813.
Rutledge, Edward.....	Charleston, S. C., in Nov. 1749.....	South Carolina.....	23 Jan. 1800.
Sherman, Roger.....	Newton, Mass., 19 Apr. 1721.....	Connecticut.....	23 July, 1793.
Smith, James.....	—, Ireland.....	Pennsylvania.....	11 July, 1806.
Stoekton, Richard.....	Princeton, N. J., 1 Oct. 1730.....	New Jersey.....	28 Feb. 1781.
Stone, Thomas.....	Charles Co., Md., in 1742.....	Maryland.....	5 Oct. 1787.
Taylor, George.....	—, Ireland, in 1716.....	Pennsylvania.....	23 Feb. 1781.
Thornton, Matthew.....	—, Ireland, in 1714.....	New Hampshire.....	24 June, 1803.
Walton, George.....	Frederick Co., Va., in 1740.....	Georgia.....	2 Feb. 1804.
Whipple, Wm.....	Kittery, Maine, in 1730.....	New Hampshire.....	28 Nov. 1785.
Williams, Wm.....	Lebanon, Conn., 8 Apr. 1731.....	Connecticut.....	2 Aug. 1811.
Wilson, James.....	Scotland, about 742.....	Pennsylvania.....	28 Aug. 1798.
Witherspoon, John.....	Yester, Scotland, 5 Feb. 1722.....	New Jersey.....	15 Nov. 1794.
Wolcott, Oliver.....	Windsor, Conn., 26 Nov. 1726.....	Connecticut.....	1 Dec. 1797.
Wythe, George.....	Elizabeth City Co., Va., in 1726..	Virginia.....	8 June, 1806.

**ANTE-WAR DEBTS OF THE SEVERAL STATES.**

TABLE showing the Debts of the several States before the war (1860-61).

STATES.	In 1860-61.	STATES.	In 1860-61.
Maine.....	\$699,500	Iowa.....	200,000
New Hampshire.....	31,669	Missouri.....	24,734,000
Vermont.....	none.	Kansas.....	150,000
Massachusetts.....	7,132,627	Kentucky.....	4,729,234
Rhode Island.....	none.	California.....	.....
Connecticut.....	none.	Oregon.....	55,372
New York.....	34,182,976	Virginia.....	33,248,141
New Jersey.....	104,000	North Carolina.....	9,129,505
Pennsylvania.....	37,964,602	South Carolina.....	3,691,574
Delaware.....	none.	Georgia.....	2,670,750
Maryland.....	.....	Florida.....	383,000
Ohio.....	14,250,173	Alabama.....	5,048,000
Indiana.....	7,770,233	Mississippi.....	none.
Michigan.....	2,388,843	Louisiana.....	10,023,903
Illinois.....	10,277,161	Texas.....	.....
Wisconsin.....	100,000	Arkansas.....	3,092,622
Minnesota.....	250,000	Tennessee.....	16,643,666

**CANDIDATES FOR PRESIDENT AND VICE PRESIDENT,**

Since the adoption of the *Federal Constitution*, March 1st, 1789.

The following is a list of the *Presidents* and *Vice-Presidents* of the *United States*, as well as those who were candidates for each office, since the organization of the Government: (*vide pp. 21-25, 62.*)

1789—George Washington\* and John Adams, two terms, no opposition.  
 1797—John Adams, opposed by Thomas Jefferson,\* who, having the next highest electoral vote, became Vice President.  
 1801—Thomas Jefferson\* and Aaron Burr; beating John Adams and Charles C. Pinckney.\*  
 1805—Thomas Jefferson\* and George Clinton; beating Charles C. Pinckney\* and Rufus King.  
 1809—James Madison\* and George Clinton; beating Charles C. Pinckney.\*  
 1813—James Madison\* and Eldridge Gerry; beating DeWitt Clinton.  
 1817—James Monroe\* and Daniel D. Tompkins; beating Rufus King.  
 1821—James Monroe\* and Daniel D. Tompkins; beating John Quincy Adams.  
 1825—John Quincy Adams and John C. Calhoun;\* beating Andrew Jackson,\* Henry Clay,\* and William H. Crawford;\* there being four candidates for President, and Albert Gallatin for Vice President.  
 1829—Andrew Jackson\* and John C. Calhoun\*; beating John Quincy Adams and Richard Rush.  
 1833—Andrew Jackson\* and Martin Van Buren; beating Henry Clay,\* John Floyd,\* and William Wirt for President; and William Wilkins, John Sergeant, and Henry Lee\* for Vice President.  
 1837—Martin Van Buren and Richard M. Johnson\*; beating William H. Harrison, Hugh L. White, and Daniel Webster for President, and John Tyler\* for Vice President.  
 1841—William H. Harrison and John Tyler\*; beating Martin Van Buren and Littleton W. Tazewell.\*

Harrison died one month after his inauguration and John Tyler\* became President for the rest of the term.  
 1845—James K. Polk\* and George M. Dallas; beating Henry Clay\* and Theodore Frelinghuysen.  
 1849—Zachary Taylor\* and Millard Fillmore; beating Lewis Cass and Martin Van Buren for President, and William O. Butler\* and C. F. Adams, for Vice President.  
 1853—Franklin Pierce and William R. King\*; beating Winfield Scott and William A. Graham.\*  
 1857—James Buchanan and John C. Breckinridge\*; beating John C. Fremont and Millard Fillmore for President, and William L. Dayton and A. J. Donaldson\* for Vice President.  
 1861—Abraham Lincoln and Hannibal Hamlin; beating John Bell, Stephen A. Douglas, and J. C. Breckinridge\* for President.  
 1865—Abraham Lincoln and Andrew Johnson,\* Union candidates; beating G. B. McClellan and G. H. Pendleton.  
 1869—Ulysses S. Grant and Schuyler Colfax; beating Horatio Seymour and Frank P. Blair, jr.  
 1873—Ulysses S. Grant and Henry Wilson; beating Horace Greeley and B. Gratz Brown, for President and Vice President.  
 1877—Rutherford B. Hayes and Wm. A. Wheeler; beating Samuel Tilden and Thomas A. Hendricks.  
 1881—James A. Garfield and Chester A. Arthur; beating General W. S. Hancock and W. H. English. Arthur succeeded Garfield, after his death from assassination, Sept. 19, 1881, and David Davis is now Acting Vice President.

\* Candidates from Southern States.

**NUMBER OF ELECTORAL VOTES TO WHICH EACH STATE HAS BEEN ENTITLED, AT EACH ELECTION, 1789-1876.**

STATES.	1789	1792	1796	1800	1804	1808	1812	1816	1820	1824	1828	1832	1836	1840	1844	1848	1852	1856	1860	1864	1868	1872	1876	1880
Alabama									3	5	5	7	7	7	9	9	9	9	8	8	10	10	12	
Arkansas													3	3	3	3	4	4	4	5	5	6	6	7
California																	4	4	4	5	5	6	6	8
Colorado																							3	3
Connecticut	7	9	9	9	9	9	9	9	9	8	8	8	8	8	6	6	6	6	6	6	6	6	6	6
Delaware	3	3	3	3	3	3	4	4	4	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Florida																3	3	3	3	3	3	4	4	4
Georgia	5	4	4	4	6	6	8	8	8	9	9	11	11	11	10	10	10	10	10	9	9	11	11	12
Illinois									3	3	3	5	5	5	9	9	11	11	11	16	16	21	21	22
Indiana								3	3	5	5	9	9	9	12	12	13	13	13	13	13	15	15	15
Iowa																4	4	4	4	8	8	11	11	13
Kansas																				3	3	5	5	9
Kentucky		4	4	4	8	8	12	12	12	14	14	15	15	15	12	12	12	12	11	11	12	12	13	
Louisiana						3	3	3	3	5	5	5	5	5	6	6	6	6	6	7	7	8	8	8
Maine									9	9	9	10	10	10	9	9	8	8	8	7	7	7	7	6
Maryland	8	10	10	10	11	11	11	11	11	11	11	10	10	10	8	8	8	8	8	7	7	8	8	8
Massachusetts	10	16	16	16	19	19	22	22	15	15	15	14	14	14	12	12	13	13	13	12	12	13	13	14
Michigan													3	3	5	5	6	6	6	8	8	11	11	13
Minnesota																			4	4	4	5	5	7
Mississippi									3	3	3	4	4	4	6	6	7	7	7	7	7	8	8	9
Missouri									3	3	3	4	4	4	7	7	9	9	9	11	11	15	15	16
Nebraska																					3	3	3	5
Nevada																				3	3	3	3	3
New Hampshire	5	6	6	6	7	7	8	8	8	8	8	7	7	7	6	6	5	5	5	5	5	5	5	4
New Jersey	6	7	7	7	8	8	8	8	8	8	8	8	8	8	7	7	7	7	7	7	7	9	9	9
New York	8	12	12	12	19	19	29	29	29	36	36	42	42	42	36	36	35	35	35	33	33	35	35	36
North Carolina	7	12	12	12	14	14	15	15	15	15	15	15	15	15	11	11	10	10	10	9	9	10	10	11
Ohio					3	3	8	8	8	16	16	21	21	21	23	23	23	23	23	21	21	22	22	23
Oregon																			3	3	3	3	3	3
Pennsylvania	10	15	15	15	20	20	25	25	25	28	28	30	30	30	26	26	27	27	27	26	26	29	29	30
Rhode Island	3	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
South Carolina	7	8	8	8	10	10	11	11	11	11	11	11	11	11	9	9	8	8	8	6	6	7	7	9
Tennessee			3	3	5	5	8	8	8	11	11	15	15	15	13	13	12	12	12	10	10	12	12	12
Texas																4	4	4	4	6	6	8	8	13
Vermont		4	4	4	6	6	8	8	8	7	7	7	7	7	6	6	5	5	5	5	5	5	5	4
Virginia	12	21	21	21	24	24	25	25	25	24	24	23	23	23	17	17	15	15	15	10	10	11	11	12
West Virginia																				5	5	5	5	6
Wisconsin																4	5	5	5	8	8	10	10	11
Total	91	135	138	138	176	176	218	221	235	261	261	288	294	294	275	290	296	296	303	314	317	366	369	401
Number of States	13	15	16	16	17	17	18	19	24	24	24	24	26	26	26	30	31	31	33	36	37	37	38	38

## RANK OF STATES, WITH DIVISIONS OF POPULATION.

State and Rank in the Union.	Population.	Males.		Native.		White. Colored.
			Females.		Foreign.	
1 New York .....	5,083,810	2,506,283		3,872,372		5,017,116
		2,577,527		1,211,438		66,694
2 Pennsylvania.....	4,282,786	2,136,635		3,693,253		4,197,106
		2,146,151		587,533		85,680
3 Ohio.....	3,198,239	1,614,165		2,803,469		3,118,344
		1,584,074		394,743		79,895
4 Illinois.....	3,078,769	1,587,433		2,495,177		3,032,174
		1,491,336		583,592		46,595
5 Missouri.....	2,168,804	1,127,424		1,957,564		2,023,568
		1,041,380		211,240		145,236
6 Indiana .....	1,978,362	1,010,676		1,834,597		1,939,094
		967,686		143,765		39,268
7 Massachusetts .....	1,783,012	858,475		1,339,919		1,764,004
		921,537		443,093		19,008
8 Kentucky.....	1,648,708	832,676		1,589,237		1,377,187
		816,032		59,471		271,521
9 Michigan.....	1,636,331	862,276		1,247,985		1,614,078
		774,055		388,346		22,253
10 Iowa.....	1,624,620	848,234		1,363,132		1,614,666
		776,386		261,488		9,954
11 Texas .....	1,592,574	838,719		1,478,958		1,197,499
		753,855		114,516		395,075
12 Tennessee.....	1,542,463	769,374		1,525,881		1,139,120
		773,089		16,582		403,343
13 Georgia.....	1,539,048	761,184		1,528,733		814,251
		777,864		10,315		724,797
14 Virginia.....	1,512,806	745,839		1,498,139		880,981
		766,967		14,667		631,825
15 North Carolina .....	1,400,047	688,203		1,396,368		867,478
		711,844		3,679		532,569
16 Wisconsin.....	1,315,480	680,106		910,063		1,309,622
		635,374		405,417		5,858
17 Alabama .....	1,262,794	622,890		1,253,121		662,328
		639,904		9,673		600,466
18 Mississippi.....	1,131,592	567,137		1,122,429		479,371
		564,455		9,168		652,221
19 New Jersey.....	1,130,983	559,823		909,398		1,091,947
		571,160		221,585		39,036
20 Kansas.....	995,966	536,725		886,261		952,056
		459,241		109,705		43,910
21 South Carolina.....	995,622	490,469		987,981		391,224
		505,153		7,641		604,398
22 Louisiana.....	940,103	468,833		885,964		455,007
		471,270		54,139		485,096
23 Maryland.....	934,632	462,004		851,984		724,718
		472,628		82,648		209,914
24 California.....	864,686	518,271		572,006		767,266
		346,415		292,680		97,420
25 Arkansas.....	802,564	416,383		792,269		591,611
		386,181		10,295		210,953
26 Minnesota.....	780,806	419,264		513,107		776,940
		361,544		267,699		3,866
27 Maine .....	648,945	324,084		590,076		646,903
		324,861		58,869		2,042
28 Connecticut.....	622,683	305,886		492,879		610,884
		316,797		129,804		11,799
29 West Virginia.....	618,443	314,479		600,214		592,695
		303,964		18,229		25,837
30 Nebraska .....	452,433	249,275		355,043		419,806
		203,158		97,390		2,627
31 New Hampshire.....	346,984	170,575		300,961		346,264
		176,409		46,023		720
32 Vermont.....	332,286	166,888		291,340		331,243
		165,398		40,946		1,043
33 Rhode Island.....	276,528	133,033		202,598		269,931
		143,495		73,930		6,597
34 Florida.....	267,351	135,493		257,631		141,832
		131,958		9,720		125,519
35 Colorado.....	194,649	129,471		154,869		191,452
		65,178		39,780		3,197
36 Dist of Columbia.....	177,638	83,594		160,523		118,236
		94,044		17,115		59,402
37 Oregon .....	174,767	103,388		143,327		163,087
		71,379		30,440		11,680
38 Delaware.....	146,654	74,153		137,182		120,198
		72,501		9,472		26,456
39 Utah.....	143,906	74,470		99,974		142,380
		69,436		43,932		1,526
40 Dakota.....	135,180	82,302		83,387		133,177
		52,818		51,793		2,003
41 New Mexico.....	118,430	63,751		108,498		108,127
		54,679		9,932		10,303
42 Washington.....	75,120	45,977		59,259		67,349
		29,143		15,861		7,771
43 Nevada.....	62,265	42,013		36,623		53,574
		20,252		25,642		8,691
44 Arizona.....	40,441	28,202		24,419		35,178
		12,239		15,022		5,263
45 Montana.....	39,157	28,180		27,640		35,446
		10,977		11,515		3,711
46 Idaho.....	32,611	21,818		22,629		29,011
		10,793		9,982		3,600
47 Wyoming.....	20,788	14,151		14,943		19,436
		6,637		5,845		1,352
Totals.....	50,152,866	25,520,582		43,475,506		43,404,876
		24,632,284		6,677,360		6,747,990

## SUPREME COURT OF THE UNITED STATES.

Chief Justices.	Associate Justices.	State Whenee Appointed.	Term of Service.	Years of Service	Born.	Died.	
1 John Jay*	John Rutledge*	New York.....	1789-1795	6	1745	1829	
	John Rutledge*	South Carolina.....	1789-1791	2	1739	1800	
	William Cushing.....	Massachusetts.....	1789-1810	21	1733	1810	
	James Wilson.....	Pennsylvania.....	1789-1798	9	1742	1798	
	John Blair*.....	Virginia.....	1789-1796	7	1732	1800	
	Robert H. Harrison*.....	Maryland.....	1789-1790	1	1745	1790	
	James Iredell.....	North Carolina.....	1790-1799	9	1751	1799	
	Thomas Johnson*.....	Maryland.....	1791-1793	2	1732	1819	
	William Patterson.....	New Jersey.....	1793-1806	13	1745	1806	
	2 John Rutledge†.....	.....	South Carolina.....	1795-1795	.....	1739	1800
Samuel Chase.....		Maryland.....	1796-1811	15	1741	1811	
3 Oliver Ellsworth*.....	.....	Connecticut.....	1796-1801	5	1745	1807	
	Bushr'd Washington.....	Virginia.....	1798-1829	31	1762	1829	
4 John Marshall.....	Alfred Moore*.....	North Carolina.....	1799-1804	5	1755	1810	
	.....	Virginia.....	1801-1835	34	1755	1835	
	William Johnson.....	South Carolina.....	1804-1834	30	1771	1834	
	Broekh't Livingston.....	New York.....	1806-1823	17	1757	1823	
	Thomas Todd.....	Kentucky.....	1807-1826	19	1765	1826	
	Joseph Story.....	Massachusetts.....	1811-1845	34	1779	1845	
	Gabriel Duval*.....	Maryland.....	1811-1836	25	1752	1844	
	Smith Thompson.....	New York.....	1823-1845	22	1767	1845	
	Robert Trimble.....	Kentucky.....	1826-1828	2	1777	1828	
	John McLean.....	Ohio.....	1829-1861	32	1785	1861	
	Henry Baldwin.....	Pennsylvania.....	1830-1846	16	1779	1846	
	James M. Wayne†.....	Georgia.....	1835-1867	32	1790	1867	
	5 Roger B. Taney.....	.....	Maryland.....	1836-1864	28	1777	1864
		Philip P. Barbour.....	Virginia.....	1836-1841	5	1783	1841
		John Catron.....	Tennessee.....	1837-1865	28	1778	1865
		John McKinley.....	Alabama.....	1837-1852	15	1780	1852
Peter V. Daniel.....		Virginia.....	1841-1860	19	1785	1860	
Samuel Nelson*.....		New York.....	1845-1872	27	1792	1873	
Levi Woodbury.....		New Hampshire.....	1845-1851	6	1789	1851	
Robert C. Grier*.....		Pennsylvania.....	1846-1869	23	1794	1870	
Benjamin R. Curtis*.....		Massachusetts.....	1851-1857	6	1809	1874	
John A. Campbell*.....		Alabama.....	1853-1861	8	1811	.....	
Nathan Clifford.....		Maine.....	1858-.....	.....	1803	1881	
Noah H. Swayne*.....		Ohio.....	1861-.....	.....	1805	.....	
Samuel F. Miller.....		Iowa.....	1862-.....	.....	1816	.....	
David Davis*.....		Illinois.....	1862-1877	15	1815	.....	
Stephen J. Field.....		California.....	1866-.....	.....	1816	.....	
6 Salmon P. Chase.....		.....	Ohio.....	1864-1873	9	1808	1873
		William Strong*.....	Pennsylvania.....	1870-1880	10	1808	.....
	Joseph P. Bradley.....	New Jersey.....	1870-.....	.....	1813	.....	
7 Morrison R. Waite.....	Ward Hunt*.....	New York.....	1872-.....	.....	1811	.....	
	.....	Ohio.....	1874-.....	.....	1816	.....	
	John M. Harlan.....	Kentucky.....	1877-.....	.....	1833	.....	
	William B. Woods.....	Georgia.....	1880-.....	.....	1826	.....	
	Horace Gray.....	Massachusetts.....	1881-.....	.....	.....	.....	
	Roseoe Conkling*.....	New York.....	1882-.....	.....	.....	.....	
	Samuel Blatchford.....	New York.....	1882-.....	.....	.....	.....	

\* Resigned.

† Presided one term of the court; appointment not confirmed by the Senate.

‡ The Supreme Court, at its first session in 1790, consisted of a Chief Justice and five Associates. The number of Associate Justices was increased to six in 1807 by the appointment of Thomas Todd; increased to eight in 1837 by the appointments of John Catron and John McKinley; increased to nine in 1863 by the appointment of Stephen J. Field; decreased to eight on the death of John Catron in 1865; decreased to seven on the death of James M. Wayne in 1867; and again increased to eight in 1870, with a view to get the legal tender decision—a policy for such precedents are found in the governments of England and France.

#### TOTAL NUMBER OF TROOPS CALLED INTO SERVICE DURING THE REBELLION.\*

The various calls of the President for men were as follows:

1861—3 months' men.....	75,000
1861—3 years' men.....	500,000
1862—3 years' men.....	300,000
1862—9 months' men.....	300,000
1864—3 years' men, February.....	500,000
1864—3 years' men, March.....	200,000
1864—3 years' men, July.....	500,000
1864—3 years' men, December.....	300,000
Total.....	2,675,000

\* These do not include the militia that were brought into service during the various invasions of Lee's armies into Maryland and Pennsylvania.

LENGTH OF SESSIONS OF CONGRESS, 1789-1881.

No. of Congress.	No. of Session.	Time of Session.	No. of Congress.	No. of Session.	Time of Session.
1st	1st... March	4, 1789—September 29, 1789	26th	1st... December	2, 1839—July 21, 1840
	2d... January	4, 1790—August 12, 1790		2d... December	7, 1840—March 3, 1841
	3d... December	6, 1790—March 3, 1791		27th	1st... May
2d	1st... October	24, 1791—May 8, 1792	2d... December		6, 1841—August 31, 1842
	2d... November	5, 1792—March 2, 1793	3d... December		5, 1842—March 3, 1843
3d	1st... December	2, 1793—June 9, 1794	28th	1st... December	4, 1843—June 17, 1844
	2d... November	3, 1794—March 3, 1795		2d... December	2, 1844—March 3, 1845
4th	1st... December	7, 1795—June 1, 1796	29th	1st... December	1, 1845—August 10, 1846
	2d... December	5, 1796—March 3, 1797		2d... December	7, 1846—March 3, 1847
5th	1st... May	15, 1797—July 10, 1797	30th	1st... December	6, 1847—August 14, 1848
	2d... November	13, 1797—July 16, 1798		2d... December	4, 1848—March 3, 1849
	3d... December	3, 1798—March 3, 1799	31st	1st... December	3, 1849—September 30, 1850
6th	1st... December	2, 1799—May 14, 1800		2d... December	2, 1850—March 3, 1851
	2d... November	17, 1800—March 3, 1801	32d	1st... December	1, 1851—August 31, 1852
7th	1st... December	7, 1801—May 3, 1802		2d... December	6, 1852—March 3, 1853
	2d... December	6, 1802—March 3, 1803	33d	1st... December	2, 1853—August 7, 1854
8th	1st... October	17, 1803—March 27, 1804		2d... December	4, 1854—March 3, 1855
	2d... November	5, 1804—March 3, 1805	34th	1st... December	5, 1855—August 18, 1856
9th	1st... December	2, 1805—April 21, 1806		2d... August	21, 1856—August 30, 1856
	2d... December	1, 1806—March 3, 1807		3d... December	1, 1856—March 3, 1857
10th	1st... October	26, 1807—April 25, 1808	35th	1st... December	7, 1857—June 14, 1858
	2d... November	7, 1808—March 3, 1809		2d... December	6, 1858—March 3, 1859
11th	1st... May	22, 1809—June 28, 1809	36th	1st... December	5, 1859—June 25, 1860
	2d... November	27, 1809—May 1, 1810		2d... December	3, 1860—March 4, 1861
	3d... December	3, 1810—March 3, 1811	37th	1st... July	4, 1861—August 6, 1861
12th	1st... November	4, 1811—July 6, 1812		2d... December	2, 1861—July 17, 1862
	2d... November	2, 1812—March 3, 1813		3d... December	1, 1862—March 4, 1863
13th	1st... May	24, 1813—August 2, 1813	38th	1st... December	7, 1863—July 4, 1864
	2d... December	6, 1813—April 18, 1814		2d... December	5, 1864—March 4, 1865
	3d... September	19, 1814—March 3, 1815	39th	1st... December	4, 1865—July 28, 1866
14th	1st... December	4, 1815—April 30, 1816		2d... December	3, 1866—March 4, 1867
	2d... December	2, 1816—March 3, 1817	40th	1st... March	4, 1867—March 30, 1867
15th	1st... December	1, 1817—April 20, 1818		"... July	3, 1867—July 20, 1867
	2d... November	16, 1818—March 3, 1819		"... November	21, 1867—December 2, 1867
16th	1st... December	6, 1819—May 15, 1820	2d... December	2, 1867—July 27, 1868	
	2d... November	13, 1820—March 3, 1821	3d... December	7, 1868—March 4, 1869	
17th	1st... December	3, 1821—May 8, 1822	41st	1st... March	4, 1869—April 23, 1869
	2d... December	2, 1822—March 3, 1823		2d... December	6, 1869—July 15, 1870
18th	1st... December	1, 1823—May 27, 1824	3d... December	5, 1870—March 4, 1871	
	2d... December	6, 1824—March 3, 1825	42d	1st... March	4, 1871—April 20, 1871
19th	1st... December	5, 1825—May 22, 1826		2d... December	4, 1871—June 10, 1872
	2d... December	4, 1826—March 3, 1827	3d... December	2, 1872—March 4, 1873	
20th	1st... December	3, 1827—May 26, 1828	43d	1st... December	1, 1873—June 23, 1874
	2d... December	1, 1828—March 3, 1829		2d... December	7, 1874—March 4, 1875
21st	1st... December	7, 1829—May 31, 1830	44th	1st... December	6, 1875—August 15, 1876
	2d... December	6, 1830—March 3, 1831		2d... December	4, 1876—March 4, 1877
22d	1st... December	5, 1831—July 16, 1832	45th	1st... October	15, 1877—December 3, 1877
	2d... December	3, 1832—March 3, 1833		2d... December	3, 1877—June 20, 1878
23d	1st... December	2, 1833—June 30, 1834		3d... December	2, 1878—March 4, 1879
	2d... December	1, 1834—March 3, 1835	46th	1st... March	18, 1879—July 1, 1879
24th	1st... December	7, 1835—July 4, 1836		2d... December	1, 1879—June 16, 1880
	2d... December	5, 1836—March 3, 1837		3d... December	6, 1880—March 4, 1881
25th	1st... September	4, 1837—October 16, 1837	47th	1st... December	5, 1881—August 8, 1882
	2d... December	4, 1837—July 9, 1838		2d... "	4, 1882—March 4, 1883
	3d... December	3, 1838—March 3, 1839			

CIVIL OFFICERS OF THE UNITED STATES.

Number Employed in the several Departments of the Government, July 1st, 1882.

Executive Office . . . . .	7	Navy Department . . . . .	128
Congress . . . . .	280	Interior Department . . . . .	2,813
State Department . . . . .	419	Department of Justice . . . . .	2,876
Treasury Department . . . . .	12,130	Department of Agriculture . . . . .	77
War Department . . . . .	1,861	Government Printing Office . . . . .	1,168
Post-Office Department . . . . .	52,672		
		<b>Total . . . . .</b>	<b>74,431</b>

**THE STATES AND TERRITORIES—when Admitted or Organized—with Area and Population.**

STATES. [First thirteen admitted on ratifying Constitution—all others admitted by Acts of Congress.]	Date when Admitted.	Area in square miles at time of admission.	Population nearest census to date of admission.	
			Population.	Year.
Delaware.....	December 7, 1787	2,050	59,096	1790
Pennsylvania.....	December 12, 1787	45,215	434,373	1790
New Jersey.....	December 18, 1787	7,815	184,139	1790
Georgia.....	January 2, 1788	59,475	82,548	1790
Connecticut.....	January 9, 1788	4,990	237,496	1790
Massachusetts.....	February 6, 1788	8,315	378,787	1790
Maryland.....	April 28, 1788	12,210	319,728	1790
South Carolina.....	May 23, 1788	30,570	249,033	1790
New Hampshire.....	June 21, 1788	9,305	141,885	1790
Virginia.....	June 25, 1788	42,450	747,610	1790
New York.....	July 26, 1788	49,170	340,120	1790
North Carolina.....	November 21, 1789	52,250	393,751	1790
Rhode Island.....	May 29, 1790	1,250	68,825	1790
Vermont.....	March 4, 1791	9,565	85,339	1791
Kentucky.....	June 1, 1792	40,400	73,077	1892
Tennessee.....	June 1, 1796	42,050	77,202	1796
Ohio.....	November 29, 1802	41,060	41,915	1802
Louisiana.....	April 30, 1812	48,720	76,556	1812
Indiana.....	December 11, 1816	36,350	63,805	1816
Mississippi.....	December 10, 1817	46,810	75,512	1817
Illinois.....	December 3, 1818	56,650	34,620	1818
Alabama.....	December 14, 1819	52,250	127,901	1820
Maine.....	March 15, 1820	33,040	298,269	1820
Missouri.....	August 19, 1821	69,415	66,586	1821
Arkansas.....	June 15, 1836	53,850	52,240	1836
Michigan.....	January 26, 1837	58,915	212,267	1840
Florida.....	March 3, 1845	58,680	54,477	1845
Iowa.....	December 28, 1846	56,025	81,920	1846
Texas.....	December 29, 1845	265,780	212,592	1850
Wisconsin.....	May 29, 1848	56,040	305,391	1850
California.....	September 9, 1850	158,360	92,597	1850
Minnesota.....	May 11, 1858	83,365	172,023	1860
Oregon.....	February 14, 1859	96,030	52,465	1859
Kansas.....	January 29, 1861	82,080	107,206	1860
West Virginia.....	June 19, 1863	24,780	442,014	1870
Nevada.....	October 31, 1864	110,700	40,000	1864
Nebraska.....	March 1, 1867	76,855	60,000	1867
Colorado.....	August 1, 1876	103,925	150,000	1876
District of Columbia.....	March 3, 1791	60	.....	.....

TERRITORIES.	Dates of Organization	Present area, square miles.	Population.	Census of
Utah.....	September 9, 1850	82,090	143,963	1880
New Mexico.....	September 9, 1850	122,580	119,565	1880
Washington.....	March 2, 1853	69,180	75,116	1880
Dakota.....	March 2, 1861	149,100	135,177	1880
Arizona.....	February 24, 1863	113,020	40,440	1880
Idaho.....	March 3, 1863	84,800	32,610	1880
Montana.....	May 26, 1864	146,080	39,159	1880
Wyoming.....	July 25, 1868	97,890	20,789	1880
Indian.....	.....	64,690	.....	.....
Alaska.....	.....	Unsurveyed	.....	.....

**SPEAKERS OF THE HOUSE OF REPRESENTATIVES.**

Name.	State.	Congress.	Term of Service.
F. A. Muhlenberg.....	Pennsylvania.....	1st Congress.	April 1, 1789, to March 4, 1791
Jonathan Trumbull.....	Connecticut.....	2d "	Oct. 24, 1791, to March 4, 1793
F. A. Muhlenberg.....	Pennsylvania.....	3d "	Dec. 2, 1793, to March 4, 1795
Jonathan Dayton.....	New Jersey.....	4th "	Dec. 7, 1795, to March 4, 1797
".....	".....	5th "	May 15, 1797, to March 3, 1799
Theodore Sedgwick.....	Massachusetts.....	6th "	Dec. 2, 1799, to March 4, 1801
Nathaniel Macon.....	North Carolina.....	7th "	Dec. 7, 1801, to March 4, 1803
".....	".....	8th "	Oct. 17, 1803, to March 4, 1805
".....	".....	9th "	Dec. 2, 1805, to March 4, 1807
Joseph B. Varnum.....	Massachusetts.....	10th "	Oct. 26, 1807, to March 4, 1809
".....	".....	11th "	May 22, 1809, to March 4, 1811
Henry Clay.....	Kentucky.....	12th "	Nov. 4, 1811, to March 4, 1813
".....	".....	13th "	May 24, 1813, to Jan. 19, 1814
Langdon Cheves.....	S. C., 2d Sess.....	13th "	Jan. 19, 1814, to March 4, 1815
Henry Clay.....	Kentucky.....	14th "	Dec. 4, 1815, to March 4, 1817
".....	".....	15th "	Dec. 1, 1817, to March 4, 1819
".....	".....	16th "	Dec. 6, 1819, to May 15, 1820
John W. Taylor.....	New York, 2d Sess.....	16th "	Nov. 15, 1820, to March 4, 1821
Philip P. Barbour.....	Virginia.....	17th "	Dec. 4, 1821, to March 4, 1823
Henry Clay.....	Kentucky.....	18th "	Dec. 1, 1823, to March 4, 1825
John W. Taylor.....	New York.....	19th "	Dec. 5, 1825, to March 4, 1827
Andrew Stephenson.....	Virginia.....	20th "	Dec. 3, 1827, to March 4, 1829
".....	".....	21st "	Dec. 7, 1829, to March 4, 1831
".....	".....	22d "	Dec. 5, 1831, to March 4, 1833
".....	".....	23d "	Dec. 2, 1833, to June 2, 1834
John Bell.....	Tennessee, 2d Sess.....	23d "	June 2, 1834, to March 4, 1835
James K. Polk.....	".....	24th "	Dec. 7, 1835, to March 4, 1837
".....	".....	25th "	Sept. 5, 1837, to March 4, 1839
Robert M. T. Hunter.....	Virginia.....	26th "	Dec. 16, 1839, to March 4, 1841
John White.....	Kentucky.....	27th "	May 31, 1841, to March 4, 1843
John W. Jones.....	Virginia.....	28th "	Dec. 4, 1843, to March 4, 1845
John W. Davis.....	Indiana.....	29th "	Dec. 1, 1845, to March 4, 1847
Robert C. Winthrop.....	Massachusetts.....	30th "	Dec. 6, 1847, to March 4, 1849
Howell Cobb.....	Georgia.....	31st "	Dec. 22, 1849, to March 4, 1851
Linn Boyd.....	Kentucky.....	32d "	Dec. 1, 1851, to March 4, 1853
".....	".....	33d "	Dec. 5, 1853, to March 4, 1855
Nathaniel P. Banks.....	Massachusetts.....	34th "	Feb. 2, 1856, to March 4, 1857
James L. Orr.....	South Carolina.....	35th "	Dec. 7, 1857, to March 4, 1859
William Pennington.....	New Jersey.....	36th "	Feb. 1, 1860, to March 4, 1861
Gausha A. Grow.....	Pennsylvania.....	37th "	July 4, 1861, to March 4, 1863
Schuyler Colfax.....	Indiana.....	38th "	Dec. 7, 1863, to March 4, 1865
".....	".....	39th "	Dec. 4, 1865, to March 4, 1867
".....	".....	40th "	March 4, 1867, to March 4, 1869
James G. Blaine.....	Maine.....	41st "	March 4, 1869, to March 4, 1871
".....	".....	42d "	March 4, 1871, to March 4, 1873
".....	".....	43d "	Dec. 1, 1873, to March 4, 1875
Michael C. Kerr.....	Indiana.....	44th "	Dec. 6, 1875, to Aug. 20, 1876
Samuel J. Randall.....	Penna., 2d Sess.....	44th "	Dec. 4, 1876, to March 4, 1877
".....	".....	45th "	Oct. 15, 1877, to March 4, 1879
".....	".....	46th "	March 18, 1879, to March 4, 1881
Warren B. Keifer.....	Ohio.....	47th "	Dec. 5, 1881, to March 4, 1882

**Table, exhibiting, by States, the Aggregate Troops called for by the President, and furnished to the Union Army, from April 15th, 1861, to close of War of Rebellion.**

States and Territories.	Aggregate.				Aggregate reduced to a 3 years' standard.
	Quota.	Men furnished.	Paid commutation.	Total.	
Maine.....	73,587	70,107	2,007	72,114	56,776
New Hampshire.....	35,897	33,937	692	34,629	30,849
Vermont.....	32,074	33,288	1,974	35,262	29,068
Massachusetts.....	139,095	146,730	5,318	152,048	124,104
Rhode Island.....	18,898	23,236	463	23,699	17,866
Connecticut.....	44,797	55,864	1,515	57,379	50,623
New York.....	507,148	448,850	18,197	467,047	392,270
New Jersey.....	92,820	76,814	4,196	81,010	57,908
Pennsylvania.....	385,369	337,936	28,171	366,107	265,517
Delaware.....	13,935	12,284	1,386	13,670	10,322
Maryland.....	70,965	46,638	3,678	50,316	41,275
West Virginia.....	34,463	32,068	.....	32,068	27,714
District of Columbia.....	13,973	16,534	338	16,872	11,506
Ohio.....	306,322	313,180	6,479	319,659	240,514
Indiana.....	199,788	196,363	784	197,147	153,576
Illinois.....	244,496	259,092	55	259,147	214,133
Michigan.....	95,007	87,364	2,008	89,372	80,111
Wisconsin.....	109,080	91,327	5,097	96,424	79,260
Minnesota.....	26,326	24,020	1,032	25,052	10,693
Iowa.....	79,521	76,242	67	76,309	68,630
Missouri.....	122,496	109,111	.....	109,111	86,530
Kentucky.....	100,782	75,760	3,265	79,025	70,832

Table exhibiting the Aggregate Troops called for by the President.—Continued.

States and Territories.	Aggregate.				Aggregate reduced to a 3 years' standard.
	Quota.	Men furnished.	Paid Com-mutation.	Total.	
Kansas . . . . .	12,931	20,149	2	20,151	18,706
Tennessee . . . . .	1,560	31,092		31,092	26,394
Arkansas . . . . .	780	8,289		8,289	7,836
North Carolina . . . . .	1,500	3,156		3,156	3,156
California . . . . .		15,725		15,725	15,725
Nevada . . . . .		1,080		1,080	1,080
Oregon . . . . .		1,810		1,810	1,773
Washington Territory . . . . .		964		964	964
Nebraska Territory . . . . .		3,157		3,157	2,175
Colorado Territory . . . . .		4,903		4,903	3,697
Dakota Territory . . . . .		206		205	206
New Mexico Territory . . . . .		6,561		6,561	4,432
Alabama . . . . .		2,576		2,576	1,611
Florida . . . . .		1,290		1,290	1,290
Louisiana . . . . .		5,224		5,224	4,634
Mississippi . . . . .		545		545	545
Texas . . . . .		1,965		1,965	1,632
Indian Nation . . . . .		3,530		3,530	3,530
Colored Troops . . . . .		93,441		93,441	91,789
Total . . . . .	2,763,670	2,772,408	86,724	2,859,132	2,320,272

\* Colored Troops organized at various stations in the States in rebellion, embracing all not specifically credited to States, and which cannot be assigned.—ADJUTANT GENERAL'S OFFICE, Washington, November 9, 1880.

## STATEMENT SHOWING THE EXPENDITURES,

As far as ascertained, necessarily growing out of the War of the Rebellion, from July 1, 1861, to June 30, 1870, inclusive.

APPROPRIATION.	Gross Expenditure.	Expenditure other than for the war.	Expenditure growing out of the war.
Expenses of national loans and currency.....	\$51,522,730 77		\$51,522,730 77
Premiums.....	59,738,167 73		59,738,167 73
Interest on public debt.....	1,809,301,485 19	\$45,045,286 74	1,764,256,198 45
Expenses of collecting revenue from customs.....	99,690,898 31	57,151,750 44	42,539,257 87
Judgment of Court of Claims.....	5,516,260 75	551,626 07	4,964,634 68
Payments of judgments Court of Alabama Claims.....	9,315,753 19		9,315,753 19
Salaries and expenses of Southern Claims Commission....	371,321 82		371,321 82
Salaries and expenses of American and British Claims Commission .....	295,878 54		295,878 54
Award to British claimants.....	1,929,819 00		1,929,819 00
Tribunal of arbitration at Geneva.....	244,815 40		244,815 40
Salaries and expenses of Alabama Claims Commission....	253,231 12		253,231 12
Salaries and contingent expenses of Pension Office.....	7,095,968 05	1,870,180 00	5,225,788 05
Salaries and contingent expenses of War Department.....	15,331,956 58	2,712,993 79	12,619,262 79
Salaries and contingent expenses of Executive Departm't (exclusive of Pension office and War Department).....	33,944,017 67	10,110,745 70	23,833,271 97
Expenses of assessing and collecting internal revenue....	112,803,841 31		112,803,841 31
Miscellaneous accounts.....	2,664,199 82	456,714 21	2,207,485 61
Subsistence of the Army.....	420,041,027 75	38,623,489 17	381,417,548 58
Quartermaster's Department.....	357,518,966 61	58,037,048 95	299,481,917 63
Incidental expenses of Quartermaster's Department.....	101,528,573 37	16,185,839 74	85,342,733 63
Transportation of the Army.....	407,463,324 81	70,669,439 25	336,793,885 56
Transportation of officers and their baggage.....	4,626,219 66	1,601,000 00	3,025,219 66
Clothing of the Army.....	356,651,466 31	11,107,586 11	345,543,880 20
Purchase of horses for cavalry and artillery.....	130,990,762 95	4,318,339 51	126,672,423 24
Barracks, quarters, etc.....	49,872,669 40	18,801,822 89	31,070,846 59
Heating and cooking stoves.....	487,881 45	39,150 00	448,731 45
Pay mileage, general expenses, etc., of the Army.....	184,473,721 26	106,388,991 79	78,084,729 47
Pay of two and three years' volunteers .....	1,041,102,702 58		1,041,102,702 58
Pay of three months' volunteers.....	886,305 41		886,305 41
Pay, etc., of one hundred days' volunteers .....	14,386,778 29		14,386,778 29
Pay of militia and volunteers .....	6,126,952 65		6,126,952 65
Pay, etc. to officers and men in the Department of the Missouri.....	844,150 55		844,150 55
Pay and supplies of one hundred days' volunteers.....	4,824,877 68		4,824,877 68
Bounty to volunteers and regulars on enlistment.....	38,522,046 20		38,522,046 20
Bounty to volunteers and their widows and legal heirs....	31,760,345 95		31,760,345 95
Additional bounty act of July 28, 1866.....	69,998,786 71		69,998,786 61



## STATEMENT SHOWING THE EXPENDITURES.—[Continued.]

APPROPRIATION.	Gross Expenditure.	Expenditure other than for the war.	Expenditure growing out of the war.
Collect'n and payment of bounty, etc., to color'd soldiers, etc	\$268,158 11	.....	\$268,158 11
Reimbursing States for moneys expended for payment of military service of the United States.....	9,635,512 85	.....	9,635,512 85
Defraying expenses of minute-men and voluntæers in Pennsylvania, Maryland, Ohio, Indiana and Kentucky...	597,178 30	.....	597,178 30
Refunding to States expenses incurred on account of volunteers.....	31,297,242 60	.....	31,297,242 60
Reimbursements to Baltimore for aid in construction of defensive works in 1863.....	96,152 00	.....	96,152 00
Payment to members of certain military organizations in Kansas.....	296,097 28	.....	296,097 28
Expenses of recruiting.....	2,568,639 91	1,270,673 56	1,297,966 35
Draft and substitute fund.....	9,713,873 13	.....	9,713,873 13
Medical and Hospital Department.....	46,934,146 83	1,845,376 47	45,108,770 36
Medical and Surgical History and Statistics.....	196,048 32	.....	196,048 32
Medical Museum and Library.....	55,000 00	.....	55,000 00
Providing for comfort of sick, wounded and discharged soldiers.....	2,232,785 12	.....	2,232,785 12
Freedmen's Hospital and Asylum.....	123,487 49	.....	123,487 49
Artificial limbs and appliances.....	509,283 21	.....	509,283 21
Ordnance service.....	6,114,533 38	1,561,001 67	4,553,531 71
Ordnance, ordnance stores and supplies.....	59,798,079 70	3,834,146 87	55,933,932 83
Armament of fortifications.....	12,336,710 88	2,118,238 79	10,218,472 09
National armories, arsenals, &c.....	29,730,717 53	\$6,127,228 21	23,603,489 32
Purchase of arms for volunteers and regulars.....	76,378,935 13	.....	76,378,935 13
Traveling expenses First Michigan Cavalry and California and Nevada Volunteers.....	84,131 50	.....	84,131 50
Payment of expenses under reconstruction acts.....	3,128,905 94	.....	3,128,905 94
Secret Service.....	681,587 42	.....	681,587 42
Books of tactics.....	172,568 15	.....	172,568 15
Medals of Honor.....	29,890 00	.....	29,890 00
Support of National Home for disabled volunteer soldiers	8,546,184 76	.....	8,546,184 76
Publication of official records of war of the rebellion.....	170,998 98	.....	170,998 98
Contingencies of the Army and Adjutant General's Department.....	3,291,835 14	565,136 39	2,726,698 75
Payments under special acts of relief.....	1,088,406 83	.....	1,088,406 83
Copying official reports.....	5,000 00	.....	5,000 00
Expenses of court of inquiry in 1858 and 1869.....	5,000 00	.....	5,000 00
United States police for Baltimore.....	100,000 00	.....	100,000 00
Preparing register of volunteers.....	1,015 45	.....	1,015 45
Army pensions.....	437,744,192 80	30,315,000 00	407,429,192 80
Telegraph for military purposes.....	2,500,085 80	.....	2,500,085 80
Maintenance of gunboat fleet proper.....	5,244,684 32	.....	5,244,684 32
Keeping, transporting, and supplying prisoners of war....	7,659,411 60	.....	7,659,411 60
Permanent forts and fortifications; surveys for military defenses; contingencies of fortifications; platform for cannon of large calibre, &c., from 1862 to 1868.....	20,887,756 96	7,483,765 87	13,403,991 09
Construction and maintenance of steam rams.....	1,370,730 42	.....	1,370,730 42
Signal service.....	222,269 79	78,472 23	143,797 56
Gunboats on the Western rivers.....	3,239,314 18	.....	3,239,314 18
Supplying, transporting, and delivering arms and munitions of war to loyal citizens in States in rebellion against the Government of the United States.....	1,649,596 57	.....	1,649,596 57
Collecting, organizing, and drilling volunteers.....	29,091,666 57	.....	29,091,666 57
Bridge-trains and equipage.....	1,413,701 75	.....	1,413,701 75
Tool and siege trains.....	702,250 00	.....	702,250 00
Completing the defenses of Washington.....	912,283 01	.....	912,283 01
Commutation of rations to prisoners of war in rebel States	320,636 62	.....	320,636 62
National cemeteries.....	4,162,848 39	.....	4,162,848 39
Purchase of Ford's Theatre.....	88,000 00	.....	88,000 00
Temporary relief to destitute people in District of Columbia.....	57,000 00	.....	57,000 00
Headstones, erection of headstones, pay of superintendents, and removing the remains of officers to national cemeteries.....	1,080,185 54	.....	1,080,185 54
State of Tennessee for keeping and maintaining United States military prisoners.....	22,749 49	.....	22,749 49
Capture of Jeff. Davis.....	97,031 62	.....	97,031 62
Removing wreck of gunboat Oregon in Chefunct River, Louisiana.....	5,500 00	.....	5,500 00
Support of Bureau of Refugees and Freedmen.....	11,454,237 30	.....	11,454,237 30
Claims for quartermaster's stores and commissary supplies	850,220 91	.....	850,220 91
Miscellaneous claims audited by Third Auditor.....	94,223 11	47,112 11	47,111 00
Claims of loyal citizens for supplies furnished during the rebellion.....	4,170,304 54	.....	4,170,304 54
Payment for use of Corcoran Art Gallery.....	125,000 00	.....	125,000 00
Expenses of sales of stores and material.....	5,842 43	.....	5,842 43
Transportation of insane volunteer soldiers.....	1,000 00	.....	1,000 00
Horses and other property lost in military service.....	4,281,724 91	.....	4,281,724 91
Purchase of cemetery grounds near Columbus, Ohio.....	500 00	.....	500 00
Fortifications on the Northern Frontier.....	683,748 12	.....	683,748 12
Pay of the Navy.....	144,549,073 96	70,086,769 62	74,462,304 34
Provisions of the Navy.....	32,771,931 16	16,403,307 34	16,368,623 82
Clothing of the Navy.....	2,709,491 98	1,114,701 00	1,594,790 98
Construction and repair.....	170,007,781 25	35,829,684 80	134,178,096 65

## STATEMENT SHOWING THE EXPENDITURES.—[Continued:]

APPROPRIATION.	Gross Expenditure.	Expenditure other than for the war.	Expenditure growing out of the war.
Equipment of vessels.....	\$25,174,614 53	.....	\$25,174,614 53
Ordnance.....	38,063,357 67	\$6,641,263 30	31,422,094 37
Surgeons' necessaries.....	2,178,769 74	241,025 68	1,937,744 06
Yards and docks.....	33,638,156 59	3,337,854 52	30,300,302 07
Fuel for the Navy.....	19,952,754 36	8,612,521 68	11,340,232 68
Warp for the Navy.....	2,836,916 69	1,938,664 42	898,252 27
Steam machinery.....	49,297,318 57	.....	49,297,318 57
Navigation.....	2,526,247 00	.....	2,526,247 00
Naval hospitals.....	875,452 34	375,789 40	499,662 94
Magazines.....	753,822 13	349,290 48	404,531 65
Marine corps, pay, clothing, &c.....	16,726,906 00	8,969,290 82	7,757,615 18
Naval Academy.....	2,640,440 87	778,308 86	1,862,132 01
Naval Asylum, Philadelphia.....	652,049 89	65,394 00	586,655 89
Temporary increase of the Navy.....	8,123,766 21	.....	8,123,766 21
Miscellaneous appropriations.....	2,614,044 77	.....	2,614,044 77
Naval pensions.....	7,540,043 00	950,000 00	6,590,043 00
Bounties to seamen.....	2,821,530 10	.....	2,821,530 10
Bounty for destruction of enemy's vessels.....	271,309 28	.....	271,309 28
Indemnity for lost clothing.....	389,025 33	.....	389,025 33
Total expenditures.....	\$6,844,571,431 03	\$654,641,522 45	\$6,189,929,908 58

NOTE.—Only the appropriations from which war expenditures were made are included in the above.

## NATIONAL DEBTS, EXPENDITURE AND COMMERCE, PER CAPITA.

Country.	Debt per head.	Annual expenditure per head.	Annual imports per head.	Annual exports per head.
Argentine Republic.....	\$39.07	\$12.04	\$20.31	\$25.66
Austria-Hungary.....	5.73	1.63	7.19	5.70
Austria proper.....	65.26	9.29	.....	.....
Hungary proper.....	17.68	7.53	.....	.....
Belgium.....	48.08	10.13	53.41	46.06
Bolivia.....	10.04	2.58	3.30	2.08
Brazil.....	36.43	6.70	8.71	10.31
Canada.....	31.16	6.69	25.87	24.64
Chili.....	24.49	10.66	18.21	17.95
Colombia.....	5.22	.94	2.35	3.38
Denmark.....	27.19	6.83	26.31	17.95
Ecuador.....	20.20	24.36	8.77	4.51
Egypt.....	85.82	10.42	5.52	12.94
France.....	127.23	14.07	24.17	26.05
German-Empire.....	.70	3.15	21.54	14.21
Prussia.....	10.55	6.33	.....	.....
Great Britain and Ireland.....	114.62	12.35	59.11	40.59
Greece.....	27.50	5.35	16.49	10.30
India, British.....	3.01	1.42	.93	1.48
Italy.....	71.94	10.12	9.67	8.85
Mexico.....	42.63	2.68	3.13	3.41
Netherlands.....	101.21	11.37	71.27	67.70
Norway.....	7.48	5.91	28.77	18.77
Paraguay.....	54.72	3.39	2.55	2.74
Peru.....	79.82	12.62	.....	14.02
Portugal.....	96.84	6.70	8.60	5.97
Roumania.....	11.82	3.85	3.19	5.60
Russia.....	26.33	4.83	4.22	3.23
Servia.....	3.61	1.43	4.58	4.06
Spain.....	142.71	7.83	3.96	4.48
Sweden.....	8.86	4.93	19.39	14.11
Switzerland.....	2.25	3.08	.....	.....
Turkey.....	31.70	4.38	2.23	1.59
United States.....	52.56	6.13	12.64	15.40
Uruguay.....	98.00	15.28	49.25	38.09
Venezuela.....	35.11	2.04	6.72	9.52

**STATEMENT,**

*Showing the Average Weekly Rates of Wages in the several Countries, compiled from the Consular Reports and compared with Rates prevailing in the United States.*

OCCUPATIONS.	Bel-guim.	Den-mark	Fr'ce.	Ger-many	Italy.	Spain	United Kingdom.			United States.	
							Engl'd.	Irel'd	Scotland.	N. York	Chicago.
<b>Agricultural laborers:</b>											
Men, without board or lodging.....			\$3 15	\$2 87	\$3 50		\$3 60	\$3 40	\$4 25		
Men, with b'd and ld g.....			1 36	1 48	1 80		2 60	1 30	\$1 50-2 40		
Women, without bo'rd and lodging.....			1 10	1 08	1 55		1 80	2 16	1 80-2 25		
Women with bo'rd and lodging.....				75	60		1 15	75	60-1 00		
<b>House building trades:</b>											
Bricklayers.....	\$6 00		4 00	3 60	3 45	\$5 12	8 12	7 58	9 63	\$12-\$15	\$6-\$10
Carpenters and joiners.....	5 40	\$1 25	5 42	4 00	4 18	4 88	8 25	7 33	8 12	9- 12	7- 12
Gasfitters.....	5 40			3 65	3 95		7 25	7 95	8 40	10- 14	10- 12
Masons.....	6 00	4 45	5 00	4 30	4 00	4 80	8 15	7 58	8 23	12- 18	12- 15
Painters.....	4 20	4 15	4 90	3 92	4 60		7 25	7 54	8 16	10- 16	6- 12
Plasterers.....	5 40			3 80	4 35	7 20	8 70	7 68	10 13	10- 15	9- 15
Plumbers.....	6 00		5 50	3 60	3 90		7 75	8 46	7 13	12- 18	12- 20
Slaters.....				4 00	3 90		7 90		8 30	10- 15	12- 18
<b>General trades:</b>											
Bakers.....	4 40	4 25	5 55	3 50	3 90	5 40	6 50		6 60	5- 8	8- 12
Blacksmiths.....	4 40	3 90	5 45	3 55	3 94	4 65	8 12		7 04	10- 14	9- 12
Bookbinders.....		3 72	4 85	3 82	3 90	3 60	7 83		6 50	12- 18	9- 20
Brassfounders.....		4 20		3 20	5 49		7 40		6 90	10- 14	8- 15
Butchers.....	4 50	4 50	5 42	3 85	4 20		7 23		4 75	8- 12	12- 18
Cabinet-makers.....	4 80		6 00	3 97	4 95	4 20	7 70		8 48	9- 13	7- 15
Coopers.....		4 10	7 00	3 30	4 35	4 95	7 30		6 10	12- 16	6- 15
Coppersmiths.....		3 85		3 30	3 90		7 40		7 10	12- 16	15- 20
Cutlers.....		3 85	4 63	4 00	3 90		8 00		6 25	10- 13	15- 20
Engravers.....				4 00	4 00		9 72		8 75	15- 25	9- 30
Horseshoers.....		3 85	5 40	3 25	3 50		7 20		7 00	12- 18	15- 25
Millwrights.....		4 00		3 30	4 95		7 50		7 50	10- 15	12- 20
Printers.....		4 62	4 70	4 80	3 90		7 75		7 52	8- 18	12- 18
Saddlers and harness-makers.....	4 80	3 85	5 00	3 60	3 90		6 80		6 15	12- 15	6- 12
Sailmakers.....		4 85		3 30	3 90		7 30		6 33	12- 18	12- 15
Shoemakers.....		3 30	4 75	3 12	4 32	3 90	7 35		7 35	12- 18	9- 18
Tailors.....		4 10	5 10	3 58	4 30	3 90	\$5- 7 30		7 00	10- 18	6- 18
Tinsmiths.....	4 80	3 90	4 40	3 65	3 60	3 90	7 30		6 00	10- 14	9- 12
Laborers, porters, &c.....	3 00			2 92	2 60	3 00	5 00		4 50	6- 9	5- 6
<b>Railway employes:</b>											
Engineers, pass. trains.....			11 33	8 35	9 50		9 12	9 00	8 70		
Firemen, do.....			6 25	3 30	4 50		6 00	4 50	4 96		
Brakemen, do.....			3 60	3 22			5 50	4 00	4 69		
Signalmen.....			5 85	3 52	4 00		5 60	5 00	5 12		
Switchmen.....			5 50	3 41	4 00		5 60	5 00	5 19		
Porters.....			5 00	2 60	3 40		4 50	4 00	4 44		
Laborers.....			3 35	3 10	3 30		4 50	4 00	4 27		

**STATEMENT,**

*Showing the Average Weekly Rates of Wages in the principal Cities of Europe, compiled from Consular Reports and compared with Rates in New York and Chicago.*

Occupation.	Bel-gium. (Br's-sels).	Fr'ce (Bor-d'aux)	Ger-many (Dr's-den)	Italy (Rome)	Spain (Bar-ce-lona).	Switz-erl'd (Ge-eva).	U. King-dom. (Livp'l)	United States. (New York).	United States. (Chicago).
<b>House-building trades:</b>									
Bricklayers.....	\$6 00	\$4 80		\$3 00	\$5 40	\$4 80	\$9 25	\$12 00 to \$15 00	\$6 00 to \$10 50
Carpenters and joiners.....	5 40	5 00	\$3 75	3 00	5 00	6 00	9 00	9 — 12	7 50 — 12
Gasfitters.....	5 40					4 60	7 80	10 — 14	10 — 12
Masons.....	6 00	5 40	3 75	3 00	6 00	4 80	8 70	12 — 18	12 — 15
Painters.....					7 00	4 60	8 50	10 — 16	6 — 12
Plasterers.....	5 40				7 00	4 60	9 72	10 — 15	9 — 15
Plumbers.....	6 00	6 00				4 60	9 00	12 — 18	12 — 20
Slaters.....						4 60	9 72	10 — 15	12 — 18
<b>General trades:</b>									
Bakers.....	6 00	4 80	3 50		5 40	4 80		5 — 8	8 — 12
Blacksmiths.....	6 00	4 80	4 00	3 30	4 50	4 80	8 90	10 — 14	9 — 12
Bookbinders.....	6 00	4 80	2 00		3 60	4 60	8 00	12 — 18	9 — 20
Brassfounders.....			3 00	4 75	6 00		7 20	10 — 14	8 — 15
Butchers.....	6 00	6 00	4 00			4 60		8 — 12	12 — 18
Cabinet-makers.....	4 80				4 20	6 00	8 00	9 — 13	7 — 15
Coopers.....	6 00	8 00			5 50	4 60	8 75	12 — 16	6 — 15
Coppersmiths.....	6 00		4 75			4 60	8 90	12 — 16	15 — 20
Cutlers.....	5 50	4 20	4 00			4 60		10 — 13	15 — 20
Engravers.....	6 00					4 80		15 — 25	9 — 30
Horseshoers.....	6 00	4 80					8 50	12 — 18	15 — 25
Millwrights.....							7 70	10 — 15	12 — 20
Printers.....	6 00	3 00			4 80	4 60	10 50	8 — 18	12 — 18
Sadlers and harnessmakers.....	4 80	4 80				4 60	7 30	12 — 15	6 — 12
Sailmakers.....	6 00							12 — 18	12 — 15
Shoemakers.....	6 00	4 20	2 00	3 60	3 60	4 60	8 75	12 — 18	9 — 18
Tailors.....	6 00	4 80	3 00	3 60	3 60	4 80		10 — 18	6 — 18
Tinsmiths.....	4 80	4 80	3 00		4 00	4 80	7 50	10 — 14	9 — 12
Laborers, porters, &c.....	3 50		2 50			3 00	5 82	6 — 9	5 50 — 9

STATEMENT,

Showing the average Retail Prices of the Necessaries of Life in the Principal Cities of Europe, compiled from Consular Reports, and compared with same in New York and Chicago.

Articles.	Belgium.	Fran'	Ger-	Italy.	Spain.	Switz-	United King-	United States,				
	Brus-	Bor-	Dres-	Rome.	Barce-	Gen-	Liverpool.	New York.		Chicago.		
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	
Bread.....per lb.	4-5	3-4	7	6	.....	4	3½-	4	4-	4½	4-	4½
Flour.....do ..	.....	.....	6	10	6¼	7	3½-	5	3-	4	2½-	4½
Beef:												
Roasting.....per lb.	20	20	24	20	20	30	"	22	12-	16	8-	12½
Soup.....do...	16	16	18	12	15	18		16	6-	8	5-	8
Rump.....do...	18	18	19	15	18	25		18	14-	16	8-	12½
Corned.....do...	16	16	18	12	.....	18		16	8-	12	4-	7
Veal:												
Fore quarter .pr. lb.	16	16	12	15	15	.....		14	8-	10	6-	10
Hind quarter...do...	18	20	18	20	18	18		20	10-	12	10-	12
Cutlets.....do...	20	22	18	22	22	20		20	20-	24	12½-	15
Mutton:												
Fore quarter..pr. lb.	16	16	12	15	12	.....		14	9-	10	5-	12½
Hind quarter...do...	18	20	18	18	15	18		20	12-	14	5-	15½
Chops.....do...	20	20	18	18	18	.....		20	14-	16	10-	15
Pork:												
Fresh.....per lb.	16	12	18	15	20	18		16	8-	10	4-	8
Salted.....do...	16	14	18	18	20	20		16	8-	10	6-	12
Bacon.....do...	18	20	30	25	30	.....		20	8-	10	7-	12
Ham.....do...	20	25	35	30	40	28		24	8-	12	7-	15
Shoulder.....do...	16	16	30	25	30	.....		16	8-	10	4-	10
Sausage.....do...	18	16	20	20	.....	.....		20	8-	10	6-	10
Lard.....do...	20	.....	20	25	19	.....		16	10-	12	6-	10
Codfish.....do...	.....	.....	.....	10	9	.....		.....	6-	7	5-	9
Butter.....do...	20 50	.....	16	30	40	36	24 -	36	25-	32	16-	40
Cheese.....do...	20-25	.....	33	28	25	23	12 -	20	12-	20	5-	16
Potatoes.....per bush.	56	60	48	\$1 20	\$1 00	60	\$1 20 - \$1 50	\$1 40-\$1 60	\$1 40-\$1 60	60	180	60 - 180
Rice.....per lb.	.....	.....	10	5	6½	.....	4 -	10	8-	10	5-	10
Beans.....per qt.	.....	.....	14	15	12	.....	.....	.....	7-	10	5-	9
Milk.....do...	.....	.....	.....	4	12	5	6 -	8	8-	10	3-	6
Eggs.....per doz.	20-25	10-15	.....	20	20	20	14 -	18	25-	30	10-	24
Oatmeal.....per lb.	.....	.....	.....	.....	.....	.....	3½-	4	4-	5	4-	5
Tea.....do...	.....	.....	75	.....	60	50	40 -	85	50-	60	25-	\$1 00
Coffee.....do...	30-40	.....	36	40	40	30	24 -	40	20-	30	15-	40
Sugar.....do...	15-20	.....	12	8	10	8	5 -	8	8-	10	7-	10
Molasses.....per gal.	.....	.....	.....	.....	.....	.....	.....	.....	60-	70	40-	80
Soap.....per lb.	.....	.....	.....	4	9	.....	4 -	10	6-	7	3-	8
Starch.....do...	.....	.....	.....	10	9	.....	.....	.....	8-	10	5-	10
Coal.....per ton.	.....	.....	\$3 10	\$11 00	\$9 00	.....	\$3 65 - \$4 38	\$4 00-\$5 25	\$4 00-\$5 25	\$4 50	-\$6 75	-\$6 75

THE HISTORY OF CORRUPTION.

Statement showing the Receipts and Disbursements of the Government from its Organization to June 30, 1879, and the Amount of Losses, and the ratio of such Losses per \$1,000 to the Aggregate Received and Disbursed, arranged as nearly as practicable in periods of Administrations; also in the periods prior and subsequent to June 30, 1861; prepared by the Treasury Department in answer to numerous inquiries.

Revision of reply to Senate resolution of Feb. 9, 1876, extending the comparison therein made to June 30, 1879.

ADMINISTRAT'N.	Term of Service.	Total Receipts from Customs, Internal Revenue, Public Lands, Loans, Dividends, Interest, Premiums, Direct Tax and Miscellaneous.			Total Disbursements on act. of Public Debt, Premiums, War, Navy, Pensions, Interest, Indians, and all civil expenses, exclusive of Post Office, which receives and disburses its own revenues.			RECAPITULATION.*		
		Receipts.	Losses.	Loss on \$1000	Disbursements.	Losses.	Loss on \$1000	Amt. Invol'd	Tot. Los.	Loss on \$1000
		\$	\$	\$	\$	\$	\$	\$	\$	\$
Washington ...	8	56,448,721	210,552	3 72	55,426,822	38,498	0 69	112,560,504	250,970	2 22
Adams, John ..	4	46,085,418	42,250	91	43,811,926	190,950	4 35	90,733,612	235,412	2 59
Jefferson .....	8	108,238,978	287,260	2 65	107,686,312	303,834	2 82	219,072,736	603,468	2 75
Madison.....	8	266,246,515	294,975	1 10	255,105,106	1,855,447	7 27	526,764,050	2,191,660	4 16
Monroe.....	8	178,649,964	629,947	3 52	188,437,780	2,492,536	13 22	376,328,275	3,229,787	8 58
Adams, J. Q....	4	97,818,055	332,953	3 40	97,264,000	513,829	5 28	201,488,077	885,374	4 39
Jackson.....	8	255,182,775	1,412,388	5 53	223,546,050	2,306,237	10 31	500,081,748	3,761,112	7 52
Van Buren.....	4	129,948,549	392,328	3 01	137,094,438	2,899,654	21 15	285,327,940	3,343,792	11 71
Harrison .....	4	116,736,005	429,981	3 68	109,187,401	1,133,242	10 37	244,590 156	1,565,903	6 40
Tyler.....										
Polk.....	2	201,857,508	18,110	08	205,194,701	1,712,170	8 34	423,913,687	1,732,851	4 08
Taylor .....	4	211,908,613	276,279	1 30	194,370,493	1,485,193	7 64	432,861,677	1,814,409	4 19
Fillmore.....										
Pierce.....	4	282,179,830	213,002	75	285,638,876	1,674,853	5 86	608,257,816	2,167,982	3 56
Buchanan.....	4	312,359,680	194,004	62	328,183,268	2,292,825	6 98	697,500,871	2,659,108	3 81
Lincoln.....	4	4,670,460,138	508,494	10	4,667,457,921	6,599,023	1 41	9,386,697,144	7,200,984	76
Johnson.....	4	4,042,316,438	2,562,722	63	3,915,776,250	1,889,641	48	8,014,908,984	4,619,600	57
Grant.....	8	5,318,698,324	1,189,140	22	5,287,604,646	1,138,511	21	10,842,922,583	2,622,479	8- 24
Hayes.....	2	1,728,979,907	None	none	1,557,034,964	1,384	00	3,353,629,856	2,677	10ml
		18,024,115,418	8,994,375	49	17,634,620,963	28,527,858	1 61	36,317,639,725	38,887,568	1 07
Prior to J'ne 30 1861.....		\$2,263,660,611	\$4,734,020	\$2 09	\$2,230,947,173	\$18,899,269	\$8 47	\$4,719,481,157	24,441,829	\$5 17
From J'y 1, '61 June 30, 1879.....		15,760,454,807	4,260,355	27	15,403,673,790	9,628,589	62	31,598,158,568	14,445,739	46

\* Including all other amounts collected or disbursed, and the losses thereon.

STATEMENT

*Average Values of Gold in United States Paper Currency in the New York Market from the Suspension to the Resumption of Specie Payments, during the period of Seventeen Years, from 1862 to 1878, both inclusive—Prepared for the U. S.*

*Treasury Department by E. B. Elliott.*

Currency Value of Gold.

*Table showing the Average Value in Currency of One Hundred Dollars in Gold in the New York Market, by Months, Quarter-years, Half-years, Calendar Years, and Fiscal Years, from January 1, 1862, to December 31, 1878, both inclusive.*

PERIODS.	1862.	1863.	1864.	1865.	1866.	1867.	1868.	1869.
January . . . . .	102.5	145.1	155.5	216.2	140.1	134.6	138.5	135.6
February . . . . .	103.5	160.5	158.6	205.5	138.4	137.4	141.4	134.4
March . . . . .	101.8	154.5	162.9	173.8	130.5	135.	139.5	131.3
April . . . . .	101.5	151.5	172.7	148.5	127.3	135.6	138.7	132.9
May . . . . .	103.3	148.9	176.3	135.6	131.8	137.	139.6	139.2
June . . . . .	106.5	144.5	210.7	140.1	148.7	137.5	140.1	138.1
July . . . . .	115.5	130.6	258.1	142.1	151.6	139.4	142.7	136.1
August . . . . .	114.5	125.8	254.1	143.5	148.7	109.8	145.5	134.2
September . . . . .	118.5	134.2	222.5	143.9	145.5	143.4	143.6	136.8
October . . . . .	128.5	147.7	207.2	145.5	148.3	143.5	137.1	130.2
November . . . . .	131.1	148.	233.5	147.	143.8	139.6	134.4	126.2
December . . . . .	132.3	151.1	227.5	146.2	136.7	134.8	135.2	121.5
First quarter-year . . . . .	102.6	153.4	159.	198.5	136.3	135.7	139.8	133.8
Second quarter-year . . . . .	103.8	148.3	186.6	141.4	135.9	136.7	139.5	136.7
Third quarter-year . . . . .	116.2	130.2	244.9	143.2	148.6	141.2	143.9	135.7
Fourth quarter-year . . . . .	130.6	148.9	222.7	146.2	142.9	139.3	135.6	126.
First half-year . . . . .	103.2	150.8	172.8	169.9	136.1	136.2	139.6	135.3
Second half-year . . . . .	123.4	139.6	233.8	144.7	145.8	140.3	139.8	130.8
Calendar year . . . . .	113.3	145.2	203.3	157.3	140.9	138.2	139.7	133.
First year ended June 30 . . . . .	137.1	156.2	201.9	140.4	141.	139.9	137.5	

PERIODS.	1870.	1871.	1872.	1873.	1874.	1875.	1876.	1877.	1878.
January . . . . .	121.3	110.7	109.1	112.7	111.4	112.5	112.8	106.3	102.1
February . . . . .	119.5	111.5	110.3	114.1	112.3	114.5	113.4	105.4	102.
March . . . . .	112.6	111.	110.1	115.5	112.1	115.5	114.3	104.8	101.2
April . . . . .	113.1	110.6	111.1	117.8	113.4	114.8	113.	106.2	100.6
May . . . . .	114.7	111.5	113.7	117.7	112.4	115.8	112.6	106.9	100.7
June . . . . .	112.9	112.4	113.9	116.5	111.3	117.	112.5	105.4	100.8
July . . . . .	116.8	112.4	114.3	115.7	110.	114.8	111.9	105.4	100.5
August . . . . .	117.9	112.4	114.4	115.4	109.7	113.5	111.2	105.	100.6
September . . . . .	114.8	114.5	113.5	112.7	109.7	115.8	110.	103.3	100.4
October . . . . .	112.8	113.2	113.2	108.9	110.	116.4	109.7	102.8	100.6
November . . . . .	111.4	111.2	112.9	108.6	110.9	114.7	109.1	102.8	100.2
December . . . . .	110.7	109.3	112.2	110.	111.7	113.9	109.8	102.8	100.1
First quarter-year . . . . .	117.8	111.1	109.8	114.1	111.9	114.2	113.5	105.5	101.7
Second quarter-year . . . . .	113.6	111.5	112.9	117.3	112.4	115.9	112.7	106.2	100.7
Third quarter-year . . . . .	116.5	113.1	114.1	114.6	109.8	114.7	111.	104.6	101.5
Fourth quarter-year . . . . .	111.6	111.2	112.8	109.2	110.9	115.	108.9	102.8	101.3
First half-year . . . . .	115.7	111.3	111.4	115.7	112.2	115.1	113.1	105.9	101.2
Second half-year . . . . .	114.	121.1	113.4	111.9	110.3	114.8	109.9	103.7	100.4
Calendar year . . . . .	114.9	111.7	112.4	113.8	111.2	114.9	111.5	104.8	100.8
Fiscal year ended June 30 . . . . .	123.3	112.7	111.8	114.6	112.	112.7	113.9	107.9	102.8

## TOTAL IMPORTS INTO THE UNITED STATES.

From the Official Report of the Bureau of Statistics, Treasury Department.

FREE OF DUTY.	VALUES.	
	Twelve Months ended June 30—	
	1880.	1881.
Argols .....	\$2,105,403	\$2,266,095
Articles, the produce of manufacture of the United States, brought back.....	5,644,274	5,257,527
BARKS—Medicinal—Peruvian, calisaya, Lima, &c.....	1,678,113	1,844,375
Barks used for tanning.....	476,382	500,977
Cork bark and wood unmanufactured.....	663,556	782,273
Bolting cloths.....	372,227	329,289
Books.....	291,488	332,047
Camphor, crude .....	362,862	350,503
Chemicals, drugs, dyes and medicines.....	6,739,158	5,830,805
Chloride of lime or bleaching powder.....	985,585	809,178
Cocoa, crude, and leaves and shells of.....	1,300,239	1,046,769
Cochineal.....	890,168	537,360
Coffee .....	60,360,769	56,775,391
Cotton, raw.....	591,120	757,308
Cuteh or catechu, and terra-japonica or gambler.....	1,803,542	1,099,510
Dye-woods, in sticks.....	1,808,730	1,672,065
Eggs .....	901,932	1,203,067
FISH, NOT OF AMERICAN FISHERIES:		
Fresh, of all kinds.....	320,403	377,581
Herring, Pickled.....	154,003	236,403
Maekerel, pickled .....	493,059	615,429
All other .....	912,336	1,088,326
Fur-skins, undressed.....	2,496,277	2,826,592
Guano (except from bonded islands).....	108,735	421,188
Gums.....	2,444,302	3,170,517
Gypsum or plaster of paris, unground....	120,736	122,872
HAIR, UNMANUFACTURED:		
Horse-hair, used for weaving.....	412,632	372,893
Hair of all kinds.....	547,439	501,146
Hides and skins, other than furs.....	30,002,254	27,597,111
Household and personal effects and wearing apparel, old and in use, of persons arriving from foreign countries.....	2,078,841	2,373,084
India-rubber and gutta-percha, crude.....	9,606,239	11,054,949
Indigo .....	2,752,900	1,535,530
Madder, not including the extract of.....	212,384	59,918
OILS—Whale or fish, not of American fisheries.....	170,525	293,600
Vegetable, fixed or expressed.....	761,210	657,053
Volatile or essential.....	641,307	536,713
Paintings, statuary and other works of art, of American artists.....	214,787	325,523
PAPER MATERIALS:		
Rags, of cotton or linen.....	5,474,737	3,567,532
Other materials.....	1,562,460	1,277,104
Seeds .....	590,103	271,623
Silk, raw.....	12,024,699	10,838,264
Soda, nitrate of.....	1,805,110	2,356,183
Sulphur or brimstone, crude.....	1,927,502	2,713,494
Tea.....	19,782,631	21,014,813
Tin in bars, blocks or pigs.....	6,223,176	3,977,718
Wood, unmanufactured.....	2,884,579	3,323,814
All other free articles.....	10,130,486	11,566,958
ARTICLES ADMITTED FREE UNDER RECIPROCITY TREATY WITH HAWAIIAN ISLANDS:		
Fruits and nuts.....	13,384	20,600
Rice .....	294,186	389,017
Sugar, brown.....	4,135,531	4,928,592
Molasses.....	19,835	33,466
Tallow.....		1,402
All other articles.....	1,527	
Total.....	\$1,464,463	\$5,373,077
Total imports free of duty.....	\$208,301,863	\$202,491,547

## IMPORTS ENTERED FOR CONSUMPTION.

Table showing Values, Total Duties, Rates of Duty, and Average Duty ad valorem, on all Imported Commodities paying \$100,000 or upward into the Treasury, in the year ended June 30, 1881.

Compiled from the Official Report on Commerce and Navigation of the United States for 1880.

ARTICLES.	Values. Dollars.	Duties. Dollars.	Rate of Duty.	Duty ad val. per ct.
Animals: Living.....	3,917,824	783,565	20 per cent.	20.
Beer, Ale, and Porter, in bottles .....	532,174	205,676	35 c. per gall.	38.65
"    "    "    not in bottles.....	216,076	115,372	20 c. per gall.	53.39
Total Beer, Ale, and Porter.....	818,959	341,186		40.18
Books, Engravings, and printed matter.....	2,445,969	611,492	25 per cent.	25.00
Total Books, etc:	2,560,589	635,239		24.80

## IMPORTS ENTERED FOR CONSUMPTION.—[Continued.]

ARTICLES.	Values. Dollars.	Duties. Dollars.	Rate of Duty.	Duty <i>ad val.</i> per ct.
Braids, Plaits, etc., of straw.....	2,340,384	702,115	30 per cent.	30.
Brass, Manufactures of.....	331,506	116,027	35 per cent.	35.
Total Brass Manufactures .....	494,249	140,439	.....	28.41
Breadstuffs, etc:				
Barley .....	6,711,307	1,438,641	15 c. per bush.	21.44
Barley, Malt .....	663,218	132,644	20 per cent.	20.
Rice .....	995,098	1,047,961	2½ c. per lb.	105.31
Total Breadstuffs, etc.....	9,208,956	2,762,128	.....	29.99
Bristles.....	955,118	133,781	15 c. per lb.	14.01
Brushes.....	439,856	175,942	40 per cent.	40.
Buttons and Button Moulds.....	2,980,465	894,139	30 per cent.	30.
Chemicals, Drugs, Dyes, and Medicines:				
Aniline Dyes or Colors.....	1,208,553	827,621	{ 50 c. per lb. } { and 35 p. c. }	68.48
Glycerine.....	675,334	202,600	30 per cent.	30.
Opium.....	1,791,415	385,059	\$1 per lb.	21.49
Opium, smoking .....	761,349	458,677	\$6 per oz.	60.25
Medicinal Preparations, not otherwise specified.....	392,244	156,898	40 per cent.	40.
Potash, Chromate and Bi-Chromate of.....	402,088	176,169	4 c. per lb.	43.81
Nitrate of (Saltpetre) .....	414,630	110,142	1 c. per lb.	26.56
Soda, Caustic.....	1,168,277	741,981	1½ c. per lb.	63.51
Soda Ash .....	4,154,258	738,069	¼ c. per lb.	17.77
Total Chemicals, Drugs, Dyes, etc.....	14,888,493	4,635,261	.....	31.13
Clocks and parts of.....	359,891	125,962	35 per cent.	35.
Watches.....	1,947,873	486,298	25 per cent.	25.
Total Clocks and Watches, not otherwise specified .....	2,447,399	647,657	.....	20.46
Coal, bituminous.....	1,988,199	489,722	75 c. per ton.	24.03
Total Coal.....	2,073,955	516,007	.....	24.88
Copper Manufactures, not otherwise specified.....	284,509	128,029	45 per cent.	45.
Total Copper and Manufactures.....	564,924	210,308	.....	37.22
Corsets .....	448,898	157,114	35 per cent.	35.
Cotton Manufactures:				
Plain, bleached, value 20 cents or less square yard.....	1,122,984	499,733	5½ per sq. yd.	44.50
Printed or colored, 100 to 200 threads per square inch....	453,843	263,461	{ 5½ c. per sq. } { yd. & 20 p. c. }	58.05
Hosiery .....	8,185,959	2,865,086	35 per cent.	35.
Jeans, Denims, etc., 100 to 200 threads per square inch .....	1,454,965	760,230	{ 6½ c. per sq. } { yd. & 15 p. c. }	52.25
Laces, Cords, Braids, etc.....	5,124,103	1,793,436	35 per cent.	35.
Ready-made Clothing .....	465,870	163,005	35 per cent.	35.
Threads, Yarn, etc., 40 to 60 cents per pound.....	267,455	156,004	{ 20 c. per lb. } { and 20 p. ct. }	58.33
Thread, 60 to 80 cents per pound.....	537,719	330,110	{ 30 c. per lb. } { and 20 p. c. }	61.39
Thread, value over 80 cents per pound.....	1,173,613	633,460	{ 40 c. per lb. } { and 20 p. c. }	53.97
Velvets, Velveteens, etc.....	1,154,573	404,101	35 per cent.	35.
Manufactures of Cotton, not otherwise specified .....	7,435,724	2,602,504	35 per cent.	35.
Total Cotton Manufactures .....	28,084,117	10,825,115	.....	38.54
Diamonds, Gems, etc., not set.....	8,320,315	832,031	10 per cent.	10.
Earthenware and China:				
China, etc., plain, white .....	321,259	144,567	45 per cent.	45.
Do. ornamented.....	1,621,112	810,556	50 per cent.	50.
Do. other earthenware or stoneware.....	4,413,369	1,765,348	40 per cent.	40.
Total Earthenware and China.....	6,383,874	2,727,476	.....	42.72
Embroideries, Cotton or Wool.....	3,133,008	1,906,580	.....	35.
Fancy Articles:				
Beads and Bead Ornaments.....	1,526,734	763,367	50 per cent.	50.
Enamel.....	813,107	284,587	20 per cent.	20.
Fans.....	423,428	148,200	35 per cent.	35.
Feathers, crude.....	1,839,358	459,814	25 per cent.	25.
Feathers, artificial, etc.....	996,025	498,012	50 per cent.	50.
Perfumeries.....	224,304	112,152	50 per cent.	50.
Toys.....	624,439	312,220	50 per cent.	50.
Total Fancy Articles.....	7,084,302	2,934,851	.....	41.42
Fire-Crackers .....	2 8,250	221,867	\$1 per box.	101.66
Fish: Sardines .....	913,657	401,141	4 c. per box.	43.93
Total Fish.....	1,355,725	469,353	.....	34.62
Flax and Manufactures of:				
Linsens, 30 cents and less per square yard.....	9,658,405	3,380,442	35 per cent.	35.
Do. over 30 cents .....	2,193,858	879,543	40 per cent.	40.
Burlaps, etc.....	4,126,047	1,237,814	30 per cent.	30.
Duck, Canvas, Crash, etc.....	990 236	343,083	35 per cent.	35.
Handkerchiefs .....	377,428	150,971	40 per cent.	40.
Thread and Twine.....	780,414	312,165	40 per cent.	40.
Other Manufactures of Flax.....	1,230,582	494,233	40 per cent.	40.
Total Flax Manufactures.....	21,020,571	6,984,315	.....	23.22

## IMPORTS ENTERED FOR CONSUMPTION.—[Continued.]

ARTICLES.	Values. Dollars.	Duties. Dollars.	Rate of Duty.	Duty <i>ad val.</i> per ct.
<b>Fruits and Nuts:</b>				
Currants.....	845,773	216,315	1 e. per lb.	25.58
Lemons and Oranges.....	3,906,804	781,361	20 per cent.	20.
Almonds, not shelled.....	327,724	176,075	6 e. per lb.	53.73
Do. shelled.....	245,790	122,258	10 c. per lb.	49.74
Filberts and Walnuts.....	383,004	183,816	3 c. per lb.	47.99
Preserved Sweetmeats.....	577,929	202,275	35 per cent.	35.
Prunes.....	1,552,946	312,806	1 c. per lb.	20.14
Raisins.....	2,711,772	991,369	2½ e. per lb.	36.56
<b>Total Fruits and Nuts.....</b>	<b>12,511,806</b>	<b>3,341,849</b>		<b>26.70</b>
<b>Furs and Manufactures of:</b>				
Dressed.....	2,388,573	477,715	20 per cent.	20.
Undressed.....	1,501,658	300,332	20 per cent.	20.
Hats, Caps, Muffs, etc., of Fur.....	379,931	132,976	35 per cent.	35.
<b>Total Furs and Manufactures.....</b>	<b>4,270,161</b>	<b>911,022</b>		<b>21.33</b>
<b>Glass and Manufactures of:</b>				
Bottles, containing liquor.....		150,675	3 e. each.	
Porcelain, Bohemian, etc.....	820,807	328,323	40 per cent.	40.
Plate Glass, 24x30 to 24x60 square feet.....	289,707	172,805	25 c. sq. foot.	59.65
Do. above 24x60.....	592,245	651,111	50 c. sq. foot.	109.94
Do. silvered, 16x24 to 24x30 square feet.....	491,604	170,836	10 c. sq. foot.	34.75
Window Glaas, not over 10x15.....	333,712	190,514	1½ c. per lb.	57.09
Do. 10x15 to 64x24.....	366,840	245,064	2 c. per lb.	66.80
Window Glass, 16x24 to 24x30.....	363,543	273,843	2½ c. per lb.	75.33
do above 24x30.....	361,268	289,645	3c. per lb.	80.17
Glass Manufactures not otherwise specified.....	1,276,094	510,438	40 per cent.	40.
<b>Total Glass and Manufactures.....</b>	<b>5,862,270</b>	<b>3,296,541</b>		<b>56.23</b>
<b>Hair and Manufactures of:</b>				
Hats, Bonnets and Hoods.....	734,056	173,965		23.70
Hemp, Jute, &c., Manufactures of:	1,965,632	393,126	40 per cent.	40.
Bags and Bagging.....	1,478,605	595,442	40 per cent.	40.
Jute and Sunn Hemp.....	1,135,248	223,786	\$15 per ton.	19.71
Jute Butts.....	1,819,192	285,727	\$6 per ton.	14.61
Manilla, &c.....	3,625,341	677,573	\$5 per ton.	18.69
Sisal Grass, &c.....	1,406,048	223,666	\$15 per ton.	15.91
<b>Total Hemp, Jute, and other fibre.....</b>	<b>10,558,126</b>	<b>2,261,998</b>		<b>21.42</b>
<b>Iron and Steel Manufactures:</b>				
Band, Hoop and Scroll Iron, under ⅛ inch not thinner than No. 20 wire guage.....	194,785	127,513	1½ e. per lb.	65.46
Bar Iron, rolled or hammered.....	2,090,915	934,412	1c. per lb.	44.69
Iron Ore, tons.....	1,733,126	346,625	20 per cent.	20.
Pig Iron, cwts.....	10,901,953	3,712,455	\$7 per ton.	34.05
Bars for railroads.....	4,105,257	2,34,622	70c. per 100 lb.	49.56
Rolled or Hammered, not otherwise specified.....	829,425	405,641	1¼ e. per lb.	48.91
Scrap Iron, cast, cwts.....	352,398	105,598	\$6 per ton.	29.97
do wrought, cwts.....	7,490,985	2,399,661	\$8 per ton.	32.03
Sheet Iron, polished.....	320,241	129,828	3c. per lb.	40.54
Manufactures of Iron not otherwise specified.....	3,615,302	1,265,356	35 per cent.	35.
<b>Total Iron and Manufactures.....</b>	<b>32,991,038</b>	<b>12,115,096</b>		<b>36.72</b>
<b>Steel and Manufactures of:</b>				
Blooms.....	1,972,577	887,660	45 per cent.	45.
Pen and Pocket Knives.....	1,310,291	655,145	50 per cent.	50.
All other Cutlery.....	696,035	243,612	35 per cent.	35.
Ingots, bars, &c., 7c. or less per pound.....	551,417	224,289	2¼ c. per lb.	40.68
do 7 to 11c. per pound.....	1,003,502	321,709	3c. per lb.	32.06
Muskets and Fire-arms.....	1,137,514	398,130	35 per cent.	35.
Needles.....	415,379	103,845	25 per cent.	25.
Railway Bars or Rails.....	6,101,251	4,654,691	1¼ c. per lb.	76.29
Steel, in forms not otherwise specified.....	3,203,280	960,984	30 per cent.	30.
Manufactures of Steel not otherwise specified.....	1,492,987	671,844	45 per cent.	45.
<b>Total Steel and Manufactures of.....</b>	<b>18,463,535</b>	<b>9,347,438</b>		<b>50.62</b>
<b>Jet, Manufactures of:</b>				
Jet, Manufactures of.....	323,246	113,126	35 per cent.	35.
<b>Leather and Manufactures of:</b>				
Calf-skins, tanned.....	2,950,434	562,609	25 per cent.	25.
Gloves and mittens.....	3,783,906	1,891,953	50 per cent.	50.
Skins for Morocco.....	1,101,249	110,125	10 per cent.	10.
Upper Leather.....	2,633,795	526,759	20 per cent.	20.
Manufactures of, not otherwise specified.....	618,471	216,465	35 per cent.	35.
<b>Total Leather and Manufactures.....</b>	<b>10,522,601</b>	<b>3,337,034</b>		<b>44.65</b>
<b>Marble, veined, cubic feet.....</b>	<b>470,047</b>	<b>297,646</b>	{ 50c. per cub. ft. and 20 per ct. }	<b>63.32</b>
<b>Total Marble and Manufactures.....</b>	<b>553,900</b>	<b>340,075</b>		<b>61.39</b>
Mats and matting.....	480,474	144,142		30.
Metals, Manufactures not otherwise specified.....	1,162,913	343,191		29.51
Musical Instruments.....	1,385,892	415,768	30 per cent.	30.
Oil, Olive.....	380,428	216,788	\$1 per gall.	56.99
<b>Total Vegetable or Fixed Oils.....</b>	<b>683,701</b>	<b>305,336</b>		<b>44.65</b>



IMPORTS ENTERED FOR CONSUMPTION.—[Continued.]

ARTICLES.	Values. Dollars.	Duties. Dollars.	Rate of Duty.	Duty ad- val., per ct.
Paintings and Statuary .....	2,183,865	218,387	10 per cent.	10.
Paints and Colors .....	985,605	342,782	.....	34.77
Papier Maché.....	1,592,747	557,462	35 per cent.	35.
Total Paper and Manufactures .....	1,806,891	619,833	.....	34.30
Pickles, Sauces and Capers .....	327,532	114,636	35 per cent.	35.
Potatoes.....	871,020	325,207	15c. per bush.	37.20
Cheese.....	622,879	146,215	4c. per lb.	23.47
Total Provisions not otherwise specified... ..	1,127,875	244,089	.....	21.64
Salt, in bags, saeks, &c.....	1,242,542	494,931	12c. per 100 lbs.	39.83
Salt, in bulk .....	658,068	423,489	8c. per 100 lbs.	64.35
Seeds: Flaxseed or linseed.....	1,126,370	159,582	20c. per bush.	14.17
Total Seeds.....	1,612,207	277,977	.....	17.24
Silk Manufactures:				
Silk Braids, Laces, &c .....	2,509,253	1,505,552	60 per cent.	60.
Dress and Piece Goods .....	18,591,527	11,154,916	60 per cent.	60.
Hosiery .....	454,512	272,707	60 per cent.	60.
Ready-made Clothing .....	440,715	264,429	60 per cent.	60.
Ribbons.....	2,390,799	1,434,479	60 per cent.	60.
do Edge of Cotton.....	645,829	322,914	50 per cent.	50.
Silk Manufactures, not otherwise specified, Silk, chief value.....	2,679,587	1,607,752	60 per cent.	60.
Silk Manufactures, not otherwise specified, 25 per cent. more, of cotton, &c .....	2,683,072	1,341,536	50 per cent.	50.
Velvets .....	1,623,921	974,352	60 per cent.	60.
Total Silk Manufactures.....	32,377,226	19,038,666	.....	58.82
Soap .....	252,751	117,968	.....	46.67
Spices:				
Cassia .....	207,106	198,705	10c. per lb.	95.94
Nutmegs.....	573,917	199,901	20c. per lb.	34.83
Pepper, grain.....	741,119	433,082	5c. per lb.	58.43
Total Spices.....	2,203,078	1,095,139	.....	49.70
Spirits and Wines:				
Brandy .....	1,338,643	1,144,189	\$2 per gall.	85.47
Cordials, Liquors, &c .....	143,781	182,534	\$2 per gall.	126.95
Other spirits from Grain .....	351,211	1,133,324	\$2 per gall.	322.69
Other spirits from other materials, gallons .....	147,178	478,408	\$2 per gall.	325.05
Total spirits.....	2,031,679	2,963,890	.....	145.88
Cologne Water.....	193,881	124,901	{ \$3 per gall. } { & 50 p. e. }	64.42
Wines:				
Champagne, ½ pint to pint.....	1,261,102	569,302	\$3 per doz.	45.14
do 1 pint to 1 quart.....	1,594,403	787,109	\$6 per doz.	49.37
Still Wines, in casks.....	2,623,309	1,671,530	40c. per gall.	63.72
do in bottles, 1 pint to 1 quart.....	962,059	308,273	\$1.60 per doz.	32.04
Total Spirits and Wines.....	8,762,763	6,471,644	.....	73.85
Sugar and Molasses:				
Molasses .....	6,366,177	1,659,064	{ 5c. per gall. } { & 25 p. c. }	26.06
Syrup and Melado.....	715,358	385,028	{ 1½c. per lb. } { & 25 p. c. }	53.82
Sugar, not above 7, Dutch Standard.....	15,395,744	8,785,579	{ 1¾c. per lb. } { & 25 p. c. }	57.06
Sugar, from No. 7 to No. 10.....	60,216,407	33,086,300	{ 2c. per lb. } { & 25 p. c. }	54.95
Sugar, from No. 10 to No. 13.....	7,044,675	4,016,173	{ 2¼c. per lb } { & 25 per ct. }	57.01
Total Sugars, Molasses, &c.....	89,811,785	47,984,033	.....	53.42
Tin, plates and Sheets.....	14,651,058	4,147,800	1 10c. per lb	28.31
Total Tin, &c.....	14,724,147	4,194,690	.....	28.48
Tobacco, Leaf.....	4,270,358	2,670,875	35c. per lb	62.54
Cigars, Cigarettes and Cheroots.....	2,161,785	1,897,781	{ \$2.50 per lb } { & 25 per ct. }	87.79
Total Tobacco and Manufactures.....	6,474,939	4,655,592	.....	71.90
Vegetables, preserved.....	307,276	107,547	35 per cent.	35.
Wood and Manufactures of:				
Boards, Plank and Sawed Lumber, M feet.....	5,290,128	951,627	\$2 per M feet.	17.99
Willow Manufactures, not otherwise specified.....	724,410	253,543	35 per cent.	35.
Total Wood and Manufacturers of.....	7,496,816	1,536,025	.....	20.48
Wool and Manufactures of:				
Raw Wool, No. 1, 32c. or less per lb.....	4,492,840	2,488,216	{ 10c. per lb } { & 11 per ct. }	54.39
Do. over 32c. per lb.....	244,435	101,703	{ 12c. per lb } { & 10 per ct. }	41.61
Do. No. 2, 32c. or less per lb.....	1,193,900	552,085	{ 10c. per lb } { & 11 per ct. }	46.24

## IMPORTS ENTERED FOR CONSUMPTION.—[Continued.]

ARTICLES.	Values. Dollars.	Duties. Dollars.	Rate of Duty.	Duty <i>ad. val.</i> per ct.
Wool and Manufactures of:				
Raw Wool, No. 3, 12c. or less per lb.....	3,381,424	867,516	3c. per lb	25.63
Do. over 12c. per lb.....	2,653,617	808,113	6c. per lb	30.45
Total Raw Wools.....	12,060,827	4,860,815		40.30
Carpets, Aubusson and Axminster, sq. yards.....	371,681	185,840	50 per cent	50.
Carpets, Brussels.....	213,724	146,130	{ 44c. per sq. yard and { 35 per cent.	68.57
Do. Brussels Tapestry.....	284,258	215,815	{ 28c. per sq. yard and { 35 per cent.	75.95
Screens, Rugs, &c.....	287,425	129,341	45 per cent.	45.
Total Carpeting.....	1,400,063	817,068		58.35
Dress Goods, not over 20c. per sq. yard.....	4,556,833	3,178,006	{ 6c. per sq. yard and { 35 per cent.	69.74
Do. above 20c. per sq. yard.....	9,395,887	6,281,624	{ 8c. per sq. yard and { 40 per cent.	65.79
Do. weighing 4 oz. and over sq. yard.....	2,008,345	1,274,431	{ 50c. per lb & 35 per ct. }	63.46
Total Dress Goods.....	15,961,066	10,734,062		67.25
Hosiery, value over 80c. per lb.....	827,508	461,569	{ 50c. per lb & 35 per ct. }	55.78
Manufactures, not otherwise specified, over 80c. per lb.....	1,420,824	981,726	{ 50c. per lb & 35 per ct. }	69.10
Shirts, Drawers, &c., over 80c. per lb.....	178,685	121,443	{ 50c. per lb & 35 per ct. }	67.96
Wool and Worsted Cloths.....	9,376,038	6,810,074	{ 50c. per lb & 35 per ct. }	72.63
Clothing, Ready-made.....	834,054	489,051	{ 50c. per lb & 40 per ct. }	58.64
Manufactures, not otherwise specified.....	425,858	288,179	{ 50c. per lb & 35 per ct. }	67.67
Shawls, Worsted, &c.....	1,064,115	617,610	{ 50c. per lb & 40 per ct. }	58.04
Webbing, Beltings, Braids, &c.....	327,321	223,444	{ 50c. per lb & 50 per ct. }	68.26
Yarns, value over 80c. per lb.....	531,192	417,200	{ 50c. per lb & 35 per ct. }	78.54
Total Wools and Manufactures of.....	45,164,149	27,285,625		60.41
Zinc and Manufacturers of.....	262,218	106,914		40.77
Total Dutiable Merchandise.....	440,107,216	193,561,011		43.98
Total Free of Duty.....	202,557,412			
Total value of Merchandise Imported.....	642,664,628			30.11

## COMPARATIVE STATEMENT, IMPORTS OF FISCAL YEARS 1880 AND 1881.

	1880.	1881.
Total Value of Merchandise Imported.....	\$667,954,746	\$642,664,628
Total Value of Coin and Bullion Imported.....	93,034,310	110,575,497
Grand Total of Imports—Merchandise and Specie.....	\$760,989,056	\$753,240,125

## TOTAL EXPORTS FROM THE UNITED STATES.

From the Official Report of the Bureau of Statistics, Treasury Department.

Exports of Merchandise of Domestic Production.	VALUES.		Exports of Merchandise of Domestic Production.	VALUES.	
	Twelve Months ended June 30—			Twelve Months ended June 30—	
Articles.	1880.	1881.	Articles.	1880	1881.
Acids.....	\$71,231	\$39,240	Ashes, pot and pearl.....	110,575	141,463
Agricultural Implements:			Bark, for tanning.....	210,126	120,426
Fanning mills.....	305	764	Beer, ale and porter:		
Horse powers.....	11,682	2,002	In bottles.....	262,450	292,421
Mowers and reapers.....	768,945	654,156	In casks.....	36,368	55,367
Plows and Cultivators.....	169,211	184,828	Bells and bronze metal.....	15,866	24,963
All other.....	1,295,599	1,558,568	Billiard tables.....	28,390	17,389
Animals, living:			Blacking.....	163,021	179,993
Hogs.....	421,089	572,138	Bones and bone dust.....	46,431	35,066
Horned cattle.....	13,344,195	14,304,103	Bone black, ivory black & lamp black.....	66,069	51,682
Horses.....	675,139	390,243	Books and other publica- tions.....	626,630	690,359
Mules.....	532,362	353,924	Brass and manufactures of	183,468	216,057
Sheep.....	892,647	762,932			
All other, and fowls.....	16,688	29,058			

TOTAL EXPORTS FROM THE UNITED STATES.—[Continued.]

Exports of Merchandise of Domestic Productions.	VALUES.		Exports of Merchandise of Domestic Productions.	VALUES.		
	Twelve Months ended June 30—	1880.		1881.	Twelve Months ended June 30—	1880.
<b>Bread and breadstuffs:</b>			<b>Iron and steel:</b>			
Barley.....	784,819	549,245	Steam engines, locomotives.....	466,313	893,123	
Bread and biscuits.....	686,158	748,490	Steam engines, stationary, Boilers for steam engines when separate from the engines.....	136,087	79,653	
Indian corn.....	53,298,247	50,702,673	Machinery.....	101,271	122,516	
Indian corn meal.....	981,361	1,270,196	Nails and spikes.....	3,490,410	4,037,899	
Oats.....	308,129	186,899	All other manufactures of iron.....	287,939	298,323	
Rye.....	2,362,765	1,885,813	<b>Steel:</b>	3,943,870	5,245,366	
Rye flour.....	24,728	24,082	Ingots, bars, sheets and wire.....	15,223	37,643	
Wheat.....	190,546,305	167,698,485	Cutlery.....	71,122	83,723	
Wheat flour.....	35,333,197	45,047,257	Edge tools.....	926,882	1,051,272	
Other small grain & pulse	1,272,028	776,999	Files and saws.....	31,118	39,158	
Maizena, farina and other preparations of breadstuffs.....	2,439,098	1,443,605	Fire-arms.....	2,286,091	1,171,335	
Bricks, other than fire.....	36,299	27,989	Railroad bars or rails.....	14,744	6,076	
Brooms and brushes of all kinds.....	110,410	152,716	All other manufactures of steel.....	296,930	409,255	
Candles, tallow and other.....	237,627	210,842	<b>Jewelry, and other manufactures of gold and silver.....</b>	231,531	279,300	
Carriages, carts, and parts of.....	823,792	1,012,444	Junk (old) and oakum.....	32,102	29,988	
Cars, railroad, passenger & freight.....	583,723	544,041	Lamps.....	263,110	280,720	
Clocks, and parts of.....	1,356,742	1,146,728	Lead, and manufactures of, Leather, and Manufactures of:	49,899	39,668	
Coffee, cocoa and spices.....	93,238	104,386	Morocco, and other fine... Sole, upper, and all other.	658,242	661,019	
Coal:			5,086,118	6,472,695		
Anthracite.....	1,362,901	2,091,928	Manufactures of—			
Bituminous.....	695,179	739,532	Boots and shoes.....	441,069	374,343	
Combs.....	16,098	15,172	Saddlery and harness.....	133,705	148,567	
Copper and manufactures of:			All other manufactures of	441,052	433,221	
Ore.....	55,763	51,499	Lime and cement.....	52,584	83,598	
Pigs, bars, sheets and old	667,242	786,860	Manures:			
All other manufactures of	126,213	38,036	Guano.....	14,891	29,581	
Cordage, rope and twine....	356,808	421,732	Other manures.....	588,777	581,960	
Cotton & manufactures of:			<b>Marble and stone:</b>			
Sea Island.....	1,683,900	2,161,207	Rough.....	199,051	220,362	
Other, unmanufactured..	209,852,005	245,534,539	Manufactures of.....	453,912	409,433	
Colored.....	2,956,760	4,983,312	Matches.....	119,246	112,167	
Uncolored.....	5,834,541	6,624,374	<b>Mathematical, philosophical and optical instruments</b>	87,161	153,853	
All other manufactures of	1,190,117	1,963,601	<b>Musical instruments:</b>			
<b>Drugs, chemicals and medicines.....</b>	2,756,469	3,045,338	Organs, melodeons, &c....	530,112	599,382	
<b>Dye-stuffs.....</b>	702,750	626,749	Piano fortes.....	261,624	353,799	
<b>Earthen, stone and china ware.....</b>	106,724	123,177	All other.....	19,441	21,801	
<b>Fancy articles.....</b>	518,198	653,482	<b>Naval stores:</b>			
<b>Fruits:</b>			Rosin and turpentine.....	2,368,180	2,529,423	
Apples, dried.....	192,069	1,247,891	Tar and pitch.....	84,723	109,394	
Apples, green or ripe.....	1,190,560	2,301,334	Oil-cake.....	6,259,827	6,284,364	
Other fruit, green, ripe or dried.....	272,715	361,217	<b>Oils:</b>			
Preserved, in cans or otherwise.....	435,290	532,277	Mineral, crude.....	1,927,207	3,065,464	
Fur, and fur-skins.....	5,404,418	5,444,769	Mineral, refined or manufactured—			
Gas fixtures & chandeliers,	36,237	31,952	Naphthas, benzines, gasoline, &c.....	1,192,229	3,693,975	
Ginseng.....	533,042	561,545	Illuminating.....	31,783,575	34,317,682	
Glass and glassware.....	749,866	756,024	Lubricating (heavy paraffine, &c).....	1,039,124	1,054,064	
Glue.....	22,650	59,038	Residuum, (tar, pitch, &c.)	276,490	184,411	
<b>Hair:</b>			Animal—			
Unmanufactured.....	232,726	295,188	Lard.....	816,447	562,028	
Manufactures of.....	24,552	42,033	Neat's-foot, and other animal.....	23,519	60,359	
<b>Hats, caps and bonnets:</b>			Sperm.....	487,004	303,113	
Of wool, fur and silk.....	198,639	265,856	Whale and other fish.....	349,109	226,274	
Of palm-leaf, straw, &c...	23,094	17,256	Vegetable—			
Hay.....	206,819	233,529	Cotton seed.....	3,225,414	1,465,255	
<b>Hemp, and manufactures of:</b>			Linseed.....	31,214	48,479	
Hemp, unmanufactured.	8,796	431	Volatile or essential.....	219,612	92,738	
Cables and cordage.....	179,979	124,895	<b>Ordnance stores:</b>			
All other manufactures of	1,083,676	1,080,404	Cannon.....	4,400	.....	
Hides and skins, other than fur.....	649,074	883,787	Cartridges and fuses.....	439,298	553,443	
Hops.....	2,573,292	2,016,970	Gunpowder.....	177,891	275,579	
Ice.....	136,686	132,120	Shot and shell.....	155,755	42	
<b>India-rubber and gutta-percha manufactures:</b>			Ore, argentiferous.....	187,350	58,405	
Boots and shoes.....	28,072	37,437	Paints, and painters' colors.	231,774	287,338	
All other manufactures...	278,608	363,097	Paintings and engravings...	198,579	254,450	
<b>Iron and steel:</b>			Paper and stationery.....	1,183,140	1,347,727	
Iron & manufactures of—			Perfumery.....	302,993	292,939	
Pig.....	54,115	117,723	Plated ware, of silver, &c....	292,563	310,577	
Bar.....	25,302	33,709	Printing presses and type...	251,227	185,011	
Boiler-plate.....	7,160	12,497	<b>Provisions:</b>			
Railroad bars or rails.....	32,746	48,246	Bacon and hams.....	50,987,623	61,161,205	
Sheet, band and hoop....	15,401	10,971				
Castings.....	222,276	219,550				
Car wheels.....	86,103	132,882				
Stoves, and parts of.....	91,473	117,356				

## TOTAL EXPORTS FROM THE UNITED STATES.—[Continued.]

VALUES.			VALUES.		
Exports of Merchandise of Domestic Production.	Twelve Months ended June 30—		Exports of Merchandise of Domestic Production.	Twelve months ended June 30—	
Articles.	1880.	1881.	Articles.	1880.	1881.
Provisions:			Tobacco and manufact's of:		
Beef—Fresh.....	7,441,918	9,860,434	Snuff.....	6,074	8,710
Salted or cured.....	2,881,047	2,665,611	All other manufactures of	1,989,271	2,038,572
Butter.....	6,690,687	6,256,024	Trunks and Valises.....	183,758	173,639
Cheese.....	12,171,720	16,380,248	Umbrellas, parasols, &c.....	8,230	2,113
Exports of Domestic Production.			Varnish.....	96,062	156,617
Condensed milk.....	121,013	139,470	Vessels sold to Foreigners:		
Eggs.....	14,148	13,776	Steamers.....	51,550	46,000
Fish, dried or smoked.....	739,231	840,199	Sailing vessels.....	184,930	74,730
Fish, fresh.....	124,962	97,539	Vinegar.....	4,123	9,722
Fish, pickled.....	284,293	264,723	Watches, and parts of.....	96,495	100,710
Fish, other cured.....	2,326,444	2,803,330	Wax (bees').....	48,880	40,203
Lard.....	27,920,367	35,226,575	Wearing apparel.....	486,233	533,961
Meats, preserved.....	7,877,200	5,971,909	Whalebone.....	255,847	326,400
Mutton, fresh.....	176,218	258,003	Wine.....	123,317	69,915
Oysters.....	543,895	581,897	Wood and Manufactures of:		
Pickles and sauces.....	17,158	21,157	Boards and planks.....	4,223,259	5,192,961
Pork.....	5,930,252	8,272,285	Laths, palings, pickets, curtain-sticks, broom-handles, and bed-slats..	11,936	22,552
Onions.....	50,074	37,975	Shingles.....	165,893	173,026
Potatoes.....	522,039	460,517	Box shooks.....	136,082	75,726
Other vegetables.....	89,053	64,231	Other shooks, staves, and heading.....	3,510,976	3,136,914
Vegetables, prepared.....	133,900	151,155	Hogsheads and barrels, empty.....	262,029	155,662
Quicksilver.....	1,360,176	1,124,955	All other lumber.....	765,550	1,219,769
Rags: cotton and linen.....	14,430	25,107	Fire-wood.....	11,552	10,947
Woolen.....	3	.....	Hop, telegraph and other poles.....	427,187	158,378
Rice.....	13,366	10,072	Logs, masts, spars, and other whole timber.....	691,194	721,216
Salt.....	6,613	14,752	Timber, sawed and hewed	2,219,320	3,319,443
Scales and balances.....	199,412	263,571	All other timber.....	98,733	109,037
Seeds			Household furniture.....	1,653,878	1,893,748
Clover.....	2,401,351	502,646	Wooden ware.....	331,137	331,152
Cotton.....	134,116	147,543	All other manufactures of wood.....	1,728,660	2,069,142
Timothy, garden, and all other.....	241,356	412,577	Wool and Manufactures of:		
Sewing-machines, and parts of.....	1,649,367	1,982,324	Wool, raw and fleece.....	71,987	19,217
Soap:			Carpets.....	8,530	10,750
Perfumed, and all toilet... ..	38,567	44,496	All other manufactures of	208,046	320,333
Other.....	690,122	650,361	Zinc, and Manufactures of:		
Spermaceti.....	45,018	40,945	Ore or oxide.....	42,036	16,405
Spirits, distilled:			Plates, sheets, pigs, or bars.....	119,264	132,805
From grain.....	2,586,685	2,878,388	All articles not enumerated:		
From molasses.....	397,247	296,448	All other unmanufactured articles.....	782,661	888,445
From other materials.....	43,613	73,095	All other manufactured articles.....	5,518,283	6,927,912
Spirits of turpentine.....	2,132,254	2,414,719	Total exports of domestic merchandise.....	823,946,353	883,925,947
Starch.....	447,842	629,710	Total exports of domestic coin and bullion.....	9,347,893	14,226,944
Steam and other fire-engine apparatus.....	10,942	9,611	Total Domestic Exports..	833,294,246	898,152,891
Sugar and molasses:					
Sugar, brown.....	1,064	2,045			
Sugar, refined.....	2,717,563	2,049,982			
Molasses.....	539,603	548,617			
Candy and confectionery..	81,757	73,253			
Tallow.....	7,689,232	6,800,628			
Tin, and manufactures of... ..	144,185	198,524			
Tobacco and manufactures of:					
Leaf.....	16,379,107	18,787,043			
Cigars.....	67,821	94,559			

## TOTAL EXPORTS FROM THE UNITED STATES OF FOREIGN PRODUCTION, 1880 and 1881.

Total value of merchandise.....	\$ 11,692,305	\$ 18,451,399
Total value of coin and bullion.....	7,795,026	5,179,903
Total Foreign Exports.....	\$ 19,487,331	\$ 23,631,302
Add Total Domestic Exports.....	833,294,246	898,152,891
Gross Exports.....	\$852,781,577	\$921,784,193
Carried in American Vessels.....	\$115,918,240	\$121,990,939
Carried in Foreign Vessels.....	730,072,437	790,908,482
Carried in cars and other land vehicles.....	6,790,900	8,884,772
Total Exports.....	\$852,781,577	\$921,784,193
Domestic and Foreign Exports:	1880.	1881.
Total value of Merchandise.....	\$835,638,658	\$902,377,346
Total value of Coin and Bullion.....	17,142,919	19,406,847
Gross Exports.....	\$852,781,577	\$921,784,193

A Classified statement of pensioners on the rolls of each agency, June 30th, 1882, compared with the number June 30, 1881, and the total disbursements for pensions by each agent during the year ending June 30, 1882.

TABULATED HISTORY—PENSION STATISTICS.

City.	State.	Army.		Navy.		War of 1812.		Number of pensioners on the roll June 30, 1882.	Disbursements on account of pensions during the year.				Total disbursements.	Number of pensioners on the roll June 30, 1881.
		Invalids.	Widows, &c.	Invalids.	Widows, &c.	Survivors.	Widows.		Regular pensions.	Arrears.	Salary and expenses of pension agents.			
Columbus.....	Ohio.....	15,953	7,489	66	72	588	2,005	26,163	\$1,848,266 45	\$10,115 83	\$18,788 38	\$4,877,170 66	24,533	
Chicago.....	Illinois.....	16,240	5,879	91	53	310	984	23,557	5,270,774 73	10,956 63	16,857 82	5,298,589 18	21,481	
Boston.....	Massachusetts.....	11,344	7,117	532	434	601	1,976	22,004	3,851,703 62	5,217 84	15,352 41	3,872,273 87	20,961	
Syracuse.....	New York.....	11,865	6,051	.....	.....	797	2,249	20,962	3,730,787 31	8,192 57	16,056 89	3,755,036 77	19,709	
Washington.....	District of Columbia.....	13,823	4,163	389	374	291	1,284	20,324	3,631,308 84	13,549 98	17,432 00	3,662,291 42	19,170	
Indianapolis.....	Indiana.....	13,218	4,584	.....	.....	180	823	18,805	4,614,445 57	12,065 32	13,452 33	4,630,963 22	16,253	
Philadelphia.....	Pennsylvania.....	11,448	5,497	345	327	190	908	18,715	3,114,901 02	9,110 38	16,650 44	3,130,661 84	17,860	
Knoxville.....	Tennessee.....	5,351	4,512	85	91	1,489	6,165	17,693	2,508,623 39	10,260 60	13,014 41	2,531,898 42	17,746	
Pittsburg.....	Pennsylvania.....	10,140	5,082	48	49	192	739	16,250	2,789,372 78	2,693 08	13,031 36	2,805,097 22	14,414	
New York.....	New York.....	8,223	5,234	504	347	437	1,272	16,017	2,595,723 68	9,491 34	17,688 18	2,622,883 20	15,969	
Topeka*.....	Kansas.....	11,116	2,975	36	20	243	803	15,193	3,469,660 80	10,542 74	14,642 95	3,494,846 49	13,628	
Des Moines.....	Iowa.....	10,822	2,420	.....	.....	142	476	13,860	3,130,185 33	3,504 94	11,947 67	3,145,637 94	13,188	
Milwaukee.....	Wisconsin.....	9,253	3,137	32	23	188	400	13,033	2,692,130 55	9,906 83	10,410 92	2,712,448 80	11,996	
Detroit.....	Michigan.....	8,325	2,681	24	22	275	672	11,999	2,160,799 02	4,763 26	4,664 42	2,177,153 94	11,375	
Augusta.....	Maine.....	5,306	3,498	96	67	636	1,923	11,526	847,023 94	1,769 12	4,664 42	853,457 48	.....	
Concord.....	New Hampshire.....	6,237	3,342	59	44	327	1,019	6,606	3,043,603 20	6,623 54	14,107 53	3,064,334 27	21,955	
Louisville.....	Kentucky.....	2,998	2,520	10	14	201	861	6,606	1,208,487 95	5,183 71	7,177 47	1,220,849 13	6,798	
San Francisco.....	California.....	1,476	267	54	18	47	100	1,962	416,768 02	803 90	5,115 27	422,687 19	1,794	
Total number of pensioners, &c.....		173,138	76,448	2,361	1,955	7,134	24,661	285,697	53,924,566 20	134,731 61	236,982 73	54,296,280 54	268,850	
Increase during the year.....		20,113	.....	174	63	1,764	1,368	16,867	4,201,418 68	543,594 12	12,277 47	3,669,742 03	.....	
Decrease during the year.....		.....	325	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	

\* Under executive order dated November 2, 1881, it was directed that the agency for paying pensions at Saint Louis, Mo., should be moved therefrom to Topeka, Kans. from January 1, 1882. No change made in the geographical limits of this agency district.

† Under executive order dated January 13, 1882, all pensioners residing in the State of Maine and then paid at Concord, N. H., to be paid on and after February 1, 1882, at Augusta, in the State of Maine.

List of Pension Agencies, with Location, Geographical Limits, and Name of Pension Agents.

Locality of agency.		Name of agent.	Geographical limits.
City.	State.		
Augusta . . . . .	Maine . . . . .	Selden Connor . . . . .	The State of Maine.
Boston . . . . .	Massachusetts . . . . .	D. W. Gooch . . . . .	The State of Massachusetts, Rhode Island and Connecticut.
Chicago . . . . .	Illinois . . . . .	Ada C. Sweet . . . . .	The State of Illinois.
Columbus . . . . .	Ohio . . . . .	A. T. Wikoff . . . . .	The State of Ohio.
Concord . . . . .	New Hampshire . . . . .	E. L. Whitford . . . . .	The States of New Hampshire and Vermont.
Des Moines . . . . .	Iowa . . . . .	Jacob Rich . . . . .	The States of Iowa and Nebraska.
Detroit . . . . .	Michigan . . . . .	Samuel Post . . . . .	The State of Michigan.
Indianapolis . . . . .	Indiana . . . . .	Frederick Knefler . . . . .	The State of Indiana.
Knoxville . . . . .	Tennessee . . . . .	D. T. Boynton . . . . .	The States of Virginia, West Virginia, North Carolina, Tennessee, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana Texas, Arkansas, and the Indian Territory.
Louisville . . . . .	Kentucky . . . . .	R. M. Kelly . . . . .	The State of Kentucky.
Milwaukee . . . . .	Wisconsin . . . . .	E. Ferguson . . . . .	The States of Wisconsin and Minnesota and the Territories of Dakota, Montana and Wyoming.
New York City . . . . .	New York . . . . .	C. R. Coster . . . . .	The counties of Albany, Clinton, Columbia, Delaware, Dutchess, Essex, Greene, Kings, Queens, New York, Orange, Putnam, Richmond, Rensselaer, Rockland, Saratoga, Schenectady, Sullivan, Suffolk, Ulster, Warren, Washington, and Westchester.
Philadelphia . . . . .	Pennsylvania . . . . .	H. G. Sickel . . . . .	The counties of Berks, Bradford, Bucks, Carbon, Chester, Columbia, Dauphin, Delaware, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Monroe, Montgomery, Northampton, Northumberland, Philadelphia, Pike, Schuylkill, Sullivan, Susquehanna, Wayne, Wyoming, and York, in the State of Pennsylvania.
Pittsburgh . . . . .	Pennsylvania . . . . .	W. A. Herron . . . . .	The counties in the State of Pennsylvania not in the Phila. district.
San Francisco . . . . .	California . . . . .	Henry Cox . . . . .	The State of California, Nevada and Oregon, and the Territories of Alaska, Arizona, Idaho, Utah, and Washington.
Syracuse . . . . .	New York . . . . .	T. L. Poole . . . . .	The counties in the State of New York not in the New York district.
Topcka . . . . .	Kansas . . . . .	N. A. Adams . . . . .	The States of Missouri, Kansas, and Colorado, and the Territory of New Mexico.
Washington . . . . .	District of Columbia . . . . .	Theodore Gaines . . . . .	The States of New Jersey, Delaware, Maryland, the District of Columbia, and all the national home and foreign pensioners.

Statement showing the different rates of Pension per month and the number pensioned to each rate of the Army and Navy invalids on the roll, June 30, 1882.

Rate per month.	Army invalid class.	Navy invalid class.	Total.	Rate per month.	Army invalid class.	Navy invalid class.	Total.
\$1 00.	1,568	78	1,586	\$13 00.	116	9	125
1 33.	1		1	13 25.	5	17	22
1 60.	1		1	13 33.	27		27
1 87.	2		2	13 50.	16	2	18
2 00.	17,832	177	18,009	13 75.	10		10
2 25.	11		11	14 00.	2,833	28	2,861
2 38.	3		3	14 25.	9	6	15
2 50.	12	8	20	14 38.	2		2
2 66.	706	5	711	14 50.	4	1	5
2 75.	1		1	14 75.	5		5
3 00.	3,808	46	3,854	15 00.	1,530	37	1,567
3 20.	1		1	15 25.	1	1	2
3 50.	2	1	3	15 50.	1	1	2
3 75.	235	2	237	15 75.	1	11	12
4 00.	42,262	510	42,772	16 00.	1,097	7	1,104
4 25.	290		290	16 25.	5	3	8
4 50.				16 50.	1		1
4 75.	1		1	16 66.	12		12
5 00.	1,863	63	1,926	16 75.	7		7
5 25.	3		3	17 00.	1,054	2	1,056
5 33.	636	4	640	17 25.		2	2
5 50.	2		2	17 50.	10	34	44
5 62.	5		5	17 75.	2		2
5 66.	38		38	18 00.	12,360	118	12,478
5 75.	13		13	18 25.	1	3	4
6 00.	27,412	296	27,708	18 50.	8		8
6 25.	58		58	18 75.	95	2	97
6 37.	10		10	19 00.	4	3	7
6 50.	2	1	2	19 25.	7		7
6 66.	24	1	25	20 00.	1,085	32	1,117
6 75.	4		4	20 75.		1	1
7 00.	341	3	344	21 00.	5		5
7 50.	728	25	753	21 25.	2		2
7 75.	6	1	7	21 75.	1		1
8 00.	28,644	430	29,074	22 00.	1		1
8 25.	11		11	22 50.	84	2	86
8 33.	1		1	23 75.	1		1
8 50.	969	1	970	24 00.	6,973	109	7,082
8 75.	8	1	9	24 50.	2		2
9 00.	27	6	33	25 00.	238	4	242
9 25.	10		10	26 25.	1		1
9 50.	11	4	15	26 66.	1		1
9 75.	3	5	8	27 00.			
10 00.	6,166	83	6,249	27 50.	5		5
10 20.	1		1	28 50.	1		1
10 25.	4		4	28 75.	1		1
10 50.	16	4	20	30 00.	261	4	265
10 62.	7		7	30 75.		1	1
10 75.	2	20	22	31 25.	227	5	232
11 00.	10	9	19	36 00.	28	1	29
11 25.	265	15	280	37 50.	6		6
11 33.	42		42	38 50.		1	1
11 50.	23	2	25	40 00.	1		1
11 69.	2		2	50 00.	415	10	425
11 75.	6	2	8	57 00.	1		1
12 00.	9,093	166	9,209	72 90.	721	24	745
12 25.	11		11	100 00.	1		1
12 38.	1		1				
12 50.	158	20	178				
12 75.	481	1	482				
				Total	173,138	2,361	175,499

United States Internal Revenue Taxes, under the Revenue Law of March 3, 1883.

Ale, per barrel of 31 gallons . . . . .	\$1 00	Banks, persons, firms, associations, (other than national bank associations), and every corporation, State bank, or State banking association, on the amount of their own notes used for circulation and paid out by them . . . . .	10 per ct.
Banks and bankers, on average amount of circulation, each month. . . . .	$\frac{1}{2}$ of 1 per ct.	Beer, per barrel of 31 gallons . . . . .	1 00
Banks, on average amount of circulation, beyond 90 per ct. of the capital, an additional tax each month . . . . .	$\frac{1}{6}$ of 1 per ct.	Brandy, per gallon . . . . .	90
Banks, persons, firms, associations, etc., on amount of notes of any person, firm, association (other than a national banking association), corporation, State bank, or State banking association, town, city, or municipal corporation, used and paid out as circulation . . . . .	10 per ct.	Brewers, manufacturing 500 barrels or more annually . . . . .	100 00
		— manufacturing less than 500 barrels annually . . . . .	50 00
		Cigars, manufacturers of . . . . .	6 00

Cigars of all descriptions, made of tobacco or any substitute, per 1,000 . . . . .	3 00	Tobacco, manufacturers of . . . . .	6 00
Cigarettes, not weighing more than 3 lbs. per 1,000, per 1,000 . . . . .	50	Tobacco, dealers in leaf, wholesale . . . . .	12 00
Cigarettes, weight exceeding 3 lbs. per 1,000, per 1,000 . . . . .	3 00	Tobacco, dealers in leaf, retail . . . . .	200 00
Cigars or cigarettes, imported, in addition to import duty, to pay same as above . . . . .		Tobacco, dealers in leaf, for sales in excess of \$500 per annum, per dollar of excess.	30
Liquors, fermented, per barrel . . . . .	1 00	Tobacco pedlars, traveling with more than two horses, mules, etc. . . . .	30 00
Liquors, distilled, per gallon . . . . .	90	Tobacco pedlars, traveling with two horses, mules, or other animals . . . . .	15 00
Liquor dealers (wholesale), special tax . . . . .	100 00	Tobacco pedlars, traveling with one horse, mule, or other animal . . . . .	7 20
Malt liquor dealers (wholesale) . . . . .	50 00	Tobacco pedlars, traveling on foot, or by public conveyance . . . . .	3 00
Liquor dealers (retail) special tax . . . . .	25 00	Tobacco, snuff and cigars, for export, stamps for, each . . . . .	10
Malt liquor dealers (retail) . . . . .	20 00	Whiskey, per proof gallon . . . . .	90
Manufacturers of stills . . . . .	50 00	Wines and champagne (imitation), not made from grapes grown in the United States, and liquors not made from grapes, currants, rhubarb, or berries, grown in the United States, but rectified or mixed with distilled spirits, or by infusion of any matter in spirits, to be sold as wine or substitute for it, per dozen bottles of more than a pint and not more than a quart . . . . .	2 40
Manufacturers of stills, for each still or worm made . . . . .	20 00	Imitation wines, containing not more than one pint, per dozen bottles . . . . .	1 20
Rectifiers, special tax less than 500 barrels, \$100; above 500 barrels . . . . .	200 00		
Snuff, or snuff flour, manufactured of tobacco, or any substitute, per lb. . . . .	8		
Spirits, distilled, per proof gallon . . . . .	90		
Stamps for distilled spirits for export, wholesale liquor dealers, special bonded warehouse, distillery warehouse and rectified spirits, each . . . . .	10		
Tobacco, all kinds, per pound . . . . .	8		
Tobacco, dealers in . . . . .	5 00		

CONGRESSIONAL REPRESENTATION.

Apportionm't of Representatives in Congress, ratio of representation by the Constitution and at each census.

STATES.	Admitted to the Union.	REPRESENTATIVES TO WHICH EACH STATE WAS ENTITLED BY										
		Constitution, 1879.	1st cens., from Mar. 4, 1793.	2d cens., from Mar. 4, 1803.	3d cens., from Mar. 4, 1813.	4th cens., from Mar. 4, 1823.	5th cens., from Mar. 4, 1833.	6th cens., from Mar. 4, 1843.	7th cens., from Mar. 4, 1853.	8th cens., from Mar. 4, 1863.	9th cens., from Mar. 4, 1873.	10th census, 1882.
Ratio of Representat'n	.....	30,000	33,000	33,000	35,000	40,000	47,700	70,680	93,423	127,381	131,425	134,009
Alabama	1819	.....	.....	.....	.....	3	5	7	7	6	8	8
Arkansas	1836	.....	.....	.....	.....	.....	.....	1	2	3	4	5
California	1850	.....	.....	.....	.....	.....	.....	.....	2	3	4	6
Colorado	1876	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	1
Connecticut	.....	5	7	7	7	6	6	4	4	4	4	4
Delaware	.....	1	1	1	2	1	1	1	1	1	1	1
Florida	1845	.....	.....	.....	.....	.....	.....	.....	1	1	2	2
Georgia	.....	3	2	4	6	7	9	8	8	7	9	10
Illinois	1818	.....	.....	.....	.....	1	3	7	9	14	19	20
Indiana	1816	.....	.....	.....	.....	3	7	10	11	11	13	13
Iowa	1846	.....	.....	.....	.....	.....	.....	.....	2	6	9	11
Kansas	1861	.....	.....	.....	.....	.....	.....	.....	.....	1	3	7
Kentucky	1792	.....	2	6	10	12	13	10	10	9	10	11
Louisiana	1812	.....	.....	.....	.....	3	3	4	4	5	6	6
Maine	1820	.....	.....	.....	.....	7	8	7	6	5	5	4
Maryland	.....	6	8	9	9	9	8	6	6	5	6	6
Massachusetts	.....	8	14	17	20	13	12	10	11	10	11	12
Michigan	1837	.....	.....	.....	.....	.....	.....	3	4	6	9	11
Minnesota	1858	.....	.....	.....	.....	.....	.....	.....	2	2	3	5
Mississippi	1817	.....	.....	.....	.....	1	2	4	5	5	6	7
Missouri	1821	.....	.....	.....	.....	1	2	5	7	9	13	14
Nebraska	1867	.....	.....	.....	.....	.....	.....	.....	.....	1	1	3
Nevada	1864	.....	.....	.....	.....	.....	.....	.....	.....	1	1	1
New Hampshire	.....	3	4	5	6	6	5	4	3	3	3	2
New Jersey	.....	4	5	6	6	6	6	5	5	5	7	7
New York	.....	6	10	17	27	34	40	34	33	31	33	34
North Carolina	.....	5	10	12	13	13	13	9	8	7	8	9
Ohio	1802	.....	.....	.....	6	14	19	21	21	19	20	21
Oregon	1859	.....	.....	.....	.....	.....	.....	.....	*1	1	1	1
Pennsylvania	.....	8	13	18	23	26	28	24	25	24	27	28
Rhode Island	.....	1	2	2	2	2	2	2	2	2	2	2
South Carolina	.....	5	6	8	9	9	9	7	6	4	5	7
Tennessee	1796	.....	.....	3	6	9	13	11	10	8	10	10
Texas	1845	.....	.....	.....	.....	.....	.....	.....	2	4	6	11
Vermont	1791	.....	2	4	6	5	5	4	3	3	3	2
Virginia	.....	10	19	22	23	22	21	15	13	11	9	10
West Virginia	1863	.....	.....	.....	.....	.....	.....	.....	.....	.....	3	4
Wisconsin	1848	.....	.....	.....	.....	.....	.....	.....	3	6	8	9
Whole number	.....	65	105	141	181	213	240	223	234	243	293	325

\* These States admitted subsequently to the apportionment.



**AMOUNT OF PAPER MONEY IN THE UNITED STATES.**

**National Bank and Legal-Tender Notes by Denominations.**

From Report of the Comptroller of the Currency, December, 1882.

In accordance with law, no national-bank notes of a less denomination than five dollars have been issued since January 1, 1879, when the amount outstanding was \$7,718,747. Since that date the amount of ones and twos issued by the banks has been reduced \$6,778,189, and during the same period the legal-tender notes of these denominations have been increased \$12,435,707.

During the last year the amount of national-bank notes of these denominations has decreased one-half, to \$940,558, the amount of the decrease being \$910,724. The total increase of the amount of ones and twos outstanding, in national-bank and legal-tender notes, is \$5,657,518.

The following table shows, by denominations, the amount of national-bank and legal-tender notes outstanding on October 31, 1882, and the aggregate amounts of both kinds of notes at the same period in 1880 and 1881:

Denominations.	1882.			1881.	1880.
	National-bank notes.	Legal-tender notes.	Aggregate.	Aggregate.	Aggregate.
Ones . . . . .	\$813,800	\$27,255,144	\$28,068,044	\$25,793,171	\$24,247,362
Twos . . . . .	126,758	25,473,197	25,599,955	24,254,366	23,036,578
Fives . . . . .	96,920,955	68,344,110	165,265,065	168,380,062	167,042,898
Tens . . . . .	122,713,260	72,012,211	194,725,471	196,717,671	189,655,588
Twenties . . . . .	81,001,540	66,716,419	150,717,959	151,922,503	147,719,837
Fifties . . . . .	23,657,100	24,145,545	47,802,645	46,441,775	45,777,475
One hundreds . . . . .	31,598,800	34,237,890	65,836,690	63,190,370	59,958,600
Five hundreds . . . . .	953,500	14,671,000	15,624,500	14,949,500	16,765,500
One thousands . . . . .	197,000	12,200,500	12,397,500	12,266,500	14,640,500
Five thousands . . . . .	.....	2,395,000	2,395,000	2,430,000	565,000
Ten thousands . . . . .	.....	230,000	230,000	260,000	320,000
Add for unredeemed fragments of national-bank notes . . . . .	×18,233	.....	×18,233	×16,586	×15,120
Deduct for legal-tender notes destroyed in Chicago fire . . . . .	.....	—1,000,000	—1,000,000	—1,000,000	—1,000,000
Total . . . . .	361,000,946	346,681,016	707,681,963	705,622,504	688,744,467

The amount of one and two dollar notes outstanding is but one-fourth of one per cent. of the whole circulation of the banks; the fives constitute 26.9 per cent., the tens 34 per cent., the 23.3 per cent. while the fifties and larger notes are only 15.6 per cent. of the entire circulation. While the amount of ones and twos of the national-bank circulation is steadily diminishing, the legal-tender notes of these denominations are as steadily increasing.

Of the entire amount of national-bank and legal-tender notes outstanding, about 7.5 per cent. consists of one and two dollar notes; more than 30.8 per cent. of ones, twos, and fives; more than 58.3 per cent. is in notes of less denomination than twenty dollars, while about 79.6 per cent. is in notes of a lower denomination than fifty dollars. Of the entire issue about twenty per cent. is in denominations of fifties, one hundreds, five hundreds, and one thousands. There are also outstanding 479 legal-tender notes of the denomination of five thousand, and 23 notes of the denomination of ten thousand.

The following table\* exhibits by denominations the circulation of the Imperial Bank of Germany on January 1, 1881, in thalers and marks, which are here converted into our currency:

Thalers.				Marks.			
Number of pieces.	Denominations.	Value of each piece in dollars.	Amount in dollars (Thaler=75 cents.)	Number of pieces.	Denominations.	Value of each piece in dollars.	Amount in dollars. (Mark=25 cents.)
81	500 thalers.	375 00	30,375	267,588	1,000 marks.	250	66,897,000
2,195	100 thalers.	75 00	164,625	195,642	500 marks.	125	24,455,250
1,682½	50 thalers.	37 50	63,094	4,920,300	100 marks.	25	123,007,500
8,621	25 thalers.	18 75	161,644	.....	.....	.....	.....
8,932½	10 thalers.	7 50	66,993	.....	.....	.....	.....
21,512	.....	.....	486,731	5,383,530	.....	.....	214,359,750

The circulation of the Imperial Bank of Germany on January 1, 1881, was \$201,036,187, showing an increase during the following year of \$13,323,563; on January 1, 1879, the circulation was \$165,933,942, showing an increase during the three years preceding January 1, 1882, of \$48,525,808.

\* London Banker's Magazine, August, 1882, p. 623.

The following tablet\* gives the circulation of the Bank of France and its branches, with the number of pieces, and the denominations in francs and in dollars, on January 26, 1882:

Number of pieces.	Denominations.	Value of each piece in dollars.	Amount in francs.	Amount in dollars. (Franc=20 cents.)
5	5,000 francs.	1,000	25,000	5,000
1,365,028	1,000 francs.	200	1,365,028,000	273,005,600
688,400	500 francs.	100	344,200,000	68,840,000
2,823	200 francs.	40	564,600	112,920
9,626,652	100 francs.	20	962,665,200	192,533,040
3,464,329	50 francs.	10	173,216,450	34,643,290
24,110	25 francs.	5	602,750	120,550
233,845	20 francs.	4	4,676,900	935,380
182,700	5 francs.	1	913,500	182,700
1,217	Forms out of date.	.....	424,275	84,855
15,589,109	.....	.....	2,852,316,675	570,463,335

The amount of circulation of the Bank of France on January 27, 1881, was 2,524,081,780 francs, or say \$504,816,356, showing an increase between that time and January 26, 1882, the date of the foregoing table, of 328,234,895 francs, or \$65,646,979, and since January 30, 1879, an increase of 561,345,845 francs, or \$112,269,169.

It will be seen that the Imperial Bank of Germany has in circulation no notes of a less denomination than seven dollars and a half (ten thalers), and issues none of less than twenty-five dollars (one hundred marks); and that the Bank of France issues but little over a million and a quarter of a less denomination than ten dollars. The Bank of England issues no notes of less than £5 or twenty-five dollars, and the Irish and Scotch banks none of less than £1, or five dollars.

#### Redemption.

Since the passage of the act of June 20, 1874, section 3 of which requires the banks at all times to keep on deposit in the Treasury 5 per centum of their circulation as a redemption fund, that fund as a rule has been maintained, and circulating notes of the banks have been promptly redeemed at the Treasury, without expense to the government.

The following table exhibits the number and amount of national-bank notes, of each denomination, which have been issued and redeemed since the organization of the system, and the number and amount outstanding on November 1, 1882:

Denominations.	Number.			Amount.		
	Issued.	Redeemed.	Outstanding.	Issued.	Redeemed.	Outstanding.
Ones . . . . .	23,167,677	22,353,877	813,800	\$23,167,677	\$22,353,877	\$813,800
Twos . . . . .	7,747,519	7,684,140	63,379	15,495,038	15,368,280	126,758
Fives . . . . .	78,697,424	50,313,233	19,384,191	393,487,120	296,566,165	96,920,955
Tens . . . . .	32,042,260	19,770,934	12,271,326	320,422,600	197,709,340	122,713,260
Twenties . . . . .	9,751,784	5,551,707	4,200,077	195,035,680	111,034,140	84,001,540
Fifties . . . . .	1,453,324	980,182	473,142	72,666,200	49,009,100	23,657,100
One hundreds . . . . .	1,035,118	719,130	315,988	103,511,800	71,913,000	31,598,800
Five hundreds . . . . .	22,787	20,880	1,907	11,393,500	10,440,000	953,500
One thousands . . . . .	7,187	6,990	197	7,187,000	6,990,000	197,000
Portions of notes lost or destroyed . . . . .	.....	.....	.....	.....	—18,233	×18,233
Total . . . . .	153,925,080	116,401,073	37,524,007	1,142,366,615	781,365,668	361,000,947

#### Dividends, Earnings and Surplus of all the National Banks of the U. S., 1870 to 1882.

From the Report of the Comptroller of the Currency, December, 1882.

From the semi-annual returns made to the office of the comptroller of the currency, under section 5212 of the Revised Statutes of the United States, the following table has been prepared, showing the dividends and total earnings, and the ratio of each to capital and combined capital and surplus, for each semi-annual period from September 1, 1869, the close of the period for which these reports were first received, to September 1, 1882.

\*London Banker's Magazine, September, p. 742.

Period of six months, ending—	No. of banks.	Capital.	Surplus.	Total dividends.	Total net earnings.	RATIOS.		
						Divi- dends to capital.	Dividends to capital and sur- plus.	Earnings to capital and sur- plus.
						<i>Per cent.</i>	<i>Per cent.</i>	<i>Per cent.</i>
Sept. 1, 1869	1,481	\$401,650,802	\$82,105,848	\$21,767,831	\$29,221,184	5.42	4.50	6.04
Mar. 1, 1870	1,571	416,366,991	86,118,210	21,479,095	28,996,934	5.16	4.27	5.77
Sept. 1, 1870	1,601	425,317,104	91,630,620	21,080,343	26,813,885	4.96	4.08	5.19
Mar. 1, 1871	1,605	428,699,165	94,672,401	22,205,150	27,243,162	5.18	4.24	5.21
Sept. 1, 1871	1,693	445,999,264	98,286,591	22,125,279	27,315,311	4.96	4.07	5.02
Mar. 1, 1872	1,750	450,693,706	99,431,243	22,859,826	27,502,539	5.07	4.16	5.00
Sept. 1, 1872	1,852	465,676,023	105,181,942	23,827,289	30,572,891	5.12	4.17	5.36
Mar. 1, 1873	1,912	475,918,683	114,257,288	24,826,061	31,926,478	5.22	4.21	5.41
Sept. 1, 1873	1,955	487,100,951	118,113,848	24,823,029	33,122,000	5.09	4.09	5.46
Mar. 1, 1874	1,967	489,510,323	123,469,859	23,529,998	29,544,120	4.81	3.84	4.82
Sept. 1, 1874	1,971	489,938,284	128,364,039	24,929,307	30,036,811	5.09	4.03	4.86
Mar. 1, 1875	2,007	493,568,831	131,560,637	24,750,816	29,156,007	5.01	3.96	4.66
Sept. 1, 1875	2,047	497,864,833	134,123,649	24,317,755	28,800,217	4.88	3.85	4.56
Mar. 1, 1876	2,076	504,209,491	134,467,595	24,811,581	23,097,921	4.92	3.88	3.62
Sept. 1, 1876	2,081	500,482,271	132,251,078	22,563,829	20,540,231	4.50	3.57	3.25
Mar. 1, 1877	2,080	496,651,580	130,872,165	31,893,969	19,592,962	4.39	3.47	3.12
Sept. 1, 1877	2,072	486,324,860	124,349,254	22,117,116	15,274,028	4.54	3.62	2.50
Mar. 1, 1878	2,074	475,609,751	122,373,561	18,982,90	16,946,696	3.99	3.17	2.83
Sept. 1, 1878	2,047	470,231,896	118,687,134	17,959,223	13,658,893	3.81	3.04	2.31
Mar. 1, 1879	2,043	464,413,996	116,744,135	17,541,054	14,678,660	3.78	3.02	2.53
Sept. 1, 1879	2,045	455,132,056	115,149,351	17,401,867	16,873,200	3.82	3.05	2.96
Mar. 1, 1880	2,046	454,080,090	117,226,501	18,121,273	21,152,784	3.99	3.17	3.70
Sept. 1, 1880	2,072	454,215,062	120,145,649	18,290,200	24,033,250	4.03	3.18	4.18
Mar. 1, 1881	2,087	456,844,865	122,481,788	18,877,517	24,452,021	4.13	3.26	4.22
Sept. 1, 1881	2,100	458,934,485	127,238,394	19,499,694	29,170,816	4.25	3.33	4.98
Mar. 1, 1882	2,137	460,354,485	131,291,889	19,915,375	27,083,599	4.33	3.37	4.56
Sept. 1, 1882	2,197	473,947,715	133,570,931	20,476,553	26,237,635	4.40	3.44	4.32

In the following table is given, by geographical divisions, the number of national banks, with their capital, which paid no dividends to their stockholders during the two semi-annual periods ending March and September 1, 1882; to which has been added the total number of banks, with their capital, similarly passing dividends during the semi-annual periods of each of the four preceding years, with the average for each year and the average for the whole period of five years.

Geographical divisions.	Six months ending—				Average for the year.	
	March 1, 1882.		September 1, 1882.		No. of banks.	Capital.
	No. of banks.	Capital.	No. of banks.	Capital.		
New England States .....	8	\$1,35,0000	14	\$2,206,000	11	\$1,778,000
Middle States.....	58	6,763,000	62	8,725,000	60	7,744,000
Southern States.....	18	1,640,000	25	2,337,000	21	1,988,500
Western States and Territories.....	89	7,430,500	118	12,812,730	104	10,121,615
Totals for 1882.....	173	17,183,500	219	26,080,730	196	21,632,115
Totals for 1881.....	175	20,321,530	171	18,387,550	173	19,354,540
Totals for 1880.....	226	30,407,200	243	26,334,150	230	28,270,675
Totals for 1879.....	309	53,843,700	399	44,578,300	304	49,210,000
Totals for 1878.....	328	48,797,905	257	58,736,950	343	53,767,425
Average for each year.....	242	34,110,766	256	34,823,136	249	34,466,951

The percentage to capital of dividends paid, and of dividends and earnings, respectively, to combined capital and surplus, is shown by similar geographical divisions for the years 1877 to 1882, inclusive:

Geographical divisions.	1877.			1878.			1879.		
	Divi- dends to capital.	Divi- dends to capital and sur- plus.	Earnings to capital and sur- plus.	Divi- dends to capital.	Divi- dends to capital and sur- plus.	Earnings to capital and sur- plus.	Divi- dends to capital.	Divi- dends to capital and sur- plus.	Earnings to capital and sur- plus.
	<i>Per ct.</i>	<i>Per ct.</i>	<i>Per ct.</i>	<i>Per ct.</i>	<i>Per ct.</i>	<i>Per ct.</i>	<i>Per ct.</i>	<i>Per ct.</i>	<i>Per ct.</i>
New England States.....	7.6	6.0	4.7	6.9	5.5	4.3	6.4	5.2	4.2
Middle States.....	8.5	6.6	5.4	7.9	6.1	4.9	7.9	6.1	5.8
Southern States....	8.3	7.1	7.1	7.3	6.2	6.7	7.0	6.0	5.4
Western States and Territories..	12.2	9.6	7.2	9.6	7.8	6.9	9.4	7.5	7.1
United States.....	8.9	7.1	5.6	7.8	6.2	5.1	7.6	6.1	5.5

Geographical divisions.	1880.			1881.			1882.		
	Divi- dends to capital.	Divi- dends to capital and sur- plus.	Earnings to capital and sur- plus.	Divi- dends to capital.	Divi- dends to capital and sur- plus.	Earnings to capital and sur- plus.	Divi- dends to capital.	Divi- dends to capital and sur- plus.	Earnings to capital and sur- plus.
	<i>Per ct.</i>	<i>Per ct.</i>	<i>Per ct.</i>	<i>Per ct.</i>	<i>Per ct.</i>	<i>Per ct.</i>	<i>Per ct.</i>	<i>Per ct.</i>	<i>Per ct.</i>
New England States.....	6.8	5.5	6.4	7.2	5.8	7.3	7.1	5.7	6.8
Middle States.....	8.4	6.5	8.6	8.5	6.4	9.4	8.4	6.3	8.6
Southern States.....	7.8	6.7	7.6	8.3	6.9	11.3	8.2	6.7	10.3
Western States and Territories..	9.5	7.6	9.3	10.4	8.1	11.6	12.0	10.0	15.7
United States.....	8.0	6.4	7.9	8.4	6.6	9.2	8.7	6.8	8.9

**The World's Coinage.**

The coinage of the United States in both gold and silver has continued to be greater than that of any other nation. For the calendar year 1881 more than two-thirds of the year's gold coinage—\$136,387,383—and over one-fourth of the total silver coinage—\$100,705,824—were executed at the mints of the United States.

The coinage for the three years 1879, 1880, 1881, officially obtained, is as follows:

Years.	Countries.	Gold.	Silver.	Total.
1879 . . . . .	14	\$90,752,811	\$104,888,313	\$195,641,124
1880 . . . . .	16	149,645,236	82,297,154	232,042,390
1881 . . . . .	15	136,387,383	100,705,824	237,093,207
Total . . . . .		376,785,430	287,991,291	664,776,721

**United States Legal Tender Notes and National Bank Circulation.**

The acts of February 25, 1862, July 11, 1862, and March 3, 1863, each authorized the issue of 150 millions of dollars of legal-tender notes, making an aggregate of 450 millions of dollars.

On January 30, 1864, the amount of such notes outstanding was \$449,338,902, which was the highest amount outstanding at any one time. The act of June 30, 1864, provided that the total amount of United States notes issued, or to be issued, should not exceed 400 millions of dollars, and such additional sum, not exceeding 50 millions, as might be temporarily required for the redemption of temporary loans. By the act of June 20, 1874, the maximum amount was fixed at 382 millions. Section 3, act of January 14, 1875, authorized an increase of the circulation of national banks in accordance with existing law, without respect to the limit previously existing, and required the Secretary of the Treasury to retire legal-tender notes to an amount equal to eighty per cent. of the national bank notes thereafter issued, until the amount of such legal-tender notes outstanding should be 300 millions, and no more. Under the operation of this act, \$35,318,984 of legal-tender notes were retired, leaving the amount in circulation on May 31, 1878, the date of the repeal of the act, \$346,681,016, which is the amount now outstanding.

In the following table are given the amount and kinds of the outstanding currency of the United States and of the national banks on January 1 of each year, from 1866 to 1882, and on November 1, 1882, to which is prefixed the amount on August 31, 1865, when the public debt reached its maximum.

Date.	United States issues.			Notes of national banks, including gold notes.	Aggregate.	Currency price of \$100 gold.	Gold price of \$100 cur- rency.
	Legal-tender notes.	Old demand notes.	Fractional currency.				
Aug. 31, 1865 .	\$432,553,912	\$402,965	\$26,344,742	\$176,213,955	\$635,515,574	\$144 25	\$69 32
Jan. 1, 1866 . .	425,839,319	392,670	26,000,420	236,636,098	688,867,907	144 50	69 20
Jan. 1, 1867 . .	380,276,160	221,632	28,732,812	298,588,419	707,819,023	133 00	75 18
Jan. 1, 1868 . .	356,000,000	159,127	31,597,583	299,846,206	687,602,916	133 25	75 04
Jan. 1, 1869 . .	356,000,000	128,098	34,215,715	299,747,569	690,691,382	135 00	74 07
Jan. 1, 1870 . .	356,000,000	113,098	39,762,664	299,629,322	695,505,084	120 00	83 33
Jan. 1, 1871 . .	356,000,000	101,086	39,995,089	306,307,672	702,403,847	110 75	90 29
Jan. 1, 1872 . .	357,500,000	92,801	40,767,877	328,465,431	726,826,109	109 50	91 32
Jan. 1, 1873 . .	358,557,907	84,388	45,722,061	344,582,812	748,947,167	112 00	89 28
Jan. 1, 1874 . .	378,401,702	79,637	48,544,792	350,848,236	777,874,367	110 25	90 70
Jan. 1, 1875 . .	382,000,000	72,317	46,390,598	354,128,250	782,591,165	112 50	88 89
Jan. 1, 1876 . .	371,827,220	69,642	44,147,072	346,479,756	762,523,690	112 75	88 69
Jan. 1, 1877 . .	366,055,084	65,462	26,348,206	321,595,606	714,064,358	107 00	93 46
Jan. 1, 1878 . .	349,943,776	63,532	17,764,109	321,672,505	689,443,922	102 87	97 21
Jan. 1, 1879 . .	346,681,016	62,035	16,108,159	323,791,674	686,642,884	100 00	100 00
Jan. 1, 1880 . .	346,681,016	61,350	15,674,304	342,388,336	704,804,006	100 00	100 00
Jan. 1, 1881 . .	346,681,016	60,745	15,523,464	344,355,203	706,629,428	100 00	100 00
Jan. 1, 1882 . .	346,681,016	59,920	15,451,861	362,421,988	724,614,785	100 00	100 00
Nov. 1, 1882 . .	346,681,016	59,380	15,402,120	362,727,747	724,870,263	100 00	100 00

**National Bank Surplus.**

In the following table is exhibited the gradual accumulation of a surplus fund under the provisions of section 5,199, requiring each association, before the declaration of the semi-annual dividend, to carry to surplus one-tenth of its net profits for the preceding half year, until such fund shall amount to 20 per cent. of its capital.

Dates.	Amount.	Semi-annual increase or decrease.	Dates.	Amount.	Semi-annual increase or decrease.
		<i>Increase.</i>			<i>Increase.</i>
July 4, 1864 . . . . .	\$1,129,910		December 26, 1873 . . . . .	\$120,961,268	\$4,113,813
January 2, 1865 . . . . .	8,663,311	\$7,533,401	June 26, 1874 . . . . .	126,239,308	5,278,040
July 3, 1865 . . . . .	31,303,566	22,640,255	December 31, 1874 . . . . .	130,485,641	4,246,333
January 1, 1866 . . . . .	43,000,371	11,696,805	June 30, 1875 . . . . .	133,169,095	2,683,454
July 2, 1866 . . . . .	50,151,992	7,151,621			<i>Decrease.</i>
January 7, 1867 . . . . .	59,992,875	9,840,883	December 30, 1875 . . . . .	133,085,422	83,673
July 1, 1867 . . . . .	63,232,811	3,239,936	June 30, 1876 . . . . .	131,897,197	1,188,225
January 6, 1868 . . . . .	70,586,126	7,253,315	December 22, 1876 . . . . .	131,390,665	506,532
July 6, 1868 . . . . .	75,840,119	5,253,993	June 22, 1877 . . . . .	124,714,073	6,676,532
January 4, 1869 . . . . .	81,169,937	5,329,818	December 28, 1878 . . . . .	121,568,455	3,145,618
June 12, 1869 . . . . .	82,218,576	1,048,639	June 29, 1878 . . . . .	118,178,531	3,389,924
January 22, 1870 . . . . .	90,174,281	7,955,705	January 1, 1879 . . . . .	116,200,864	1,977,667
June 9, 1870 . . . . .	91,689,834	1,515,553	June 14, 1879 . . . . .	114,321,376	1,879,488
December 28, 1870 . . . . .	94,705,740	3,015,906			<i>Increase.</i>
June 10, 1871 . . . . .	98,322,204	3,616,464	December 12, 1879 . . . . .	115,429,032	\$1,107,656
December 16, 1871 . . . . .	101,573,154	3,250,950	June 11, 1880 . . . . .	118,102,014	2,672,982
June 10, 1872 . . . . .	105,181,943	3,608,789	December 31, 1880 . . . . .	124,824,629	3,722,615
December 27, 1871 . . . . .	111,410,249	6,228,306	June 30, 1881 . . . . .	126,679,518	4,854,889
June 13, 1873 . . . . .	116,847,455	5,437,206	December 31, 1881 . . . . .	129,867,494	3,187,976
			July 1, 1882 . . . . .	131,079,254	1,211,857

**Table showing the Total Paper and Specie Circulation in each of the Principal Countries of the World, the Amount of Specie in Bank and National Treasuries, and the Amount of Active Circulation, From the Report of the Director of the Mint. Dec. 1882.**

Countries.	Population.	Total metallic and paper circulation.	Amount of specie in banks and national treasuries.	Active circulation.	Per capita of active circulation.
United States.....	50,155,783	\$1,566,659,668	\$334,110,085	\$1,232,549,583	24.57
Great Britain and Ireland.....	35,246,562	888,292,764	149,825,096	738,467,668	20.95
Dominion of Canada, including Manitoba and Newfoundland...	4,506,563	55,163,162	9,046,000	46,117,162	10.66
British India.....	252,541,210	1,070,874,880	25,028,648	1,045,846,232	4.14
Australia, Tasmania, and New Zealand.....	2,798,898	78,105,373	54,214,123	23,891,250	8.53
France.....	37,321,186	1,990,191,625	414,813,944	1,575,377,681	42.21
Belgium.....	5,536,654	226,855,719	18,998,816	207,856,903	37.54
Switzerland.....	2,846,102	51,323,964	7,528,475	48,795,489	15.38
Italy.....	28,452,639	508,522,885	175,000,000	333,522,885	11.72
Greece.....	1,979,423	20,125,356	1,800,000	18,325,356	9.24
Spain.....	16,625,860	262,573,457	27,711,847	234,861,610	14.13
Portugal.....	4,550,691	65,023,360	9,508,169	55,515,191	11.99
Germany.....	45,234,069	818,915,041	134,680,387	684,234,654	15.13
Austria-Hungary.....	35,839,428	384,741,535	85,650,400	299,091,135	8.35
Sweden and Norway.....	6,479,168	59,489,563	15,215,887	44,273,676	6.88
Danish Kingdom.....	2,096,400	34,485,767	8,522,400	25,963,367	12.38
Netherlands.....	4,061,580	163,900,869	44,377,613	119,523,256	29.43
Russia.....	98,323,000	732,125,993	123,774,021	608,351,972	6.18
Mexico.....	9,557,279	51,500,000	.....	51,500,000	5.39
Central America.....	2,891,600	2,855,647	.....	2,855,647	0.98
Argentine Republic.....	2,540,000	43,101,756	.....	43,101,756	16.96
Colombia.....	3,000,000	6,395,343	200,000	6,195,343	2.06
Brazil.....	11,108,291	188,155,455	.....	188,155,455	16.94
Peru.....	3,050,000	14,980,838	1,882,018	13,098,820	4.29
Venezuela.....	2,675,245	11,250,900	.....	11,250,900	4.20
Chili.....	2,420,500	29,055,341	2,398,000	26,657,341	11.11
Bolivia.....	2,325,000	6,531,517	443,597	6,087,920	2.62
Cuba.....	1,394,516	69,714,884	24,000,000	45,714,884	33.51
Cape of Good Hope.....	780,757	38,077,726	8,092,000	29,985,726	38.39
Japan.....	33,623,319	297,802,697	15,894,489	281,908,208	8.39
Algiers.....	2,867,626	27,500,748	6,270,748	21,230,000	7.40
Turkey.....	24,987,000	15,589,828	.....	15,589,828	0.62
Roumania.....	5,376,000	15,000,000	.....	15,000,000	2.80
Hayti.....	572,000	4,780,000	.....	4,780,000	8.53
		9,799,663,661	1,698,986,763	8,100,676,898	

**Ratio of Senators and Representatives to Population in the Several States.**

The following table shows the population of the States, the number of Senators and Representatives in each and their salaries:

STATES.	POPULATION.	SENATORS.	REPRESENTAT'VS.	SALARY.
Alabama . . . . .	1,262,501	33	100	\$4*
Arkansas . . . . .	802,525	24	82	6*
California . . . . .	864,654	40	80	10*
Colorado . . . . .	194,327	26	49	4*
Connecticut . . . . .	633,700	21	250	270†
Delaware . . . . .	146,608	9	21	3*
Florida . . . . .	269,493	24	53	6*
Georgia . . . . .	1,542,180	44	168	4*
Illinois . . . . .	3,087,871	51	153	5*
Indiana . . . . .	1,978,301	50	100	5*
Iowa . . . . .	1,627,615	50	100	550†
Kansas . . . . .	996,096	25	75	3*
Kentucky . . . . .	1,648,690	38	100	5*
Louisiana . . . . .	930,936	36	120	8*
Maine . . . . .	648,930	31	151	150†
Maryland . . . . .	984,943	26	84	5*
Massachusetts . . . . .	1,783,085	40	240	650†
Michigan . . . . .	1,638,937	32	100	3*
Minnesota . . . . .	780,773	22	47	5*
Mississippi . . . . .	1,131,597	33	107	500†
Missouri . . . . .	2,168,380	34	138	5*
Nebraska . . . . .	452,402	26	52	3*
Nevada . . . . .	62,266	18	36	8*
New Jersey . . . . .	1,131,116	21	60	500*
New York . . . . .	5,082,871	32	128	1500†
North Carolina . . . . .	1,399,750	50	120	4*
New Hampshire . . . . .	346,501	12	233	3*
Ohio . . . . .	3,198,062	37	114	5*
Oregon . . . . .	174,768	30	60	3*
Pennsylvania . . . . .	4,282,891	50	201	10*
Rhode Island . . . . .	276,531	36	72	1*
South Carolina . . . . .	995,577	33	124	5*
Tennessee . . . . .	1,542,359	25	75	4*
Texas . . . . .	1,591,849	31	93	5*
Vermont . . . . .	332,286	31	241	3*
Virginia . . . . .	1,512,565	43	132	540†
West Virginia . . . . .	618,457	24	65	4*
Wisconsin . . . . .	1,315,497	33	100	350†

\* Per diem.

† Per session.

**Table showing Population, Age, Wealth, Debt, Expense and Production of the Leading Nations of the World.**

The following tables are from the Report made by the Tariff Commission, and were used during the recent session of Congress in the course of a speech in the interest of protection:

Age.	Years.	Popula- tion.	Wealth.	Debt.	Expense.	Production.	
						Agriculture.	Manuf'res.
United States, from Decla- ration of Independenee.	100	50,150,000	\$55,000,000,000	\$1,800,000,000	\$257,000,000	\$7,500,000,000	8,000,000,000
United Kingdom, from Wil- liam the Conqueror . . .	800	34,505,000	45,000,000,000	3,800,000,000	415,000,000	1,200,000,000	4,000,000,000
France, from Charlemagne	1,100	37,166,000	40,000,000,000	4,000,000,000	650,000,000	2,000,000,000	2,500,000,000
Germany, " "	1,100	45,367,000	25,000,000,000	90,000,000	150,000,000	1,800,000,000	2,200,000,000
Austria " "	1,000	39,175,000	14,000,000,000	2,000,000,000	370,000,000	1,000,000,000	1,500,000,000
Russia, from Peter the Great . . . . .	350	82,400,000	15,000,000,000	2,000,000,000	600,000,000	2,000,000,000	1,300,000,000

**STATE AND CONGRESSIONAL ELECTION RETURNS OF 1882.**

**Alabama.**

VOTE OF THE STATE.

	Ind.	Dem.	Maj
1882—Governor.....	46386	100391	54199 D
Secretary of State.....	44798	103153	.....
Treasurer.....	43639	102780	.....
Auditor.....	46053	100968	.....
Attorney-General.....	44605	103562	.....
Supt. of Education.....	47133	104170	.....

PRESENT STATE LEGISLATURE.

	Senatc.	House.	Total
Republicans.....	1	5	6
Democrats.....	31	77	108
Greenback.....	..	1	1
Independent.....	1	17	18

VOTE FOR CONGRESSMEN, 1882.

Dist.		Dist.	
1—Smith, Opp.....	7130	5—McCoy, Opp.....	5820
Herndon, D.....	9605	Williams, D.....	9629
2—Rice, Opp.....	9121	6—Carpenter, Opp..	2598
Herbert, D.....	12823	Hewitt, D.....	6280
3—Miller, Opp.....	1549	7—Bingham, Opp...	1858
Oates, D.....	11262	Forney, D.....	7752
4—Craig, Opp.....	4435	8—Shelby, Opp.....	11418
Shelley, D.....	7159	Pryor, D.....	12155

**Arkansas.**

VOTE OF THE STATE.

	Rep.	Gbk.	Dem.	Maj.
1882—Governor.....	49352	10142	87675	28181 D

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total
Republican.....	1	11	12
Democrats.....	28	78	106
Ind. Republicans.....	..	2	2
Ind. Democrat.....	..	1	1
Greenback-Labor.....	2	2	4

VOTE FOR CONGRESSMEN, 1882.

Dist.		Dist.	
1—Miles, R.....	719	3—Benjamin, R.....	7840
Dunn, D.....	12685	Rogers, D.....	10522
2—Williams, R.&G..	11525	4—Niman, R.....	1008
Jones, D.....	14831	Peel, D.....	5658

**California.**

VOTE OF THE STATE.

	Rep.	Dem.	Pl.
1882—Governor.....	67175	90694	23522 D

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total
Republicans.....	9	18	27
Democrats.....	31	61	92
Independents.....	..	1	1

VOTE FOR CONGRESSMEN, 1882.

Dist.		Dist.	
1—Neumann, R.....	14847	3—Haven, R.....	19473
Rosecrans, D.....	22733	Henley, D.....	21807
McShafter, Pro... 580		4—Woods, R.....	18387
2—Page, R.....	19246	Tulley, D.....	23105
Budd, D.....	20229		

*At Large (two to be elected).*

Edgerton, R.....	73454	Morrow, R.....	73749
Glasscock, D.....	87259	Sumner, D.....	87234
Hotchkiss, Pro.....	2786	Yarnall, Pro.....	2786

**Colorado.**

VOTE OF THE STATE.

	Rep.	Dem.	Gbk.	Maj.
1882—Governor.....	27552	29897	.....	2345 D
Supreme Judge	30335	29819	1200	.....

PRESENT STATE LEGISLATURE.

	Senatc.	House.	Total
Republicans.....	17	35	52
Democrats.....	9	13	22

VOTE FOR CONGRESSMEN, 1882.

Dist.		Dist.	
1—Belford, R.....	30817	Wallace, D.....	29080
Green, Gbk.....	.....	.....	1195

**Connecticut.**

	Rep.	Dem.	Pro.	Gbk.
1882—Governor.....	54853	59014	1034	697

PRESENT STATE LEGISLATURE.

	Senatc.	House.	Total
Republicans.....	13	138	151
Democrats.....	11	110	121

VOTE FOR CONGRESSMEN, 1882.

Dist.		Dist.	
1—Buck, R.....	14047	3—Wait, R.....	9882
Eaton, D.....	14740	Penrose, D.....	8227
Phelps, Gbk.....	212	Palmer, Ind.....	288
2—Merwin, R.....	17530	4—Coe, R.....	14263
Mitchell, D.....	19325	Seyman, D.....	15703
Range, Ind.....	199	Beardsley, Ind..	256

**Delaware.**

VOTE OF THE STATE.

	Rep.	Dem.	Maj.
1882—Governor.....	10098	12052	1955 D

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total
Republicans.....	2	..	2
Democrats.....	7	21	28

VOTE FOR CONGRESSMEN, 1882.

Dist.		Dist.	
1—Hastings, R.....	10220	Lore, D.....	12160

**Florida.**

No State election in 1882.

PRESENT STATE LEGISLATURE.

	Senatc.	House.	Total
Republicans.....	6	27	33
Democrats.....	17	34	51
Independents.....	9	15	24

VOTE FOR CONGRESSMEN, 1882.

Dist.		Dist.	
1—Skinner, R.....	7017	2—Bisbee, R.....	13122
Davidson, D.....	11244	Finley, D.....	12823
McKinnon, Ind..	3553		

**Georgia.**

VOTE OF THE STATE, 1882.

	Ind.	Dem.	Dem.	Maj.
1882—Governor.....	44896	107253	62357	D

	Rep.	Dem.
Treasurer.....	27270	118615

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total
Republicans.....	..	6	6
Democrats.....	44	169	213

VOTE FOR CONGRESSMEN, 1882.

Dist.		Dist.	
1—Atkins, R.....	3884	6—Scattering.....	26
Nichols, D.....	6055	Blount, D.....	3514
2—Wessolusky, R... 4406		7—Felton, Ind. D...	10746
Turner, D.....	7794	Clements, D.....	12408
3—Harrell, R.....	329	8—Scattering.....	185
Crisp, D.....	4121	Reese, D.....	4384
4—Poa, Ind.....	1502	9—Speer, Ind. D.....	11915
Buchanan, D.....	5583	Candler, D.....	14521
5—Buck, Ind. R.....	5756		
Hammond, D.....	10788	<i>At Large.</i>	
		Forsyth, R.....	24930
		Hardeman, D.....	81443

**Illinois.**

VOTE OF THE STATE, 1882.

	Rep.	Dem.	Pl.
1882—Treasurer.....	254551	249067	5484 R

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total
Republicans.....	31	77	108
Democrats.....	20	75	95
Independents.....	..	1	1

**Illinois.**—(Continued).

VOTE FOR CONGRESSMEN, 1882.

Dist.	Dist.
1—Dunham, R.....11571	11—Marsh, R.....13975
Doane, D.....10534	Neece, D.....14604
Grover, Gbk..... 644	Haney, Pro..... 3671
2—Finerty, Ind. D. 9360	12—Singleton, I. D. 11782
Sheridan, D..... 6939	Riggs, D.....15316
3—Davis, R.....12511	Minier, Pro..... 4130
Blaek, D. &c.....10274	13—Smith, R.....14042
Hayman, Ind.... 748	Springer, D.....18360
4—Adams, R.....11686	Miller, Pro..... 1340
Tree, D..... 9446	14—Rowell, R.....15273
Crandon, Pro..... 663	Stevenson, D...14598
5—Elwood, R.....12994	Harts, Pro..... 1414
Preece, D..... 5127	15—Cannon, R.....15868
6—Hitt, R.....12726	Hunter, D.....14651
Tieknor, D..... 9045	Barnes, Pro..... 536
7—Henderson, R...12751	16—Green, R.....13689
Johnson, D..... 6369	Shaw, D.....14557
8—Cullen, R.....13851	Turney, Pro..... 471
Haley, D.....13673	17—Barlow, R.....10068
Hardy, Pro..... 1017	Moulton, D.....14495
Steward, Gbk.... 917	Corley, Pro..... 1386
9—Payson, R.....12619	18—Kueffner, R.....12561
Buck, Dem..... 9243	Morrison, D.....14906
Barnard, Gbk... 2138	Hynes, Pro..... 1069
10—Lewis, R.....13180	19—Ross, R..... 9930
Worthington, D.13571	Townshend, D.15606
Mitchell, Gbk... 1335	20—Thomas, R..... 14504
	Murphy, D.....14113
	McCartney, Pro. 1016

**Indiana.**

VOTE OF THE STATE 1882.

	Rep.	Dem.	Gbk.	Pl
1882 Sec'y of State.....	210234	220918	13520	10684

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total.
Republicans.....	52	41	63
Democrats.....	28	58	86

VOTE FOR CONGRESSMEN, 1882

Dist.	Dist.
1—Heilman, R.....16399	8—Pierce, R.....17823
Kleiner, D.....18048	Lamb, D.....18110
Nesbit, G..... 512	Cooper, G..... 1859
2—Hostetler, R.....13288	9—Orth, R.....16482
Cobb, D.....16399	Ward, D.....17357
3—Walker, R.....12538	Jacks, G..... 1114
Stockslager, D.17122	10—De Motte, R.....16223
Greene, G..... 788	Wood, D.....17237
4—Johnson, R.....13146	Moore, G..... 1977
Holman, D.....16640	11—Steele, R.....19863
5—Matson, R.....16851	Daley, D.....19530
Wellingford, D.13298	Thompson, G... 1456
6—Browne, R.....19562	12—Glasgow, R.....13623
Pender, D.....12249	Lowry, D.....16986
7—Peele, R.....17451	Butler, G..... 615
English, D... 17364	13—Calkins, R.....17478
Medkirk, G..... 535	Winterbot'm, D.17087
	Shively, G..... 1943

**Iowa.**

VOTE OF THE STATE, 1882.

	Rep.	Dem.	Gbk.	Pl.
1882 Sec'y of State.. . . .	149051	112180	30817	37871

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total.
Republicans.....	45	70	115
Democrats.....	2	22	24
Gbks.....	2	6	8

VOTE FOR CONGRESSMEN, 1882.

Dist.	Dist.
1—McCoid, R.....13549	5—Wilson, R.....11791
Hall, D.....13311	Frederick, D...11768
Sater, G..... 1266	Platner, G..... 1253
2—Farwell, R.....12551	6—Cutts, R.....11250
Murphy, D.....15760	Mackey, D..... 8040
Bartlett, G..... 561	Weaver, G..... 8509
3—Henderson, R...12907	7—Kasson, R.....13631
Durham, D.....11604	Gilpin, D..... 7068
Foster, G..... 1012	Gillette, G..... 6131
4—Updegraff, R...10722	8—Hepburn, R...13739
..... Seat..... 49	Bonnell, D..... 5533
Weller, G.....11473	Clark, G..... 7344

**Iowa.**—(Continued).

VOTE FOR CONGRESSMEN, 1882.

9—Anderson, R.....11987	11—Struble, R.....15314
Pusey, D.....14186	Allison, D..... 9869
Hatton, G..... 2753	Sovereign, G.... 1233
10—Holmes, R.....14950	
Cliggett, D..... 6853	
Doane, G..... 1799	

**Kansas.**

VOTE OF THE STATE, 1882.

	Rep.	Dem.	Gbk.	Pl.
1882 Governor.....	75158	83237	20933	7079

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total
Republicans.....	37	86	123
Democrats.....	2	26	28
Greenback.....	1	13	14

VOTE FOR CONGRESSMEN, 1882.

Dist.	Dist.
1—Anderson, R.....41251	Taylor, G..... 5710
Smith, D..... 1299	3—Ryan, R.....36181
Moody, G.....17816	Cannan, D.....17729
2—Haskell, R.....23601	Cole, G..... 9356
Acres, D.....19116	

**Kentucky.**

VOTE OF THE STATE, 1882.

	Rep.	Dem.	Pro.	Pl.
1882 Cl'k C't of Appeals..	75464	115681	4329	35825

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total.
Republicans.....	8	20	28
Democrats.....	29	72	101
Greenback.....	4	4	8

VOTE FOR CONGRESSMEN, 1882.

Dist.	Dist.
1—Houston, R..... 5803	6—Carlisle, D..... 4990
Turner, Ind.D. 8705	(No opposition.)
Grace, D..... 7627	7—Asbury —..... 6651
2—Fuqua, R..... 1979	Blackburn —.....11789
Clay, D..... 5747	8—Ewell, R.....10335
Eastin, I..... 401	Thompson, D...11202
3—Hunter, R.....13356	9—Cubbertson, ....11207
Halsell, D.....13546	Hurt..... 9948
4—Parrish, R..... 1964	10—White.....14240
Robertson, D.. 5878	Adams.....12890
5—Miller, R..... 3557	11—Carr..... 9934
Willis, D..... 6492	Wolford.....11999

**Louisiana.**

No State election in 1882.

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total
Republicans.....	4	22	26
Democrats.....	32	76	108

VOTE FOR CONGRESSMEN, 1882.

Dist.	Dist.
1—Janin, R..... 4852	4—Blanchard, D.... 5765
Hunt, D..... 8498	Scattering..... 13
2—Demas, R..... 2666	5—McMillen, R..... 3986
Ellis, D..... 7701	King, D.....13295
3—Kellogg, R.....14660	6—Trager, Ind. R... 3965
Aeklen, D..... 6631	Herron, D..... 8002

**Maine.**

VOTE OF THE STATE, 1882.

	Rep.	Fusion.	Gbk.	Pl.
1882. Governor....	72724	63852	1302	8872

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total
Republicans.....	28	109	137
Fusionists.....	3	43	46

VOTE FOR CONGRESSMEN, 1882.

Four elected on general ticket.			
Rep.	Fus.		
Dingey, Jr.....73017	Thurg.....63722		
Reed.....72925	Mureh.....63568		
Milliken.....72495	Dane.....63554		
Bontelle.....7386	Ladd.....63381		



**Maryland.**

No State election in 1882.

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total.
Republicans.....	10	31	41
Democrats.....	16	66	76

VOTE FOR CONGRESSMEN, 1882.

Dist.	Rep.	Dist.	Rep.
1—Milliken, R.....11783	4—Stockbridge, R...12783		
Covington, D.....13170	Findley, D.....14457		
2—Blair, R.....11641	5—Holtan, R.....13549		
Talbot, D.....12728	Chapman, D.....12013		
3—Lang, R..... 9029	6—McComas, R ....15720		
Hoblitzel, D .....13917	Blair, D.....14440		
Kimmel, Ind, D 1557			

**Massachusetts.**

VOTE OF THE STATE, 1882.

	Rep.	D. & G.	Pro.	Pl.
1882 Governor.....	119997	133946	2137	13949

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total.
Republicans.....	22	140	162
Democrats.....	17	90	107

VOTE FOR CONGRESSMEN, 1882.

Dist.	Rep.	Dist.	Rep.
1—Davis, R.....11475	7—Stone, R.....10056		
Hathaway, D.... 5581	Thompson, D... 8764		
2—Long, R.....12915	Boynton, Ind... 3825		
Dean, D.....10152	8—Russell, R.....11269		
3—Ranney, R.....11968	Lilley, D.....10743		
Swasey, D..... 8500	9—Candler, R..... 9708		
4—Gallagher, R.... 4546	Lyman, D.....12076		
Collins, D.....12884	10—Rice, R.....11846		
5—Bowman, R..... 8792	Hopkins, D.... 9404		
Morse, D.....11301	11—Whiting, R.....14485		
6—Converse, R.....11961	Sawyer, D..... 7602		
Lovering, D.....12840	12—Robinson, R....11294		
	Noble, D..... 9889		

**Michigan.**

VOTE OF THE STATE, 1882.

	Rep.	Fus.	Gbk.	Pl.
1882. Governor.....	149697	154269	5854	4572

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total.
Republicans.....	19	62	81
Democrats.....	13	37	50
Independents.....	...	1	1

VOTE FOR CONGRESSMEN, 1882.

Dist.	Rep.	Dist.	Rep.
1—Lord, R.....11208	7—Winans, F.....18516		
Maybury, F.....16147	Rich, R.....11251		
2—Bories, R.....14609	Carleton, F....11540		
Eldridge, F.....15251	8—Horr, R.....14872		
3—Lacey, R.....18023	Willett, F.....13918		
Hodge, F.....20329	9—Cutcheon, R....13529		
4—Burrows, R.....16073	Bronson, F.....10997		
Yaple, F.....16328	10—Hatch, R.....11326		
5—Webster, R.....16609	Maxwell, F..... 7747		
Houseman, F....16725	11—Breitung, R....11152		
6—Spaulding, R....18484	White, F..... 4840		

**Minnesota.**

No State Election in 1882.

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total.
Republicans.....	37	72	109
Democrats.....	10	28	38
Independent.....	1	...	1
Farmer.....	...	2	2

VOTE FOR CONGRESSMEN, 1882.

Dist.	Rep.	Dist.	Rep.
1—White, R.....12458	4—Washburn, R....17380		
Bierman, D.....11783	Ames, D.....14820		
2—Wakefield, R....17187	Phillip, Pro..... 1545		
Borer, D..... 6750	5—Nelson, R.....16956		
Latuner, I..... 3085	Kindred, I. R....12238		
3—Strait, R.....16583	Barnum, D..... 6248		
Adams, D..... 7047			

**Missouri.**

VOTE OF THE STATE, 1882.

	Rep.	Dem.	Gbk.	Pl.
1882. Sup. Judge.....	128239	198620	33407	36974

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total.
Republicans.....	6	32	38
Democrats.....	28	104	132

VOTE FOR CONGRESSMEN, 1882.

Dist.	Rep.	Dist.	Rep.
1—Glover, R., I. & D 11407	9—McLean, R..... 6758		
Hatch, D.....16243	Brodhead, D.... 6860		
2—Dorsey, R..... 8628	Hill, G..... 463		
Alexander, D...19033	10—Manistre, R.... 7455		
Quayle, G..... 5302	Clardy, D.....13536		
3—Thomas, R.....12887	Jackson, G..... 2667		
Dockery, D.....17261	11—Wallace, R....10530		
Burrows, G..... 2485	Bland, D.....14259		
4—Reed, R.....10571	Quinn, G..... 1187		
Burnes, D.....13325	12—Terrell, R..... 9111		
Sisson, G..... 2185	Morgan, D.....14768		
5—Crest, I. D. & R 8672	Spring, G..... 3550		
Graves, D.....12695	13—Cloud, R.....12424		
6—Aldredge, R....11349	Fyan, D.....13904		
Cosgrove, D....17149	Hasletine, G.... 6122		
7—Daudt, R..... 9857	14—Carroll, R..... 7177		
Buckner, D....14370	Davis, D.....14023		
McNair, G..... 1786	Kitchen, G..... 2920		
8—Sessinghaus, R 5511			
O'Neill, D..... 7240			

**Mississippi.**

No State Election in 1882.

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total.
Republicans.....	3	15	18
Democrats.....	33	102	135
Ind. Dem.....	1	3	4
Greenback.....	...	2	2

VOTE FOR CONGRESSMEN, 1882.

Dist.	Rep.	Dist.	Rep.
1—Lyon, R..... 1416	4—Griffin, R..... 2644		
Muldrow, D..... 6390	Money, D..... 6848		
2—Carter, R..... 129	5—Nites, R..... 57		
Manning, D..... 8749	Singleton, D.... 6121		
Chalmers, I..... 9729	6—Lynch, R..... 6706		
3—Jeffords, R..... 4127	Van Eaton, D... 7617		
Clarke, D..... 1321	7—Hill, R..... 5474		
	Barksdale, D....11113		

**Nebraska.**

VOTE OF THE STATE.

	Rep.	Dem.	Gbk.
1882. Governor.....	43495	28562	16991.

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total.
Republicans.....	27	73	100
Democrats.....	3	6	9

VOTE FOR CONGRESSMEN, 1882.

Dist.	Rep.	Dist.	Rep.
1—Weaver, R.....17022	3—Harman, D..... 3060		
Redick, D.....12690	Moore, I.....10012		
Cilbert, I..... 3707	4—Valentine, R....11284		
2—Laird, R.....12983	Munger, D..... 9932		
	Turner, I. R..... 7342		

**Nevada.**

VOTE OF THE STATE, 1882.

	Rep.	Dem.
1882—Governor.....	6535	7770
L't. Governor.....	7362	6306
Secy. of State.....	7737	6570
Treasurer.....	7654	6638
Atty. General.....	7181	7116
Sup Judge.....	7723	6545

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total.
Republicans.....	14	7	21
Democrats.....	10	43	53
Independents.....	1	...	1

VOTE FOR CONGRESSMEN, 1882.

Powning, R..... 6462	Cassidy, D..... 7720
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**New Hampshire.**

VOTE OF THE STATE IN 1882.

	Rep.	Dem.	Maj
1882—Governor .....	38399	36879	1520

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total.
Republicans.....	17	188	205
Democrats.....	7	121	128
Independents.....	..	5	5

VOTE FOR CONGRESSMEN, 1882.

Dist.	Rep.	Dem.	Total
1—Haynes, R.....	19702		
Chandler, D.....	15904		
2—Ray, R.....		21409	
Hosley, D.....		19187	

**New Jersey.**

No State election in 1882.

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total.
Republicans.....	12	25	37
Democrats.....	9	34	43
Ind. Democrats.....	..	1	1

VOTE FOR CONGRESSMEN, 1882.

Dist.	Rep.	Dem.	Total
1—Robeson, R.....	14825		
Ferrell, D.....	16541		
Bustor, G.....	684		
2—Brewer, R.....	15604		
Parker, D.....	14535		
Howland, G.....	270		
3—Kean, R.....	15186		
Ross, D.....	12891		
Arner, G.....	3463		
4—Hower, R.....	11567		
Harris, D.....	10945		
Larrison, G.....	878		
5—Phelps, R.....	14341		
Ryle, D.....	12703		
Potter, G.....	387		
6—Blake, R.....	14780		
Fiedler, D.....	17200		
Hook, G.....	368		
7—Collins, R.....	11566		
McAdoo, D.....	15147		

**New York.**

VOTE OF THE STATE IN 1882.

	Rep.	Dem.	Pro.	Gbk.
1882—Governor.....	342464	535318	25783	11974
Lt. Governor....	337855	534636	.....	.....
Chief Judge.....	409067	482822	.....	.....
Cong'n at Large	394232	503934	.....	.....

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total
Republicans.....	14	42	56
Democrats.....	18	84	102
Independents.....	..	2	2

VOTE FOR CONGRESSMEN, 1882.

Dist.	Rep.	Dem.	Total
1—Townsend, I. D. & R	4957		
Belmont, D.....	18688		
2—Boody, I. D & R	10788		
Robinson, D.....	19004		
3—James, R.....	19260		
Hester, D.....	16882		
4—Goddard, R.....	10732		
Campbell, D.....	18282		
5—Scattering.....	2234		
Mullen, D.....	16148		
6—Quinn, R.....	5307		
Cox, D.....	16624		
7—Brodsky, R.....	6787		
Dorsheimer, D.....	11401		
8—Russell, R.....	10904		
Adams, D.....	12089		
9—O'Beirne, R.....	7217		
Hardy, D.....	16191		
10 Scattering.....	2265		
H-witt, D.....	22144		
11—S rong, R.....	13947		
Potter, D. ....	15049		
12—Lang, R.....	8938		
Hatchinson, D.....	15663		
13—Ketcham, R.....	16217		
Dorland, D.....	916		
14—Low, R.....	12821		
Beach, D.....	13454		
15—Bray, R.....	13168		
Bagley, D.....	16645		
16—Van H nsen, R.....	11401		
Van Alstyne, D.....	17797		
17—Burlough, R.....	11202		
Scattering.....	10		
18—Johnson, R.....	10657		
Fassett, D.....	1476		
19—Parker, R.....	12578		
Smith, D.....	7365		
20—West, R.....	17742		
Wemple, D.....	17831		
Scattering.....	373		
21—Ray, R.....	15188		
Babeock, D.....	14742		
Mallory, I.....	737		
22—Skinner, R.....	15236		
Davenport, D.....	13967		
23—Fox, R.....	10623		
Spriggs, D.....	12299		
24—Nutting, R.....	11516		
Rhodes, D.....	9905		
25—Hiscock, R.....	14563		
Davis, D.....	13831		
Sweet, I.....	1128		
26—Payne, R.....	13607		
Hammond, D.....	12651		
27—Wadsworth, R.....	12013		
Pierpont, D.....	10931		
28—Millard, R.....	15087		
Davis, D.....	13387		
29—Baxter, R.....	14988		
Arndt, D.....	17769		
Baldwin, Pro....	2081		
30—Van Vorhes, R.....	12308		
Greenleaf, D.....	18042		
31—Watson, R.....	9379		
Stevens, D.....	12009		
32—Moulton, R.....	19804		
Rodgers, D.....	20 31		
33—Brewer, R.....	12123		
Lowry, D.....	9591		

**North Carolina.**

No State Election in 1882.

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total
Republicans.....	16	52	68
Democrats.....	34	68	102

VOTE FOR CONGRESSMEN, 1882.

Dist.	Rep.	Dem.	Total
1—Pool, Lib.....	14213		
Latham, D.....	13628		
2—O'Hara, Lib.....	18513		
Scattering.....	1413		
3—Canady, R.....	15595		
Green, D.....	16095		
4—Devereaux, R.....	16136		
Cox, D.....	16545		
5—Winston, R.....	9932		
Scales, D.....	12533		
6—Johnston, R.....	11648		
Dowd, D.....	15549		
7—York, I. R., & P.....	11415		
Robbins, D.....	11159		
Cook, Lib. R.....	923		
8—Cooke, R.....	10038		
Vance, D.....	13000		
At Large.			
Dockery, L.....	111320		
Bennett, D.....	111763		

**Ohio.**

VOTE OF THE STATE IN 1882.

	Rep.	Dem.	Gbk.	Pro.
1882—Sec'y of State.....	297759	316874	5345	12202
Supreme Judgo..	299389	315753	5332	12290

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total
Republicans.....	22	70	92
Democrats.....	11	35	46

VOTE FOR CONGRESSMEN, 1882.

Dist.	Rep.	Dem.	Total
1—Butterworth, R.....	13721		
Follett, D.....	14540		
2—Smith, R.....	14166		
Jordan, D.....	15983		
3—Shutz, R.....	15826		
Murray, D.....	16106		
McKee, Pro.....	446		
4—Conklin, R.....	9683		
Le Fevre, D.....	16596		
5—Harris, R.....	11006		
Seney, D.....	16619		
6—Brigham, R.....	15480		
Hill, D.....	16201		
L'tzenheiser, G.	510		
Hayes, Pro.....	426		
7—Morey .....	14451		
Campbell .....	14410		
Scattering.....	205		
8—Keifer, R.....	14397		
Young, D.....	13171		
9—Robinson, R.....	15864		
Powell, D.....	15458		
Bonar, Pro.....	1217		
10—Keigs, R.....	13430		
Hurd, D.....	14534		
11—McCormick, R.....	15288		
Leedom, D.....	13037		
12—Hart, R.....	16898		
Neal, D.....	16883		
Hill, Pro.....	748		
Scattering.....	34		
13—Drinkle, R.....	14092		
Converse, D.....	17766		
14—Clark, R. ....	14422		
Wilkins, D .....	19743		
15—Dawes, R.....	13048		
Warner, D.....	13739		
16—Clark, R.....	14422		
Wilkins, D.....	19743		
17—Updegraff, R.....	14165		
Alexander, D.....	13265		
18—McKinley, R.....	16906		
Wallace, D.....	16898		
Foster, Gbk.....	976		
Brush, Pro.....	261		
19—Taylor, R.....	15739		
Rockwell, D.....	7708		
20—McClure, R.....	13980		
Paige, D .....	14090		
Odell, Pro.....	1189		
21—Everett, R.....	11408		
Foran, D.....	15948		
Doan, Pro.....	1999		

**Oregon.**

VOTE OF THE STATE IN 1882.

	Rep.	Dem.
1882—Governor.....	21481	20069

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total
Republicans.....	16	37	53
Democrats.....	14	21	35
Independents.....	..	2	2

VOTE FOR CONGRESSMEN, 1882.

George, R.....	22517	Fenton, D.....	19152
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**Pennsylvania.**

VOTE OF THE STATE IN 1882.

	Rep.	I. Rep.	Dem.	G.&L.
1882—Governor.....	315589	43743	355791	23996
Lieut. Governor	317614	43577	353642	19475
Cong.-at-Large..	323255	40995	352855	20400

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total
Republicans.....	30	68	118
Democrats.....	20	113	133

**Pennsylvania.—(Continued).**

VOTE FOR CONGRESSMEN, 1882.

Dist.		Dist.	
1—Bingham, R.....15709		16—Brown, R..... 12876	
Cadwalader, D..11875		Earley, D.....11747	
2—O'Neill, R.....14984		Stickle, Gbk..... 1756	
Dundas, D.....11440		17—Campbell, R.....14961	
3—Maull, R..... 7303		Coffroth, D.....14410	
Randall, D.....11688		Bunker, Gbk..... 622	
4—Kelly, R.....21896		McKinley, I. R. 422	
Swain, D.....13824		18—Atkinson, R.....14779	
5—Harmer, R.....19049		Kimmell, D.....14049	
Martin, I. R.....16776		Snyder, Gbk..... 427	
6—Everhart, R.....14615		19—Duncan, R.....16780	
Clyde, D..... 9810		McSherry, D....13603	
7—Evans, R.....15732		20—Curtin, D.....16515	
Davis, D.....15102		Orwig, R.....11288	
8—Ermentrout, R..15732		21—Boyle, D.....16033	
McHose, D..... 8466		Seaton, R. & G..12709	
9—Smith, R.....16425		22—Hopkins D.....12420	
Given, D..... 9740		Errett, R.....11191	
10—Mutehler, R.....19867		Campbe l, Gbk.. 2345	
Biery, D.....11644		23—Bayne, R.....11734	
11—Storm, R.....17810		Barnes, Gbk..... 1882	
Smith, D..... 9805		24—Lawrence, R....11674	
12—Connolly, R.....11811		McConahy, D...10888	
Scranton, D.....10822		Emerson, Gbk.. 296	
Flick, I. R..... 2016		Peebles, Pro..... 319	
13—Brumm, R. & G..10773		25—Patton, D. & G..13990	
Wetherill, D....10149		White, R.....12990	
14—Barr, R.....14184		26—Miller, R.....14093	
McCormick, D..14039		Caldwell, D.....13365	
McCleery, I. R. 1870		Hoagland, Gbk.. 861	
Brownwell, Gbk 516		Ogden, Pro..... 1087	
15—Post, D.....11555		27—Bainard, R.....11170	
Overton, R..... 5675		Plumer, D..... 10247	
Jadwin, I. R..... 9101		Everson, G. & P. 2992	
Pro. & Gbk..... 1251			

**Rhode Island.**

VOTE OF THE STATE IN 1882.

	Rep.	Dem.
1882—Governor.....	10056	5311

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total
Republicans.....	30	65	95
Democrats.....	7	7	14

VOTE FOR CONGRESSMEN, 1882.

Dist.		Dist.	
1—Spooner, R..... 3515		2—Chace, R..... 3349	
Lapham, D..... 1491		Wheeler, D..... 1831	

**South Carolina.**

VOTE OF THE STATE IN 1882.

	Gbk.	Dem.	Maj.
1882—Governor.....	17719	67158	49439 D

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total
Republicans.....	2	6	8
Democrats.....	30	111	141

VOTE FOR CONGRESSMEN, 1882.

Dist.		Dist.	
1—Campbell, G. & R. 6565		5 Cash, G. & R..... 7171	
Dibble, D..... 8674		Hemphill, D..... 8518	
2—Brayton, R..... 5361		6—Deas, R..... 3628	
Tillman, D.....11388		Dangan, D.....10814	
3—Russell, G..... 1677		7—Mackey, R.....18469	
Aiken, D..... 9245		Lee, Ind. R.....10017	
4—Elkins, G..... 4588			
Evins, D..... 9245			

**Tennessee.**

VOTE OF THE STATE IN 1882.

	Rep.	Dem.	Fus.
1882—Governor.....	91693	119297	4632

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total
Republicans.....	6	28	34
Democrats.....	27	71	98

**Tennessee.—(Continued).**

VOTE FOR CONGRESSMEN, 1882.

Dist.		Dist.	
1—Pettibone, R.....14702		6—Dillen, R..... 8856	
Taylor, D.....12571		Caldwell, D.....19951	
2—Hauk, R.....14535		7—Perkins, R..... 7432	
Rule, Ind. R..... 8821		Bellantyne, D....12635	
3—Frewitt, R..... 9698		8—Hawkins, R..... 8175	
Dibbrell, D.....11403		Taylor, D.....10095	
4—Stokes, R..... 4106		Scattering..... 2049	
McMillan, D.....14452		9—Lyle, R..... 7885	
5—Tillman, S..... 7906		Pearce, D.....12812	
Warner, D.....10911			
Duggan, I..... 1247			

**Texas.**

VOTE OF THE STATE IN 1882.

	Dem.	Opp.
1882—Governor.....	143810	102058

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total
Republicans, Gbk. & I.....	1	16	17
Democrats.....	29	68	97

VOTE FOR CONGRESSMEN, 1882.

Dist.		Dist.	
1—Chambers, R..... 8350		7—Ochiltree, I.....12160	
Stewart, D.....18882		Finlay, D..... 9016	
2—Reagan.....		8—Zapp, G..... 6528	
(No opposition).		Miller, D.....12297	
3—Russell, R..... 9492		Connor, I..... 1976	
Jones, D.....14045		9—Rankin, G..... 8329	
Wade, I..... 699		Mills, D.....14730	
4—Dahomey, G..... 7785		10—Davis, R..... 9783	
Cuberson, D.....13487		Hancock, D.....16123	
5—Dickson, G..... 6780		11—Barnett, G..... 4757	
Thrkimerton, D..14163		Latham, D.....10495	
6—Kirby, G..... 6947		Buck, I. D..... 1532	
Wellborn, D.....17500		Davenport, I. D. 3817	

**Vermont.**

VOTE OF THE STATE IN 1882.

	Rep.	Dem.	Gbk
1882—Governor.....	35839	14466	1535

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total
Republicans.....	28	183	211
Democrats.....	2	47	49
Independents and Gbk.....	..	6	6

VOTE FOR CONGRESSMEN, 1882.

Dist.		Dist.	
1—Stewart, R.....15638		2—Poland, R.....12795	
Reddington, D... 6009		Fletcher, D..... 6363	
Kidder, G..... 865		Dunbar, G..... 390	
		Grout, R..... 4583	

**Virginia.**

NO STATE ELECTION IN 1882.

1882—Cong.-at-Large—	Dawson, Rep. & I.....	4242
	Wise, Readj.....	99992
	Massey, Dem.....	94184

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total
Readjusters.....	23	58	81
Democrats.....	17	42	59

VOTE FOR CONGRESSMEN, 1882.

Dist.		Dist.	
1—Woltz, R..... 168		6—Woodfin, R..... 102	
Mayo, Readj.....10505		Rives, Readj.....10362	
Garrison, D.....10504		Tucker, D.....12765	
2—Dezendorf, R..... 3114		7—Coehran, R..... 107	
Libby, Readj.....13226		Paul, Readj.....12146	
Marshall, D.....10282		O'Ferrell, D.....11941	
3—Smith, Readj..... 8060		8—Syphas, R..... 227	
Wise, D.....10736		Farr, Readj..... 9034	
4—Tazewell, R..... 250		Barbour, D.....14256	
Hooper, Readj..14764		9—Dotson, I. D..... 328	
Reese, D..... 4552		Bowen, Readj....10073	
5—Sims, Readj.....11489		Fulkers'n, I. Rdj 5603	
Cabell, D.....12048			

**West Virginia.**

VOTE OF THE STATE IN 1882.

	Rep. & G. Dem.
1882—Supreme Judge.....	43440 46661

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total
Republicans.....	8	27	35
Democrats .....	17	38	55
Greenbackers .....	1	..	1

VOTE FOR CONGRESSMEN, 1882.

Dist.		Dist.	
1—Goff, R.....	14154	3—Butrick, R.....	5814
Good, D.....	12335	Kenna, D.....	10279
Shinn, Gbk.....	609	Reynolds, Gbk...	1454
2—Mason, R.....	11396	4—Loomis, R.....	9863
Wilson, D.....	11406	Gibson, Dem.....	11151
Kitchen, Gbk.....	673	Barbee, Gbk.....	2287

**Wisconsin.**

No State election in 1882.

AGGREGATE OF VOTE IN CONGRESSIONAL DISTRICTS.

Rep.	Dem.	Gbk.	Pro.	Scattering.
94606	103630	2496	13800	2392

PRESENT STATE LEGISLATURE.

	Senate.	House.	Total
Republicans.....	17	43	60
Democrats .....	15	55	70
Independents .....	1	2	3

VOTE FOR CONGRESSMEN, 1882.

Dist.		Dist.	
1—Williams, R.....	11853	2—Rowell, R.....	8870
Winans, D. & L....	12307	Sumner, D.....	10671
Blackman, Pro...	2207	Chafin, Pro.....	1006
		Merrell, Gbk.....	627

**Wisconsin.—(Continued).**

VOTE FOR CONGRESSMEN, 1882.

Dist.		Di-t.	
3—Hazelton, R.....	7924	6—Guenther, R.....	10303
Jones, D.....	13035	Haben, D.....	9265
Hastings, Pro....	3152	Kanouse, Pro....	3275
Matts, Gbk.....	444	Stewart, Gbk.....	496
4—Winkler, R.....	8320	7—Butt, R.....	10604
Deuster, D.....	9688	Woodward, D....	11908
Goodwin, Pro....	1922	Parker, Pro.....	1877
5—Howland, R.....	6108	May, Gbk.....	360
Rankin, D.....	12923	8—Price, R.....	14059
Mix, Pro.....	813	Barley, D.....	11315
Thomas, Gbk.....	764	9—Stephenson, R...	12774
		Park, D.....	12518
		Woodmansie, Pr.	1460
		Mahon, Gbk.....	199

**TERRITORIAL VOTE FOR CONGRESSIONAL DELEGATES IN 1882.**

**Arizona.**

Porter, R.....	6510	Oury, D.....	7490
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**Dakota.**

Raymond, R.....	38151	Brookings, D.....	9034
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**Idaho.**

Singiser, R.....	7319	Ainslie, D.....	3809
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**Montana.**

Bothkin, R.....	10914	Maginnis, D.....	12398
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**New Mexico.**

Luna, R.....	15062	Manzanares, D.....	13376
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**Utah.**

Van Zile, Gentile...	4908	Caine, Mormon.....	23239
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**Washington.**

Brents, R.....	11252	Burke, D.....	8244
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**Wyoming.**

Meldrum, R.....	4702	Post, D.....	5813
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**THE NEWSPAPER PRESS OF THE UNITED STATES.**

Compiled from Census of 1880.\*

TABLE I.

	All classes.		Dailies.		Weeklies.		All others.	
	Number.	Circulation	Number.	Circulation	Number.	Circulation	Number.	Circulation
1850.....	2,526	5,142,177	254	758,454	1,902	2,944,629	370	1,439,094
1860.....	4,051	13,663,409	387	1,478,435	3,173	7,581,930	491	4,603,044
1870.....	5,871	20,842,475	574	2,601,547	4,295	10,594,643	1,002	7,646,285
1880.....	11,403	31,177,924	980	3,637,424	8,718	19,459,107	1,705	8,081,393

\* By S. N. D. North, in February Number (1882), of the "International Review," New York.

The next distributes the total number of periodicals among the States and Territories according to their character and frequency of publication. It will be observed that column six giving the number of publications devoted to news, politics and family reading (8,816), contains the actual number of *Newspapers* published in the census year. The remainder of the publications (2,587) are more properly described as periodicals, although a very large proportion of them discharge the functions of a newspaper;

TABLE II.

	No. of periodicals.	Number published daily.	Number published weekly.	All others than monthly.	Number published monthly.	Number devoted to news, politics and family reading.	Number religious.	No. Agricultural.	General literature.	All other classes.	Number published in English.	Number published in other languages.
Alabama.....	129	7	111	3	8	117	6	2	2	2	129	.....
Arizona.....	17	6	11	.....	.....	17	.....	.....	.....	.....	16	1
Arkansas.....	120	6	107	5	2	105	6	3	1	5	119	1
California.....	364	59	254	19	32	273	13	5	4	69	331	33
Colorado.....	90	20	65	1	4	83	2	.....	.....	5	87	3
Connecticut.....	140	17	100	9	14	112	3	4	1	20	136	4
Dakota.....	66	9	57	.....	.....	66	.....	.....	.....	.....	64	2
Delaware.....	26	5	20	.....	1	24	1	.....	.....	1	25	1
District of Columbia.....	44	5	23	1	15	21	.....	.....	3	20	41	3
Florida.....	45	3	40	2	.....	43	.....	.....	1	1	45	.....
Georgia.....	200	16	163	10	11	176	11	4	2	7	199	1
Idaho.....	8	.....	7	1	.....	8	.....	.....	.....	.....	8	.....
Illinois.....	1,032	75	771	66	120	695	47	13	7	270	936	96
Indiana.....	478	40	404	10	24	421	11	8	3	35	446	32
Indian Territory.....	3	.....	3	.....	.....	1	.....	.....	.....	2	1	2
Iowa.....	579	30	511	8	30	531	14	5	3	26	538	41
Kansas.....	349	21	311	2	15	323	5	5	1	15	336	13
Kentucky.....	213	11	169	9	24	168	19	6	3	17	201	12
Louisiana.....	112	13	94	3	2	97	7	.....	.....	8	96	16
Maine.....	124	12	92	3	17	93	9	4	7	11	124	.....
Maryland.....	144	15	112	5	12	107	10	3	3	21	135	9
Massachusetts.....	432	39	283	29	81	278	35	3	15	101	427	5
Michigan.....	469	33	401	16	19	414	12	4	1	38	445	24
Minnesota.....	224	10	206	2	6	209	2	3	.....	10	203	21
Mississippi.....	123	5	110	6	2	116	4	3	.....	.....	123	.....
Missouri.....	531	43	418	20	50	417	28	8	4	74	495	36
Montana.....	18	4	14	.....	.....	17	.....	1	.....	.....	18	.....
Nebraska.....	189	15	165	2	7	178	2	3	2	4	176	13
Nevada.....	37	14	22	.....	1	35	.....	.....	.....	2	37	.....
New Hampshire.....	89	10	67	4	8	74	3	1	5	6	89	.....
New Jersey.....	217	27	165	12	13	196	3	1	3	14	198	19
New Mexico.....	18	3	15	.....	.....	16	1	.....	.....	1	14	4
New York.....	1,412	116	891	122	283	845	97	29	37	404	1,284	128
North Carolina.....	140	13	112	8	7	117	12	3	2	6	140	.....
Ohio.....	776	56	585	44	90	569	58	11	2	136	688	88
Oregon.....	74	7	59	2	6	60	5	2	2	5	72	2
Pennsylvania.....	985	100	679	44	162	622	78	13	16	256	899	86
Rhode Island.....	44	8	31	2	3	39	.....	.....	.....	5	43	1
South Carolina.....	82	4	70	5	3	68	10	.....	.....	4	81	1
Tennessee.....	192	12	152	11	17	146	15	.....	8	23	191	1
Texas.....	279	31	229	7	12	254	13	2	2	8	260	19
Utah.....	24	5	10	5	4	16	6	1	.....	1	24	.....
Vermont.....	82	5	72	2	3	74	3	2	1	2	82	.....
Virginia.....	195	20	125	17	33	136	11	6	2	40	190	5
Washington Territory.....	29	4	24	.....	1	28	1	.....	.....	.....	29	.....
West Virginia.....	109	2	97	5	5	101	3	.....	1	4	107	2
Wisconsin.....	340	21	283	16	20	300	8	4	2	26	287	53
Wyoming.....	10	3	7	.....	.....	10	.....	.....	.....	.....	10	.....
United States.....	11,403	980	8,718	538	1,167	8,816	574	162	146	1,705	10,625	778

## THE NEWSPAPER PRESS.—[Continued.]

The census table from which the following table is condensed, shows that the average circulation per issue of the daily papers published in the United States was 3,971; of the weekly papers, 2,177; and of the monthly periodicals, 7,917. It also shows the average subscription price of dailies to have been \$7.31, and of weeklies, \$1.75:

TABLE III.—AGGREGATE CIRCULATION PER ISSUE.

States and Territories.	Dailies.	Weeklies, etc., connected with dailies.	Weeklies not connected with dailies and all others than monthlies.	Monthlies.	Total for all classes.
Alabama.....	9,660	10,520	59,083	7,550	86,813
Arizona.....	3,800	6,700	3,850	.....	14,350
Arkansas.....	5,430	8,200	78,491	500	92,621
California.....	178,864	157,012	241,935	94,000	671,811
Colorado.....	28,025	27,470	36,934	8,900	101,329
Connecticut.....	45,140	62,130	105,730	20,240	233,240
Dakota.....	4,500	3,400	29,943	.....	37,843
Delaware.....	18,300	5,000	12,625	1,000	36,925
District of Columbia.....	34,000	3,000	93,232	71,791	202,023
Florida.....	2,675	1,850	23,082	.....	27,607
Georgia.....	26,940	41,430	201,061	19,200	291,631
Idaho.....	.....	.....	5,000	.....	5,000
Illinois.....	270,183	463,087	1,265,510	447,180	2,445,960
Indiana.....	73,387	90,640	384,007	43,250	591,284
Indian Territory.....	.....	.....	4,360	.....	4,360
Iowa.....	38,570	93,439	371,299	52,100	555,408
Kansas.....	23,051	43,428	195,585	28,000	290,064
Kentucky.....	32,415	72,340	267,977	29,338	402,070
Louisiana.....	38,765	28,320	66,795	950	134,830
Maine.....	18,940	32,230	128,202	1,036,200	1,215,572
Maryland.....	132,413	101,600	133,421	20,160	387,594
Massachusetts.....	280,399	147,379	948,727	562,313	1,938,818
Michigan.....	64,389	150,758	354,317	33,285	602,749
Minnesota.....	28,993	29,764	137,767	25,150	221,674
Mississippi.....	4,200	3,850	73,754	6,100	87,904
Missouri.....	137,560	265,828	471,672	156,300	1,031,360
Montana.....	1,312	4,140	15,775	.....	21,227
Nebraska.....	17,113	27,815	101,490	13,740	160,158
Nevada.....	16,805	4,050	7,040	500	28,395
New Hampshire.....	13,870	51,012	92,586	39,800	197,268
New Jersey.....	50,876	25,708	162,656	16,800	256,040
New Mexico.....	2,200	1,930	4,725	.....	8,855
New York.....	990,048	987,660	4,540,396	2,871,391	9,398,495
North Carolina.....	7,534	9,510	79,586	8,186	104,846
Ohio.....	215,934	377,357	679,702	612,354	1,885,347
Oregon.....	11,070	17,024	42,894	10,090	81,078
Pennsylvania.....	598,627	330,028	2,991,348	1,597,340	5,517,343
Rhode Island.....	41,182	13,982	40,122	3,040	98,326
South Carolina.....	7,750	8,100	53,942	1,110	70,902
Tennessee.....	30,995	41,240	158,034	68,350	298,619
Texas.....	31,351	56,734	257,713	10,140	355,938
Utah.....	7,950	16,700	6,950	5,075	36,675
Vermont.....	4,300	7,500	67,542	51,500	130,842
Virginia.....	33,422	27,472	130,432	66,902	258,228
Washington.....	1,000	3,544	12,497	.....	17,141
West Virginia.....	5,300	8,300	70,877	4,806	89,283
Wisconsin.....	34,100	75,875	299,655	36,762	446,392
Wyoming.....	1,986	1,800	1,900	.....	5,686
Total United States.....	3,637,424	3,946,886	15,512,221	8,081,393	31,177,924

A census table shows the number of inhabitants to each daily paper published in twenty-six principal cities of the United States. The average number of inhabitants to each daily paper printed in these twenty-six cities, taken together, was 4.06; and accepting this average for any city of 50,000, the aggregate circulation of all its daily papers would be but 12,310. The fact that seventeen of these cities show a larger ratio of circulation to population is simply evidence that these seventeen have superior facilities over the other nine for outside circulation, and the ratio is increased accordingly. Washington, which is an isolated city, averages one copy printed daily for every 4.27 inhabitants, which is an extraordinary average for a city thus situated, and with so large a colored population. The following table shows the eleven cities which stood first in the ratio of circulation to population:

CITIES.	No. of Daily Papers.	Circulat'n of Daily Papers.	Populat'n	No. of Inhabitants to each Copy Issued.
Pittsburgh.....	11	111,001	156,381	1.41
New York.....	29	765,743	1,206,590	1.57
San Francisco.....	22	143,232	233,956	1.63
Boston.....	11	221,315	362,535	1.64
Springfield.....	3	18,464	33,340	1.81
St. Paul.....	6	19,893	41,498	2.09
Indianapolis.....	4	35,587	75,074	2.11
Cincinnati.....	11	117,549	255,708	2.18
Chicago.....	18	220,577	503,304	2.28
Philadelphia.....	24	363,286	846,984	2.33
Baltimore.....	9	128,643	332,190	2.58
At the bottom of the twenty-six cities are:				
Charleston.....	2	6,300	49,999	7.94
Brooklyn.....	4	48,537	566,689	11.77

Nevertheless, it is certain that there is no city in the Union whose people are greater newspaper readers than those of Brooklyn. The above simply shows that the majority of the papers read there were published in New York city.

## UNITED STATES POSTAL REGULATIONS.

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### **First-Class Matter.**

Matter which is wholly in writing, sealed or unscaled, printed commercial papers, filled out in writing, having the nature of a personal correspondence, or being the expression of a money value, such as notes, drafts, receipts, executed deeds, and insurance policies, manuscript for publication when unaccompanied by proof-sheet, reproductions by the copygraph and similar processes which are in the nature of a personal correspondence, or imitating written matter, and all packages, the contents of which cannot be ascertained without destroying the wrapper. Postage 3 cents each half ounce, or for each fraction above half an ounce. On local or drop letters, at free-delivery offices, 2 cents. At offices where no free delivery by carrier, 1 cent. Weight of packages not limited.

Postal cards, 1 cent.

Registered letters, 10 cents in addition to the proper postage.

The Post-Office Department or its revenue is not by law liable for the loss of any mail matter, but will use its best efforts to assist the owners in the recovery of lost matter.

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### **Second-Class Matter.**

**REGULAR PUBLICATIONS.**—This class includes all newspapers, periodicals, or matter exclusively in print and regularly issued at stated periods from a known office of publication or news agency. Postage, 2 cents a pound or fraction thereof. Weight of packages not limited.

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### **Third-Class Matter.**

Mail-matter of the third class embraces books (printed and blank), transient newspapers and periodicals, circulars, and other matter wholly in print, proof-sheets and corrected proof-sheets and manuscript copy accompanying the same, hand-bills, posters, chromo-lithographs, engravings, heliotypes, lithographs, photographic and stereoscopic views with title written or printed thereon, printed blanks, printed cards; and postage shall be prepaid thereon at the rate of one cent for each two ounces or fractional part thereof.

Upon matter of the third-class, upon the wrapper inclosing the same, the sender may write his own name or address thereon, with the word "from" above and preceding the same, and in either case may make simple marks intended to designate a word or passage of the text to which it is desired to call attention. There may be placed upon the cover or blank leaves of any book or of any printed matter of the third-class a simple manuscript dedication or inscription that does not partake of the nature of a personal correspondence.

All packages of matter of the third class must be so wrapped, with open sides or ends, that their contents may be readily examined by postmasters.

Third-class matter may be registered and must be fully prepaid.

Printed matter is defined by the act of March 3, 1879, to be "the reproduction upon paper by any process except that of handwriting of any words, letters, characters, figures, or images, or of any combination thereof, not having the character of an actual and personal correspondence." Reproductions by the electric pen, papyrograph, copygraph, hectograph, and other similar processes are third-class matter, unless they have the nature of personal correspondence, when they are first-class.

The limit of weight of packages is four pounds, except in cases of single volumes of books in excess of said weight, and books and documents published or circulated by order of Congress, or official matter emanating from any of the departments of the government, or from the Smithsonian Institution.

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### **Fourth-Class Matter.**

Mailable matter of the fourth class embraces blank cards, card-board and other flexible material, flexible patterns, letter envelopes, and letter paper, merchandise, models, ornamented paper, sample cards, samples of ores, metals, minerals, seeds, cuttings, bulbs, roots, scions, drawings, plans, designs, original paintings in oil or water-colors, and any other matter not included in the first, second, or third classes, and which is not in its form or nature liable to de-

stroy, deface, or otherwise damage the contents of the mail-bag, or harm the person of any one engaged in the postal service, or matter excluded by sections 3893 and 3894 Revised Statutes, to wit, obscene matter, and matter concerning lotteries. Postage rate thereon, one cent for each ounce or fractional part thereof.

Other articles of the fourth class which, unless properly secured, might destroy, deface, or otherwise damage the contents of the mail-bag, or harm the person of any one engaged in the postal service, may be transmitted in the mails when they conform to the following conditions: 1st. They must be placed in a bag, box, or removable envelope made of paper, cloth or parchment. 2d. Such bag, box, or envelope must again be placed in a box or tube made of metal or some hard wood, with sliding, elasp, or screw lid. 3d. In case of articles liable to break, the inside box, bag, or envelope must be surrounded by sawdust, cotton, or spongy substance. 4th. In case of sharp-pointed instruments, the points must be capped or encased, so that they may not by any means be liable to cut through their enclosure; and where they have blades, such blades must be bound with wire, so that they shall remain firmly attached to each other. 5th. The whole must be capable of easy inspection. Seeds, or other articles not prohibited, which are liable from their form or nature to loss or damage unless specially protected, may be put up in sealed envelopes, provided such envelopes are made of material sufficiently transparent to show the contents clearly, without opening.

Upon any package of matter of the fourth class the sender may write or print his own name and address, preceded by the word "from," and there may also be written or printed the number and names of the articles enclosed; and the sender thereof may write or print upon or attach to any such articles, by tag or label, a mark, number, name, or letter, for the purpose of identification.

The limit of weight of package is four pounds.

Fourth-class matter may also be registered, and must be fully prepaid.

#### **Rates of Foreign Postage.**

*Foreign rates to all following countries and*

places, which are in the Universal Postal Union, the postage on LETTERS is FIVE (5) CENTS for each HALF OUNCE or fraction thereof, TWO CENTS for each postal card, and ONE CENT for each TWO OUNCES NEWSPAPERS: Argentine Republic, Austria and Hungary, Bahamas, Barbadoes, Belgium, Bermudas, Brazil, Bulgaria, Ceylon, China via Hong-Kong, Chili, Cuba, Denmark, and Danish Colonies, Ecuador, Egypt, Falkland Islands, France and French Colonies, Germany, Great Britain, Greece, Greenland, Guatemala, Hayti, Holland or Netherlands and Netherland Colonies, Honduras, Hong-Kong, India (British), Ireland, Italy, Jamaica, Japan, Liberia, Luxembourg, Malacca, Mauritius, Mexico, Montenegro, Newfoundland, Norway, Paraguay, Penang, Persia, Portugal and Portuguese Colonies, Roumania, Russia, Salvador, Servia, Signapore, Spain and Spanish Colonies, Straits Settlements, St. Vincent (W. I.), Sweden, Switzerland, Trinidad, Turkey, United States of Colombia, Uruguay, Venezuela.

POSTAGE TO COUNTRIES AND PLACES NOT IN POSTAL UNION, PREPAYMENT COMPULSORY.—To the following foreign places the postage on letters and newspapers is as follows.

Letters not exceeding  $\frac{1}{2}$  ounce to Cape of Good Hope, 15 cents; newspapers, 3 cents. Letters not exceeding  $\frac{1}{2}$  ounce to China via Southampton, 13 cents; newspapers, 4 cents. Letters not exceeding  $\frac{1}{2}$  ounce to Australia, except New South Wales, Queensland and Victoria, via San Francisco, 5 cents; newspapers, 2 cents. Letters not exceeding  $\frac{1}{2}$  ounce to New South Wales, Queensland, Victoria and New Zealand via San Francisco, 12 cents; newspapers, 2 cents. Letters not exceeding  $\frac{1}{2}$  ounce to Canada and British N. A. provinces, except Newfoundland, 3 cents; newspapers, 1 cent.

#### **Reduction of Postage on First-Class Scaled Matter.**

The law approved March 3, 1883, provides that, on and after October 1, 1883, all sealed first-class matter, which heretofore required three cents for each half ounce or fraction thereof, shall be charged at the rate of two cents for each half ounce or fraction thereof. The other rates of postage are not affected by the act.



## CHRONOLOGICAL POLITICS.

**1765.**—March 8.—Parliament passes the Stamp Act. Oct. 7.—Colonial Congress met at New York.

**1766.**—Stamp Act repealed, Mar. 18.

**1767.**—June 29.—Bill passed taxing tea, glass, paper, etc., in the American colonies.

**1768.**—Massachusetts assembly petition the King against the late tax.

**1773.**—The inhabitants of Boston throw 342 chests of the taxed tea into the sea.

**1774.**—Mar. 31.—The Boston Port Bill passed by Parliament. Sept. 5.—The first Continental Congress meets at Philadelphia.

**1775.**—April 19.—The war for American Independence commences with the Battle of Lexington.

**1776.**—July 4.—America is declared "Free, sovereign, and independent"—a declaration which is signed by the following States: New Hampshire, Massachusetts, Rhode Island, Connecticut, Delaware, Maryland, Virginia, North Carolina, South Carolina, New York, New Jersey, Pennsylvania, and Georgia.

**1777.**—Dec. 16.—France acknowledges the independence of the United States.

**1778.**—Feb. 6.—Treaties of Amity and Commerce adopted between the United States and France.

**1781.**—Feb.—Articles of Confederation ratified by the States.

**1782.**—Oct. 8.—Independence of United States acknowledged by Holland. Nov. 3.—Temporary Treaty of Peace signed at Paris.

**1783.**—Sept. 3.—Treaty of Peace signed at Paris. Nov. 3.—American army disbanded. Nov. 25.—New York evacuated by the British. Dec. 19.—Charleston evacuated by British. Dec. 23.—Washington assigns his commission to Congress.

**1785.**—June 1.—John Adams, first minister from U. S. to London.

**1786.**—Nov.—Shay's insurrection broke out in Massachusetts.

**1787.**—Sept. 17.—Constitution of the United States adopted by all the States, except Rhode Island.

**1788.**—Cotton Planted in Georgia.

**1789.**—First Congress. Ten Amendments to the Constitution passed. Departments of Government organized. Washington appoints a National Thanksgiving. April 14.—George Washington declared the first President of the United States. Ratio of Representatives, 30,000; Members of Congress 65.

**1789.**—Many Treaties with the Indians. Hamilton recommends the first Tariff; passed and approved.

**1790.**—The territory south of the Ohio river ceded to the United States. Naturalization Law passed. Treason defined and penalty determined. First Census, 3,929,326. System of Finance adopted; Government assumes State Debts: Public Debt funded; Seat of government removed from New York to Philadelphia.

**1791.**—First United States bank established at Philadelphia; Capital, \$10,000,000. First Tax on Distilled Spirits.

**1792.**—U. S. Mint established. Apportionment Bill passed, fixing ratio of Representation at, 33,000; 103 members in Congress. Uniform system of Militia established. Post Office department organized anew.

**1793.**—Washington again inaugurated President. Neutrality declared in regard to France. First Fugitive Slave Law passed. French Minister Gernet recalled by request of Government; returns to organize Democratic or Jacobin Societies.

**1794.**—Commercial Treaty concluded with Great Britain. The Whiskey Insurrection in Pennsylvania. Regulation of Slave Trade by law. A sixty days Embargo as a retaliation on British "Order in Council."

**1795.**—Second Naturalization Law passed. Jay's Commercial Treaty with Great Britain. Treaty of Madrid. Disagreement of the United States with Algeria.

**1796.**—Washington's Farewell Address. Contest between the President and House over the British Treaty. John Adams elected President.

**1797.**—Congress declares the treaties with France annulled. Privateering against friendly nations forbidden.

**1798.**—Congress passes an Act for raising a regular army. Washington appointed Lieutenant-General and Commander-in-Chief. Congress authorizes Naval Warfare with France; Commercial Intercourse with France suspended; Navy Department organized.

**1799.**—Congress votes to raise an army of 40,000 men. American Navy consists of 42 vessels with 950 guns. Pennsylvania seat of government removed to Lancaster. Washington dies at Mount Vernon, Va.

**1800.**—Treaty of Peace with France. General Law of Bankruptcy approved. Second official census—population 5,308,483. Removal of the Capitol from Philadelphia to Washington. Election of Thomas Jefferson President.

**1801.**—War against Tripoli declared. The Republican party under Thomas Jefferson, comes into power with Jefferson President.

**1802.**—Louisiana ceded to France by Spain. Naturalization Laws made more liberal. Representatives, 141.

**1803.**—Louisiana purchased of France for \$15,000,000. Congress gives the President extraordinary authority to maintain Free Navigation of the Mississippi. A brief war with the Barbary States.

**1804.**—Re-election of Jefferson as a Republican. Treaty of Peace concluded with Tripoli.

**1805.**—Troubles with Great Britain begin.

**1806.**—Congress provides the importation of certain goods. Disputes with England and France respecting Neutral Rights. England plainly claims the right to search American vessels for deserting seamen; Jefferson disputes it.

1807.—Congress lays an embargo. United States Coast Survey authorized. Conspiracy of Aaron Burr to divide the Union. English ships of war ordered to leave American waters. The first boat goes by steam.

1808.—The Slave Trade abolished by act of Congress. Madison elected President as a Republican.

1809.—Proclamation forbidding all intercourse with Great Britain and France. Embargo repealed. Madison inaugurated.

1810.—Third official census.

1811.—Population of United States 7,239,903. Ratio of Representation fixed at \$35,000. Continued troubles with England. War with Tecumseh.

1812.—Congress lays an embargo on American shipping. General Land Office established. More than 6,000 cases of impressment recorded. War declared on the 18th of June against Great Britain. Madison re-elected President, as a Republican.

1813.—Congress authorizes an issue of \$5,000,000 and a loan of \$16,000,000. Entire American coast blockaded by British ships. Several battles on land and sea.

1814.—Treaty of peace between the United States and England signed at Ghent. A loan of \$25,000,000 authorized.

1815.—A loan of 18,400,000 and an issue of \$25,000,000 authorized. Government ratifies Treaty of Ghent, and President proclaims peace 18th Feb. Government ceases to pay tribute to Algiers. Battle of New Orleans. Peace followed, though treaty of peace preceded the battle.

1816.—First high Protective Tariff enacted. Second United States Bank chartered for twenty years; Capital, \$35,000,000. Monroe elected President as Republican or Democrat.

1817.—Internal Taxes abolished. DeWitt Clinton causes the Erie canal to be commenced. The Era of Peace. United States Bank opened at Philadelphia. Commencement of the Seminole war.

1818.—Pension Law enacted. National Flag re-arranged, so that the Stripes represent the Original Thirteen Colonies and the Stars the present number of States. Treaty of Commerce and Boundary with England. Seminole war in Florida and Georgia.

1819.—Congress ratifies the Treaty for the Cession of Florida. Beginning of the discussion between the North and South in regard to the Slavery Question. The "Savannah"—the first steamer from New York to Liverpool.

1820.—Missouri Compromise passed. Navigation Act restricting importation to United States vessels. Country agitated over the Slavery question. Fourth official census, 9,633,822.

1822.—Florida made a territory. Ratio of Representation fixed at 40,000; Members, 213. Commercial treaty with France. Federal party disbands. Clintonian Democratic party organized in New York.

1823.—Independence of South American Republics acknowledged. Treaty with Great Britain for mutual suppression of the Slave Traffic. The "Monroe Doctrine" advanced. Party politics quiet.

1824.—John Quincy Adams, Whig, elected by the House. Second high Protective Tariff.

1825.—Panama Mission discussed. John Quincy Adams inaugurated.

1826.—Extensive Internal Improvements under the leadership of Clay. The Fiftieth Anniversary of American Independence. Death of Adams and Jefferson. Webster delivers his celebrated eulogy on them.

1827.—Experimenting on the construction of a railroad.

1828.—Tariff amended and Duties increased. Jackson elected President.

1829.—Webster's great speech against Nullification. Treaty of Amity and Commerce with Brazil. Jackson inaugurated. "*To the victor belongs the spoils.*"

1830.—Treaty with Turkey, securing for the United States freedom of the Black Sea. Treaty between the United States and Ottoman Porte. Fifth official census: population 12,866,020.

1831.—Building railroads actively.

1832.—Treaty of Commerce with Russia. Treaty of Commerce and Boundary with Mexico. Bill for re-chartering United States Bank vetoed by President Jackson. His proclamation against Nullifiers. Resignation of John C. Calhoun. Black Hawk War commences. South Carolina declares the doctrine of nullification. Representatives 240.

1833.—Andrew Jackson commences his second administration. Gen. Santa Anna elected President of Mexico. Public deposits removed from the United States Bank by the President, and distributed among certain State banks. Secretary of Treasury, W. P. Duane, refusing to carry out the policy, is removed. Lucifer, or Locofoco matches introduced, and the Democrats called "Locofocos."

1834.—President Jackson censured by Congress for removing Government deposits.—France and Portugal, slow in paying for injuries done United States commerce, are brought to terms by the President.

1835.—War with Seminoles.

1836.—Office of Commissioner of Patents created. Treaty of Friendship and Commerce with Venezuela. Charter for United States Bank expires. Not renewed. Financial trouble brewing. Martin VanBuren, Democrat, elected President.

1837.—The Independence of Texas acknowledged. Issue of \$10,000,000 Treasury notes authorized. President refuses to remit the regulation regarding the "Specie Circular." Financial panic follows, banks suspend Specie Payments in March, and resume in July. VanBuren inaugurated.

1838.—National debt paid—surplus revenue divided among the States. President enjoins neutrality during Canadian Rebellion.

1839.—United States Bank suspends payment. Disturbances on the North-eastern boundaries of Maine.

1840.—Sub-Treasury bill passed. Sixth official census; population 17,069,453. Gen'l Harrison, Whig, elected President. "Tippecanoe and Tyler too" campaign.

**1841.**—Congress meets in extra session. Imprisonment for debts due the United States abolished. Central Bankrupt Law passed. A loan of \$12,000,000 authorized. Sub-Treasury Act repealed. Revenues received from public lands ordered to be distributed among the States. Two bills for re-chartering the United States Bank vetoed. All members of the Cabinet, except Mr. Webster, resign. Failure of United States Bank under Pennsylvania charter. Harrison dies; Tyler succeeds him.

**1842.**—The Dover Insurrection in Rhode Island. The Seminole war terminated. Treaty with England settling North-Eastern boundary question. Senate ratifies the Ashburton-Webster Treaty. Ratio of representation fixed at 70,680: Representatives 223. United States fiscal year ordered to begin with July 1st.

**1843.**—\$30,000 appropriated for the construction of Morse's Electric Telegraph between Washington and Baltimore.

**1844.**—First message by the electric telegraph. James K. Polk, Democrat, elected President.

**1845.**—Anti-rent riots in New York. The first Tuesday after the first Monday in November on which to hold Presidential elections. Treaty made with China. Speech of Mr. Cass on North-Western boundary of Oregon. Annexation of Texas, and war with Mexico.

**1846.**—Hostilities commence with Mexico. New Mexico annexed to the United States, 10,000,000 voted; and 50,000 men called out, to carry on the war. The Wilmot Proviso, Tariff on Imports reduced. Treaty settling Northwestern boundary. Congress declared the war "existed by act of Mexico."

**1847.**—The city of Mexico taken by Americans under General Scott. War rages with Mexico.

**1848.**—Congress ratifies Treaty of Guadalupe Hidalgo. Postal Treaty with England negotiated; concluded in 1849. Peace with Mexico declared, July 4th. Zachary Taylor, Whig, elected President. Upper California ceded to United States. First deposit of California gold in the mint,

**1849.**—The French Ambassador dismissed from Washington. Taylor inaugurated, dies; Fillmore succeeds him.

**1850.**—The Fugitive Slave Act passed. Texas boundary settled by payment of \$10,000,000 to Texas. New Mexico and Utah admitted as territories. Slave trade abolished in the District of Columbia. Webster's great speech on the Union delivered in reply to Hayne. Treaty of Amity and Commerce with Switzerland. Treaty with England securing a transit over Panama. Seventh census; population 23,191,876.

**1851.**—Southern Rights Convention at South Carolina. A Cheap Postage Law enacted. Kossuth visits United States.

**1852.**—Ratio of Representation fixed at 93,423; members, 237. Dispute with England in regard to fisheries. Henry Clay and Daniel Webster died this year. Franklin Pierce, Democrat, elected President.

**1853.**—Pierce inaugurated. A partisan inaugural address.

**1854.**—Congress passes the Kansas Nebraska bill. United States Neutral on the Eastern Question.

**1854.**—Treaty of Reciprocity with England. Commercial Treaty with Japan concluded through Commodore Perry. American party formed.

**1855.**—The Court of Claims established. Election troubles in Kansas. U. S. steamer "Waterwitch" fired on, on the Paraguay. Passmore Williamson released from three months imprisonment in the Wheeler Slave Case.

**1856.**—Quebec made the seat of Canadian government, P. W. Geary confirmed as Governor of Kansas. Extra session of Congress adjourns. 133 ballots required to elect Nathaniel P. Banks Speaker of the House. Mr. Brooks of S. C., assaults Senator Sumner in the Senate Chamber. British envoy ordered to leave Washington. Great excitement in Congress on the Slavery question and over the admission of Kansas and Nebraska. Republican party formed. James Buchanan, Democrat, elected President.

**1857.**—A great Financial Panic; 5,123 Commercial Failures. Buchanan inaugurated; pays 8 and 10 per cent. for loans. The Dred Scott Decision delivered by Chief Justice Taney. R. J. Walker appointed Governor of Kansas.

**1858.**—Congress passes the English Kansas Bill but State refuses to accept. Treaty of amity with China.

**1858.**—First Atlantic Cable laid; second in 1866. U. S. Army defeats the Mormons in Utah. Minnesota State Government organized. Nicaragua seeks the protection of the United States.

**1859.**—John Brown's raid at Harper's Ferry, Va., his capture and execution.

**1860.**—Ratio of Representation fixed at 127,000. Crittenden Compromise introduced and defeated. Prince of Wales visits the United States. Senators and Federal Officers from the South favoring disunion, resign. President Buchanan denies the right of a State to secede, and declines to receive the South Carolina Commission. Eighth census; population 31,443,321. Abraham Lincoln, Republican, elected President. The "Palmetto Flag" hoisted in Charleston harbor. Georgia appropriates \$1,000,000 to another state. Maj. Anderson takes possession of Fort Sumter.

**1861.**—Congress meets in Special Session. The President calls the volunteers and \$400,000,000 to put down the Rebellion. Jacob Thompson, Secretary of Interior, resigns. Mississippi, Florida, Alabama, Georgia, Louisiana, and Texas passed secession ordinances. John A. Dix appointed Secretary of Treasury, vice Thomas, resigned. Jeff Davis resigns his seat in the U. S. Senate.

Southern Confederacy formed at Montgomery, Ala. Peace Congress meets at Washington. Jeff Davis elected President of Southern Confederacy. Gen. Twiggs expelled from the army for treason. Peace Congress adjourned after a stormy session—accomplished nothing. Beauregard takes command at Charleston, S. C.; and stops intercourse be-

tween Fort Sumter and Charleston. President Lincoln calls for 75,000 volunteers. Jeff Davis offers letters of marque to privateers. President Lincoln declares the Southern ports in a state of blockade. Virginia proclaimed a member of the Southern Confederacy. McClellan placed in command of the Department of Ohio. Arkansas secedes. England acknowledges the insurgent States as belligerents. North Carolina secedes; Kentucky declares neutrality. Tennessee secedes. Federal troops cross the Potomac. All postal services in the seceded States suspended. Gen. McClellan assumes command in West Virginia. The Wheeling Government, Virginia, acknowledged by the President. July 4, Congress meets in extra session. Fremont appointed to command of Western Department. Nine Southern members expelled from U. S. Senate.

Confiscation bill passed. Congress adjourns. President suspends all commerce with seceded States. President Lincoln orders Gen. Fremont to modify his emancipation proclamation. Secession members of Maryland Legislature sent to Fort McHenry. Gen. Scott resigns as Commander-in-Chief; Gen. McClellan succeeds him. C. S. Congress convened at Richmond, Va. Breckinridge expelled from U. S. Senate for treason. New York and Boston banks suspend specie payment.

1862.—Slavery prohibited in the Territories. Internal Revenue Bill passed. Polygamy forbidden in United States. Union Pacific Railroad chartered. Department of Agriculture organized. A draft of 300,000 men to serve for nine months, ordered by the Secretary of war; 600,000 volunteers called. Mason and Slidell delivered to the British Minister. E. M. Stanton appointed Secretary of war, *vice* Cameron, resigned. Cameron nominated Minister to Russia, *vice* Clay, resigned. Jesse D. Bright expelled from U. S. Senate. Jefferson Davis inaugurated President of the Southern Confederacy. Brigham Young elected Governor of Deseret, Utah. National Tax Bill passed U. S. House of Representatives. Gen. Halleck (July 11) appointed commander of all land forces. Martial law declared in Cincinnati. McClellan, Sept. 7, takes command in person of Potomac Army. Sept. 22, President Lincoln issues his Emancipation Proclamation. *Habeas Corpus* suspended by U. S. Government. Nov. 5, Gen. Burnside succeeds McClellan. All political prisoners released. Nov. 22, West Virginia admitted as a state.

1863.—Jan. 1.—Lincoln declares all the slaves free. Bureau of Currency and National Banks established. Death of "Stonewall" Jackson. First colored regiment from the north leaves Boston. A loan of \$900,000,000 ten-forties authorized. Proclamation issued. Gen. Grant takes command of the West. Slavery abolished by Proclamation.

1864.—Fugitive Slave Law repealed. A draft of 500,000 men ordered, and 700,000 men called for, 85,000 men accepted from Governors of Western States. Lincoln re-elected President. Gen. Grant appointed to command U. S. Armies.

1865.—The 13th Amendment passed. Amnesty Proclamation issued. Blockade of Southern ports ended. \$98,000,000 subscribed to the 7:30 loan during the week ending May 13. A day of fasting on account of the death of President Lincoln. All the nation in mourning. Lee surrenders to Grant. Johnson succeeds Lincoln.

1866.—Freedman's Bureau Bill and Civil Rights Bill passed. 14th Amendment passed. Proclamation of Peace. Colorado bill vetoed. Suffrage given to colored men in District of Columbia.

1867.—Southern States organized into Military Districts. Military Government Bill and Tenure-of-Office Bill passed. Treaty with Russia for purchase of Alaska concluded, price \$7,200,000. Nebraska admitted as a State. Reconstruction bill passed over President Johnson's veto. Russian American Treaty approved by the Senate. Jeff Davis released on bail. Congress meets in extra session. Supplementary Reconstruction Bill passed, over veto.

1868.—Impeachment trial of President Johnson ends in acquittal. Fourteenth Amendment declared part of the Constitution. Proclamation of Political Amnesty issued. Grant, Republican, elected President. Congress meets. Senate bill passed for the reduction of the army. Bill passed to abolish tax on manufactures. The Chinese Embassy received by the President. Bill passed Senate for admission of S. States. Commencement of difficulties between U. S. Ambassador and the Government of Paraguay. The Senate ratifies the Chinese Treaty. Freedman's Bureau Bill passed over Johnson's veto. Laws of United States extended over Alaska. Failure of the Atlantic Cable of 1866. President Johnson issues a universal amnesty proclamation.

1869.—Central Pacific and Union Pacific railroads completed.—1,913 miles in length. United States Supreme Court decides Internal Revenue laws constitutional. The Copper Tariff Bill passed over the veto. Passage of the Reconstruction Bill. Indiana Supreme Court decide National Bank currency taxable. Female Suffrage Bill passed by Wyoming Legislature. E. M. Stanton confirmed as Judge of United States Supreme Court.

1870.—Fifteenth Amendment passed. Recall of the Russian Minister, Catacazy, requested. Proclamation against Fenian raids into Canada issued. Ninth census, population 38,555,883. Bill passed for the re-admission of Virginia. Legal Tender Act declared unconstitutional. The Saint Thomas treaty expires by limitation. The North Pacific R. R. Bill becomes a law. Bill to abolish Franking privilege defeated. The San Domingo Treaty rejected by the Senate. The new Constitution of Illinois adopted.

1871.—Congress passes Bill against Ku-Klux, also Enforcement Bill. The United States Senate passes the San Domingo Commission Bill. The \$300,000, on Five Per Cent. Refunding Bill passed by the House. Congress admits the Georgia Senators. Deadlock in Indiana Legislature; thirty-four Republicans

resign. The Forty-first Congress expires; Forty-second organized. Alabama Claims \$12,830,384. Expense of the United States census reported \$3,287,600. The Apportionment Bill passed by Congress.

1872.—Tax and Tariff Bill passed diminishing Revenue. Ratio of Representation fixed at 131,425; Representatives limited to 293. General Amnesty Bill signed. \$15,500,000 awarded the United States by Geneva Tribunal. Emperor William of Germany decides the San Juan Question in favor of the United States. Salary Retroactive Act passed. First repeal of the Franking privilege. Federal officers are forbidden to hold State Offices. Suspension of the Bank of Jay Cook & Co., causes a financial panic. Modoc War.

1874.—Political excitement in Louisiana. Grant vetoes the Finance Bill. United States Senate passes Civil Rights Bill. Currency Bill vetoed. Fillmore and Sumner die.

1875.—Senate ratifies the Treaty with Hawaii. Civil Rights Bill passed. New Treaty with Belgium concluded. Financial trouble continue. Louisiana Legislative hall taken possession of by United States troops. Colorado admitted as a State.

1876.—Centennial Bill appropriating \$15,000,000 passed. Secretary Belknap impeached by the House, acquitted by the Senate. Postal Treaty with Japan. Termination

of the English Extradition Treaty announced.

1877.—Electoral Commission decided in favor of Hayes. Spanish Extradition Treaty announced. Federal troops recalled from the South. Nez Perces war.

1878.—Silver Bill. Halifax Fishing Award; Ben Butler opposes it.

1879.—Specie Payment. Negro exodus begins. Ute war.

1880.—Election of Garfield as President, the October election in Ohio and Indiana virtually deciding the issue in advance.

1881.—Assassination of President Garfield by Charles J. Guiteau; Vice President Arthur succeeds him. Resignation of Senators Conkling and Platt of New York.

1882.—Extended trial and final conviction of Guiteau, who set up the plea that his assassination of President Garfield was due to an irresistible pressure from the Deity. Nomination of Roscoe Conkling to the Supreme Bench. Blaine's eulogy on Garfield. The Mormon issue revived by Edmunds' Bill; Chinese issue revived by bill to prevent their immigration for twenty years. California and Nevada make a holiday of Saturday, March 4, and devote it to mass meetings which said "the Chinese must go." March 1, Senator Hoar of Massachusetts, makes great speech against Chinese Bill, Senator Miller, of California, replies.



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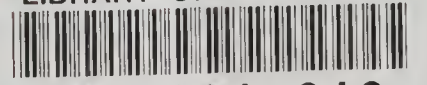








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